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Shadow Report

Assessment of Ukraine's Progress in Implementing the European Commission's Recommendations under the 'Fundamentals of the Accession Process' Cluster



Chapters 23 'Judiciary and Fundamental Rights' and 24 'Justice, Freedom and Security'

The Report was prepared by:

The Agency for Legislative Initiatives (ALI) is a leading independent Ukrainian think tank which has been operating since 2000. ALI's activities are aimed at strengthening the institutional capacity of the Parliament and Government, continuing European and Euro-Atlantic integration, supporting the stabilisation and reconstruction of Ukraine to overcome the aftermath of the Russian Federation's aggression, monitoring and backing reforms in justice and security, and political and civic awareness-raising.

Transparency International Ukraine is an accredited chapter of the global movement Transparency International, helping Ukraine grow stronger since 2012. The organisation takes a comprehensive approach to the development and implementation of changes for the reduction of corruption levels in certain areas. Transparency International Ukraine helped create and subsequently transferred Prozorro, Prozorro.Sale, eHealth, and Prozvit systems to the state. The team also implemented City Transparency and Accountability Rankings, developed the DOZORRO community to control public procurement, and co-founded the RISE UA Coalition, which protects integrity and efficiency in the rebuilding process.

The Human Rights Centre ZMINA (Ukraine) is engaged in informational, educational, monitoring, analytical and advocacy activities in the field of human rights. ZMINA deals with the protection of freedom of speech, assembly and associations, combating discrimination, torture, and protecting human rights defenders and civic activists in Ukraine, including in occupied Crimea. After the beginning of the large-scale Russian aggression against Ukraine, ZMINA, together with 38 other NGOs, launched the Ukraine 5AM Coalition, dealing with the documentation of war crimes and aiming at protecting victims of armed Russian aggression in Ukraine and bringing to justice the top leadership of the Russian Federation and direct perpetrators of war crimes. In 2022, ZMINA received the OSCE Democracy Defender Award 'for outstanding contribution to promoting and protecting fundamental freedoms and human rights in both non-government and government-controlled territories in Ukraine'.

Tomorrow`s Lawyer is a civic organisation that aims to promote the institutional development of justice to establish the rule of law and protect human rights. Since 2016, Tomorrow's Lawyer has been conducting research on public policy and the state of affairs in the justice sector and developing recommendations for their improvement and development. A special priority of the organisation is the professional development of the legal community. To this end, Tomorrow's Lawyer provides training and professional networking for communities of attorneys and prosecutors who are dedicated to serving justice in accordance with the highest ethical standards and being proactive in implementing democratic reforms.

The Ukrainian Bar Association (UBA), founded in 2002, is a national public organisation that brings together more than 8,000 lawyers across the country. As a robust and influential professional community, the UBA is dedicated to advancing the legal profession, refining legislation, enforcing ethical standards and safeguarding both the professional rights of its members and human rights overall.

Europe Without Barriers (EWB) is a think tank that has been conducting monitoring, analytical, advocacy, information, and outreach activities supporting reforms in the areas of European integration, migration management, labour market, and border management since 2009. EWB provides analytical and advocacy support for Ukraine's integration into the EU labour market, develops arguments for Ukraine's negotiating position on the free movement of workers, analyses visa policy in the context of European integration, and promotes the implementation of strategic reforms in the field of border management as part of the EU accession process.

European Pravda (EP) is an independent Ukrainian media outlet established in 2014. It is the first online media in Ukraine specialising in covering news and analytics on European topics, the process of Ukraine's European and Euro-Atlantic integration, and international security.

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List of Abbreviations

AC HACC — Appeals Chamber of the High Anti-Corruption Court

ACC SC — Administrative Cassation Court within the Supreme Court

ADR — Interagency Coordination Council on the Development of Alternative Dispute Resolution

AFU — Armed Forces of Ukraine

AGE — Advisory Group of Experts

AI — artificial intelligence

AMCU — Antimonopoly Committee of Ukraine

AML/CFT — anti-money laundering and counter-terrorism financing

APEOU — Association of Private Enforcement Officers of Ukraine

ARMA — National Agency of Ukraine for Finding, Tracing and Management of Assets Derived from Corruption and Other Crimes

ASEP — Automated Enforcement Proceedings System

BCR — Bar Council of the Region

BCU — Bar Council of Ukraine

BSG bodies — Bar self-governance bodies

BTI — Bureau of Technical Inventory

CAP of Ukraine — Code of Administrative Procedure of Ukraine

CCC SC — Civil Cassation Court within the SC

CC of Ukraine — Criminal Code of Ukraine

CCU — Constitutional Court of Ukraine

CEPEJ — European Commission for the Efficiency of Justice

CICED — Core International Crimes Evidence Database

CIF — Critical Infrastructure Facility

CISA — covert investigative/search actions

CivPC of Ukraine — Civil Procedure Code of Ukraine

CJU — Council of Judges of Ukraine

CM CoE — Committee of Ministers of the Council of Europe

Coordination Centre — Coordination Centre on Combating the Illicit Circulation of Firearms, Their Essential Parts and Components and Ammunition

Coordination Council — Coordination Council for Monitoring the Implementation of the Action Plan for the Implementation of the Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027

CPC of Ukraine — Criminal Procedure Code of Ukraine

CPT — European Committee for the Prevention of Torture

CPU — Council of Prosecutors of Ukraine

CrCC SC — Criminal Cassation Court within the Supreme Court

CSO — civil society organization

CUAO — Code of Ukraine on Administrative Offences

DACK — District Administrative Court of Kyiv

DESS — State Service of Ukraine for Ethnic Policy and Freedom of Conscience

DGI — Venice Commission and the Directorate General of Human Rights and Rule of Law of the Council of Europe

Diia Portal — Unified State Web Portal of Electronic Services

ECHR — Convention for the Protection of Human Rights and Fundamental Freedoms

ECtHR — European Court of Human Rights

ECTS — European Credit Transfer and Accumulation System

EFF — Extended Fund Facility

EKOPFO — Expert Teams for the Assessment of a Daily Functioning at Healthcare Facilities

EMFA — European Media Freedom Act

EMN — European Migration Network

ESBU — Economic Security Bureau of Ukraine

EU — European Union

EU acquis — the legal system of the European Union, which includes (but is not limited to) European Union legislation adopted within the framework of the European Community, the Common Foreign and Security Policy, and cooperation in the field of justice and internal affairs

EU Enlargement Package 2025 Report — European Commission's Ukraine 2025 Report under the EU Enlargement Package

Eurojust — European Union Agency for Criminal Justice Cooperation

Europol — European Union Agency for Law Enforcement Cooperation

FATF — Financial Action Task Force

FLA — free legal aid

FRONTEX — European Border and Coast Guard Agency

FTCH — family-type children's home

GC SC — Grand Chamber of the Supreme Court

Government — Cabinet of Ministers of Ukraine

GRECO — Group of States against Corruption

HACC — High Anti-Corruption Court

HCIP — High Court on Intellectual Property

HCJ — High Council of Justice

HEI — higher education institution

HQCJ — High Qualification Commission of Judges of Ukraine

HQDC — High Qualification and Disciplinary Bar Commission

ICAC — International Commercial Arbitration Court

ICC — International Criminal Court

ICPA — International Centre for the Prosecution of the Crime of Aggression against Ukraine

IDP — internally displaced person

IMF — International Monetary Fund

Interpol — International Criminal Police Organisation

IP disputes — cases concerning the protection of intellectual property rights

ISM SAP — Information System for Monitoring the Implementation of State Anti-Corruption Policy

ISBM Strategy — Integrated State Border Management Strategy

ITA — international technical assistance

JIT — Joint Investigation Teams

KDAC — Kyiv District Administrative Court

KM — Kyiv Metropolis

LAC — logical and arithmetic control

MAC — Maritime Arbitration Commission

MCCs — migration custody centres

MDT — Ministry of Digital Transformation of Ukraine

MFA — Ministry of Foreign Affairs of Ukraine

MIAM — mediation and information and assessment meetings

Ministry for Development — Ministry for Development of Communities and Territories of Ukraine

MoD — Ministry of Defence of Ukraine

MoES — Ministry of Education and Science of Ukraine

MoF — Ministry of Finance of Ukraine

MoH — Ministry of Health of Ukraine

MoIA — Ministry of Internal Affairs of Ukraine

MoJ — Ministry of Justice of Ukraine

MONEYVAL — Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism

MP — Moscow Patriarchate

MSEs — micro and small enterprises

MSP — Ministry of Social Policy, Family and Unity of Ukraine

NABU, National Bureau — National Anti-Corruption Bureau of Ukraine

NACP, Agency — National Agency on Corruption Prevention

NAQA — Higher Education Quality Assurance

National Council, media regulator — National Council of Television and Radio Broadcasting of Ukraine

NBU — National Bank of Ukraine

NHRI — National Human Rights Institution

NPM — National Preventive Mechanism

NPO — non-profit organisations

NPU — National Police of Ukraine

NRA — National Risk Assessment

NSBVI — National System of Biometric Verification and Identification of Citizens of Ukraine, Foreigners and Stateless Persons

NSDC — National Security and Defence Council of Ukraine

NSJU — National School of Judges of Ukraine

NSSU — National Social Service of Ukraine

NTNOC — National Centre for Operations and Technology Management of Telecommunications Networks

OAS — Overarching Strategic Plan for Law Enforcement Reform as part of the Security and Defence Sector of Ukraine for 2023–2027

OAS Action Plan — Action Plan for the implementation of the Overarching Strategic Plan for Law Enforcement Reform as part of the Security and Defence Sector of Ukraine for 2023–2027

ODIHR — OSCE Office for Democratic Institutions and Human Rights

OECD — Organisation for Economic Co-operation and Development

Office of the President — Office of the President of Ukraine

Ombudsman, Commissioner — Ukrainian Parliament Commissioner for Human Rights

OSA — Operational and Search Activities

PCIE — Public Council of International Experts

PEP — politically exposed person

PFME — primary financial monitoring entity

PFU — Pension Fund of Ukraine

PGO — Prosecutor General's Office

PHC MoH — Public Health Centre of the Ministry of Health of Ukraine

PIC — Public Integrity Council

PIT — personal income tax

ROC — Russian Orthodox Church

POLITDATA Register — Unified State Register of Political Party Reports on Property, Income, Expenses and Financial Obligations

President — President of Ukraine

PTCU — Prosecutors' Training Centre of Ukraine

PTDC — pre-trial detention centre

QDCB — Qualification and Disciplinary Commission of the Bar

QDCP — Qualification and Disciplinary Commission of Prosecutors

Register of Damaged and Destroyed Property — State Register of Property Damaged and Destroyed as a Result of Hostilities, Terrorist Acts and Sabotage Caused by the Armed Aggression of the Russian Federation against Ukraine

Register of Declarations — Unified State Register of Declarations of Persons Authorised to Perform the Functions of the State or Local Self-Government

Rome Statute — Rome Statute of the International Criminal Court

SACA — Specialised Administrative Court of Appeal

SAP — State Anti-Corruption Programme for 2023–2025

SAPO — Specialised Anti-Corruption Prosecutor's Office

SBGS — State Border Guard Service of Ukraine

SBI — State Bureau of Investigation

SC — Supreme Court

SCESU — State Criminal Enforcement Service of Ukraine

SCS — State Customs Service of Ukraine

SDAC — Specialised District Administrative Court

SDI HCJ — Service of Disciplinary Inspectors of the High Council of Justice

SEPA — Single Euro Payments Area

SES — State Enforcement Service

Shadow Report 2025 — Shadow Report on Chapter 23 'Justice and fundamental rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's Progress under the 2024 EU Enlargement Package

SFMS — State Financial Monitoring Service of Ukraine

SJA — State Judicial Administration of Ukraine

SLAPPs — strategic lawsuits against public participation

SMS — State Migration Service of Ukraine

SOGI — sexual orientation and gender identity

Special Tribunal — Special Tribunal for the Crime of Aggression

SPFU — State Property Fund of Ukraine

SRPR — State Register of Property Rights to Immovable Property

SSSCIP — State Service of Special Communications and Information Protection of Ukraine

SSU — Security Service of Ukraine

SSU Counterterrorism Centre — Counterterrorism Centre of the Security Service of Ukraine

State Budget — State Budget of Ukraine

TAIEX — European Commission's Technical Assistance and Information Exchange

TCR and SS — Territorial Centre for Recruitment and Social Support

TDC — temporary detention centres

TIC — Temporary Investigative Commission of the Verkhovna Rada

TOT — temporarily occupied territories

TWG — Temporary Working Group

UBO — ultimate beneficial owner

UJICS — Unified Judicial Information and Communication System

UJITS — Unified Judicial Information and Telecommunication System

Ukraine Facility — the European Union's financial assistance programme for the country for the period 2024–2027

UN — United Nations

UNBA — Ukrainian National Bar Association

UNBA HSB — Higher School of the Bar of the Ukrainian National Bar Association

United States — The United States of America

UOC — Ukrainian Orthodox Church

UPEE — Unified Professional Entrance Examination

URAU — Unified Register of Advocates of Ukraine

URD — Unified Register of Debtors

URPTI — Unified Register of Pre-Trial Investigations

USAID — United States Agency for International Development

USQE — Unified State Qualification Exam

USRAS — Unified State Register of Assets Seized in Criminal Proceedings

USRCD — Unified State Register of Court Decisions

USREOU — Unified State Register of Legal Entities, Individual Entrepreneurs and Public Associations

Verkhovna Rada, Parliament — Verkhovna Rada of Ukraine

Introduction

Ukraine has consistently demonstrated its commitment to becoming a full member of the European Union as soon as possible. During 2025 and the first half of 2026, Ukraine completed the screening of its national legislation for compliance with EU law under all six negotiation clusters, presented the Report on the Implementation of the Association Agreement between Ukraine and the European Union for 2025 and approved the National Programme for the Adaptation of Ukrainian Legislation to European Union Law (EU acquis).

At the same time, the information system for monitoring the implementation of Ukraine's commitments in the field of European integration, 'Accession Pulse', is operating to monitor the implementation of the National Programme for the Adaptation of Ukrainian Legislation to European Union Law (EU acquis), the roadmaps on the rule of law, the functioning of democratic institutions and public administration reform, the Action Plan on the Protection of the Rights of Persons Belonging to National Minorities (Communities) of Ukraine and other strategic documents in the field of European integration.

For its part, the European Commission published the Ukraine Progress Report under the 2025 European Union Enlargement Package and provided Ukraine with the accession benchmarks for all negotiation clusters. In addition, the European Commission and the Ukrainian side agreed on a list of 10 key reform priorities aimed at strengthening the rule of law, ensuring an effective fight against corruption and reinforcing democratic institutions.

A landmark development in summer 2026 was the holding of the EU–Ukraine Intergovernmental Conferences, which resulted in the opening of negotiations on Cluster 1 'Fundamentals of the Accession Process' on 15 June 2026 and Cluster 6 'External Relations' on 14 July 2026.

Over the past few years, the coalition of civil society organisations led by the Agency for Legislative Initiatives has consistently monitored and assessed Ukraine's progress on the European integration track and proposed solutions to the problems identified.

In this report, civil society focused on selected components of Cluster 1, 'Fundamentals of the Accession Process', which is decisive throughout the negotiations on Ukraine's accession to the European Union, as it is opened first and closed last. In previous years, the coalition of civil society organisations monitored and assessed Ukraine's progress under Chapter 23, 'Judiciary and Fundamental Rights', and Chapter 24, 'Justice, Freedom and Security'. In 2026, this work was extended to the area of 'Functioning of Democratic Institutions'.

Drawing on their long-standing experience, knowledge and the broad sectoral expertise of their specialists, the members of the coalition of civil society organisations distributed the areas of responsibility for preparing the report as follows:

- **Agency for Legislative Initiatives** — 'Parliament', 'European Integration', 'Governance', 'Multi-Level Governance', 'Judicial Reform' (except for the topic 'Digitalisation of Justice'), 'Prosecution Reform', 'Combating Serious and Organised Crime' (except for certain topics), 'Cooperation in the Field of Drug Control', 'Counter-Terrorism and Prevention of Radicalisation and Violent Extremism' and 'Judicial Cooperation in Criminal, Civil and Commercial Matters'.
- **Civic Network OPORA** — 'Elections'.
- **Centre for Democracy and Rule of Law** — 'Civil Society'.
- **Tomorrow's Lawyer** — 'Bar Reform'.
- **Ukrainian Bar Association** — 'Judicial Reform' (the topic 'Digitalisation of Justice') and 'Legal Education Reform'.
- **Transparency International Ukraine** — 'Fighting Corruption' and certain aspects under 'Combating Serious and Organised Crime'.
- **ZMINA Human Rights Centre** — 'Protection of Fundamental Rights and Freedoms', certain aspects under 'Combating Serious and Organised Crime' and 'Legal and Illegal Migration', as well as 'Asylum'.
- **Europe Without Barriers** — 'Visa Policy', 'Integrated Border Management' and certain aspects under 'Legal and Illegal Migration'.
- **European Pravda** — communication partner for covering current issues related to Ukraine's European integration processes.

Given the Russian Federation's full-scale invasion of Ukraine and the challenges faced by Ukrainian society on a daily basis, in this report the Agency for Legislative Initiatives, together with ZMINA Human Rights Centre, has included a standalone section, '**War-Related Justice**'. This section addresses the capacity of the national system to prosecute perpetrators of international crimes, collaboration activities and other crimes against the foundations of national security, as well as international cooperation in this area.

Monitoring and assessment of Ukraine's progress under Chapters 23 and 24 covered the period from *September 2025 to July 2026*. In the context of the area 'Functioning of Democratic Institutions', experts also analysed the state of play in the relevant areas over a broader period, extending to before September 2025, to demonstrate the factors that may have contributed either to the emergence of certain negative trends or, conversely, to the adoption of progressive decisions. Information on progress achieved in the relevant areas during August 2026 that is not directly reflected in the text of the report is presented in a separate Annex.[1]

This report follows the structure of the Ukraine Progress Report under the 2025 European Union Enlargement Package with respect to the area 'Functioning of Democratic Institutions' and Chapters 23 and 24. A brief overview of the challenges and recommendations for addressing them is provided in a separate annex to this report.[2]

1 Annex 1 to this report. ↗

2 Annex 2 to this report. ↗

Methodology

Once again, the coalition of civil society organisations uses the shadow report format to present the results of monitoring and assessing Ukraine's progress. A shadow report is an independent alternative analysis of public policy and of a candidate country's fulfilment of its obligations to the EU. It is a systematic audit conducted by specialised experts from civil society organisations. It does not duplicate the state's official documents or the European Commission's assessments but instead serves as a tool of civic oversight and expert engagement in the reform process. At the same time, it assesses the compliance of Ukrainian legislation and the system as a whole with EU standards. One of the objectives of the Shadow Report is to identify gaps and encourage the effective implementation of changes.

For the preparation of this report, a methodology was developed with the aim of conducting an alternative independent assessment of Ukraine's progress in the area of 'Functioning of Democratic Institutions', Chapter 23, 'Judiciary and Fundamental Rights', and Chapter 24, 'Justice, Freedom and Security', of negotiation Cluster 1, 'Fundamentals of the Accession Process'. Based on this assessment, experts of the coalition of civil society organisations formulated conclusions on the effectiveness of the mechanisms chosen to achieve the objectives in the respective areas of public policy and provided recommendations reflecting their own vision for addressing the problems identified.

In line with the methodology, experts of the coalition of civil society organisations analysed, for each area outlined in the report, national legislation, including laws, acts of the President, the Government, central executive authorities and other institutions, as well as international instruments, including conventions, charters, resolutions, principles and so forth; draft normative legal acts; the practice of Ukrainian judicial authorities and the European Court of Human Rights; open registers and databases; research and reports by state and civil society institutions; media materials and information obtained through public information access requests.

To assess the progress achieved during the reporting period, the members of the coalition used, inter alia, the scale applied by the European Commission to indicate progress in Ukraine Progress Reports under the European Union Enlargement Package. The scale includes the following levels: backsliding, no progress, limited progress, some progress, good progress and very good progress. In monitoring and assessing Ukraine's progress in each area, the experts determined the level reached by the country on this scale, taking into account the timeliness and effectiveness of implementation of:

1) the recommendations provided by the European Commission in the Ukraine Progress Reports under the European Union Enlargement Package for 2023–2025;

2) the measures envisaged by the roadmaps on the rule of law, the functioning of democratic institutions and public administration reform, the Ukraine Facility Plan and other international commitments of Ukraine that may affect European integration processes;

3) the measures envisaged by Ukraine's strategic documents in each area.

With the aim of incorporating and reflecting different positions, including alternative views, in the report, the coalition of civil society organisations conducted approximately **139** semi-structured in-depth interviews, **8** consultations and **14** written surveys with representatives of state authorities[3], international technical assistance projects, various non-governmental organisations, academics and experts, based on pre-prepared guides for the relevant areas.

3 Annex 3 to this report. ↗

Chapter 23
‘Judiciary and Fundamental Rights’

Agency for Legislative Initiatives

TOMORROW'S LAWYER

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Rule of Law



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Judicial Reform



* The subsection 'Digitalisation of Justice' was prepared by experts from the Ukrainian Bar Association.

The period from September 2025 to July 2026 inclusive was characterised by *moderate progress* in previously initiated judicial selection procedures. At the same time, the overall reform of the justice sector remained in an artificially induced strategic crisis.

Moderate progress was observed in competitions for appellate courts, the High Anti-Corruption Court (HACC), and the selection of new judges for local courts, as well as in the consideration of disciplinary complaints against judges and the dismissal of those who failed to confirm their suitability for office or committed corruption-related or other criminal offences. Although, following the results of personnel procedures in 2025 – the first half of 2026, the number of judges leaving the judiciary continued to exceed those appointed, progress in competitive procedures during the reporting period created a solid basis for further judicial appointments and for improving the staffing situation, particularly in appellate courts and the HACC.

Competitions are also ongoing for the Specialised District Administrative Court (SDAC) and the Specialised Administrative Court of Appeal (SACA), which are intended to replace the District Administrative Court of Kyiv (DACK), dissolved in December 2022, in adjudicating cases against central executive authorities. Equally importantly, a competition has already been announced for the Kyiv City District Administrative Court (KCDAC), whose commencement of operations should resolve the problem of adjudicating administrative cases involving Kyiv residents that arose following the liquidation of the DACK.

During the period from September 2025 to July 2026 inclusive, the High Council of Justice (HCJ) received four new members. One judge was appointed to the Constitutional Court of Ukraine (CCU). At the same time, the Verkhovna Rada of Ukraine (Verkhovna Rada, Parliament) failed to appoint two additional judges to the CCU under its quota which necessitated a repeat competition, following which Parliament has a choice of nine candidates for the appointment of two CCU judges.

The State Judicial Administration of Ukraine (SJA) appointed a new Head; however, this appointment was criticised by some representatives of civil society.

At the same time, during the reporting period, a project on the comprehensive digitalisation of the judiciary was launched. It is being implemented by the Agency for Legislative Initiatives with the support of the Swedish International Development Cooperation Agency (SIDA), in cooperation with the HCJ, the High Qualification Commission of

Judges of Ukraine (HQCJ), the Supreme Court (SC), the CCU and the SJA. As of July 2026, the development of individual modules of the new Unified Judicial Information and Communication System (UJICS) had commenced.

However, the Strategy for the Development of the Justice System and Constitutional Court Proceedings, which was intended to define clear and consistent directions for reform of the entire sector, was not adopted during the reporting period. Its adoption by the President of Ukraine (President) has been delayed by at least one year without any substantial justification.

Accordingly, during the reporting period, no decisions were taken regarding the continued participation of international (foreign) experts in the Selection Commission for the appointment of members of the HQCJ, in the selection of future judges of the SC, and/or their involvement in the vetting of judges of higher courts, as provided for in the European Commission's Ukraine 2025 Report under the EU Enlargement Package (EU Enlargement Package 2025 Report). The implementation of measures under the Rule of Law Roadmap, despite some moderate progress, remained largely fragmented and inconsistent.

At the same time, judicial governance bodies and public oversight institutions were subjected to pressure from the Temporary Investigative Commission established by the Verkhovna Rada of Ukraine, which constitutes a serious interference with the independence of the judiciary and the civil society sector. During the reporting period, the independence of the judiciary was also undermined by bodies of the Bar self-governance.

A continuing upward trend in the number of cases pending before courts was observed (5.8 million cases in 2025). Against the backdrop of a sustained decrease in the number of judges, this has adversely affected citizens' access to justice. Persistent challenges for the judiciary also included excessive and uneven judicial workload, as well as insufficient funding of the judicial system. Following the adoption of the law, the implementation of which was intended to increase the level of judicial remuneration from the second half of 2026, questions arose as to whether it could be implemented in practice, as the Ministry of Finance of Ukraine does not approve the expenditures required for such an increase.

A separate issue that emerged following the Russian Federation's strikes on Ukraine's energy infrastructure between December 2025 and February 2026 was the energy resilience of the judicial system. An unusually cold winter and prolonged power outages significantly restricted citizens' access to justice and adversely affected the timeliness of case adjudication. This issue will require targeted action by the judiciary and Ukraine's international partners in view of the intensification of the Russian Federation's strikes on critical infrastructure in frontline regions and cities with populations exceeding one million even in summer 2026, which calls into question the possibility of ensuring stable access to justice in winter 2026–2027, despite the efforts undertaken by the SJA and the courts.

Judicial Reform Strategy: Progress, Challenges, and Prospects

Progress and issues

As of 31 July 2026, the Strategy for the Development of the Justice System and Constitutional Court Proceedings for 2025–2029 (the Strategy), developed by the Office of the President of Ukraine (Office of the President) in the previous reporting period,[4] has not been approved. The specific timeline for the adoption of the relevant decree by the President of Ukraine (President) is currently unknown.

At the same time, the Commission on Legal Reform[5] was dissolved by a Presidential decree.[6] No new advisory body under the President responsible for justice sector issues has been established to date.

Meanwhile, representatives of the judiciary, the Verkhovna Rada of Ukraine (Verkhovna Rada, Parliament) and the Office of the President identify the following priorities for 2026: further filling of judicial vacancies, balancing the workload of courts, ensuring stable funding and adequate logistical support for judges and court staff, digitalisation of courts and strengthening the independence of the judiciary.[7] These measures are expected to have a positive impact on public trust in the judiciary, Ukraine's European integration path, its international reputation and the overall resilience of the state.[8] Justice reform remains one of the key areas of state transformation.[9]

As of the end of the reporting period, 23 measures under the Rule of Law Roadmap[10] related to the judiciary have been fully completed.[11] A further 10 measures are ongoing in nature and were implemented during the current or previous reporting period.[12] At the same time, the deadlines for 22 measures under the Rule of Law Roadmap expired[13] without those measures being completed. The implementation of certain measures has been delayed for almost a year (including measures whose implementation cannot begin until other outstanding measures have been implemented).[14]

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4 The issue identified by civil society in the Shadow Report 2025 (p. 21) remains relevant. ↗

5 On Issues of the Commission on Legal Reform: Decree of the President of Ukraine No. 584/2019 of 07.08.2019. ↗

6 On the Optimisation of the System of Consultative, Advisory and Other Auxiliary Bodies: Decree of the President of Ukraine No. 223/2026 of 05.03.2026. ↗

7 Plenary Meeting of the Supreme Court of 13.02.2026. YouTube channel of the Supreme Court, 2026. ↗

8 Ibid.

9 Publication by Iryna Mudra, Deputy Head of the Office of the President of Ukraine, on the social network Facebook, 2026. ↗

10 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

11 Materials provided at working level Directorate for Strategic Planning and European Integration of the Ministry of Justice of Ukraine.

12 Ibid.

13 Ibid.

14 Ibid.

Among the measures considered completed are the adoption of a law to improve the procedure for verifying judicial integrity declarations,[15] the competitive selection of the Head of the SJA;[16] the strengthening of the institutional capacity of the Public Integrity Council (PIC) through the establishment and continued functioning of its secretariat;[17] the adoption of a number of bylaws by the HQCJ;[18] the adoption of legislation aimed at improving the enforcement of court decisions,[19] the approval of the Concept and Roadmap for the development of IT solutions in the judiciary;[20] and amendments to the Strategy for the Development of Judicial Education,[21] among others.

The following measures are being implemented on an ongoing basis: selection procedures for HCJ members and CCU judges, as well as ensuring funding, reporting and the measurement of public trust in the judiciary.[22]

In addition to the President's failure to approve the aforementioned Strategy, several issues remain unresolved:

1) the measure concerning the establishment of a procedure for verifying asset declarations and monitoring the lifestyle of CCU judges has not been completed;[23]

2) measures related to the selection for managerial positions in the National School of Judges of Ukraine (NSJU), amendments to the NSJU Statute and ensuring adequate staffing and institutional capacity of the EU Law Training Laboratory have not been completed;[24]

3) no laws have been adopted regarding the possibility of holding the Congress of Judges of Ukraine online[25] and the effective limitation of the terms of office of court presidents;[26]

4) not all vacancies at the HACC have been filled, premises for the HACC as a court of first instance have been provided 'on paper', but the actual transfer is being delayed, and legislative amendments aimed at enabling single-judge consideration of civil and administrative cases by the HACC have not been adopted.[27]

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15 For details, see the subsection 'High Qualification Commission of Judges of Ukraine'.

16 For details, see the subsection 'State Judicial Administration of Ukraine'.

17 For details, see the subsection 'Public Integrity Council'.

18 For details, see the subsection 'High Qualification Commission of Judges of Ukraine'.

19 For details, see the subsection 'Enforcement of Court Decisions'.

20 For details, see the subsection 'Digitalisation of Justice'.

21 For details, see the subsection 'National School of Judges of Ukraine'.

22 Materials provided by the Ministry of Justice of Ukraine during communication with the Directorate for Strategic Planning and European Integration of the Ministry of Justice of Ukraine on 26.03.2026.

23 For details, see the subsection 'Constitutional Court of Ukraine'.

24 For details, see the subsection 'National School of Judges of Ukraine'.

25 For details, see the subsection 'Judicial Self-Governance: Congress of Judges of Ukraine, Council of Judges of Ukraine, meetings of judges'.

26 Ibid.

27 For details, see the subsections 'High Anti-Corruption Court' and 'High Qualification Commission of Judges of Ukraine'.

Some of the measures whose implementation was not completed within the deadlines are similar to those under the Ukraine Facility Plan that were also not implemented within the prescribed timeframe (for example, the filling of all vacancies at the HACC).[28]

During the reporting period, several documents were adopted to implement the recommendations of the Rule of Law Roadmap[29] and the 2025 EU Enlargement Package Report.[30] In March 2026, the Government's Action Plan for 2026[31] was approved, which, inter alia, provides for: the implementation of a digital project on the development of e-justice; the drafting of a draft law aimed at improving the efficiency of court functioning through the refinement of procedural mechanisms of adjudication; the preparation of a draft law amending certain legislative acts of Ukraine regarding the status and activities of the SJA; and the development and adoption of legal acts necessary to implement legislation on simplifying enforcement proceedings through digitalisation, among other measures.

Overall, the issues identified in the Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the 2024 EU Enlargement Package (Shadow Report 2025) have not been resolved and remain relevant, in particular as regards:[32]

- the parallel implementation of different elements of the reform by separate teams without sufficient exchange of experience or harmonisation of approaches;
- the absence of a comprehensive analysis of previous stages of the reform, including their achievements and shortcomings;
- the implementation of reforms under pressure from international partners and civil society;
- delays in extending the mandates of international (foreign) experts;
- delays in adopting the legislation necessary to ensure the continuity and coherence of justice sector reform.

Recommendations[33]

To ensure a balanced approach to the reform of the justice system and constitutional justice, a strategic document on the development of the judiciary for the next five years (2026–2030) should be adopted, taking into account all international obligations and available capacities, along with an action plan for its implementation. If the President does not approve the Strategy in the third quarter of 2026, consideration should be given to its joint adoption by the HCJ and the SC, insofar as it concerns the judiciary, by the end of 2026.

28 On Approval of the Ukraine Plan: Order of the Cabinet of Ministers of Ukraine No. 244 of 18.03.2024. ↗

29 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

30 Ukraine 2025 Report: Communication on EU Enlargement Policy, p. 32. ↗

31 Government Action Plan for 2026: Order of the Cabinet of Ministers of Ukraine No. 306 of 30.03.2026. ↗

32 The issues identified by civil society in the Shadow Report 2025 (pp. 21–23) remain relevant. ↗

33 The recommendations provided by civil society in the Shadow Report 2025 (p. 24) remain relevant and have been further clarified. ↗

To this end, prior to implementing each element of the Strategy, an analysis should be conducted of the steps already taken and the results of judicial reform in previous periods, including its achievements and shortcomings, particularly the effectiveness of the legislative amendments adopted. It is also advisable to align existing action plans with realistic implementation timelines and relevant EU Member State practices.

Institutional Capacity and Competitive Selection to the Key Judicial Authorities

High Council of Justice

Progress and issues

Staffing of the High Council of Justice

As of 31 July 2026, the HCJ operates with 19 members out of 21.[34]

On 8 October 2025, the President appointed two HCJ members under his quota.[35] As a result, during the reporting period, the procedure for filling two vacant positions — which had lasted almost three years (with the first two attempts unsuccessful) — was completed.

In March 2026, the Congress of Judges of Ukraine elected two HCJ members[36] (the procedure had been ongoing since March 2025). At the same time, in January 2027, eight positions of HCJ member under the quota of the Congress of Judges of Ukraine will become vacant simultaneously.[37]

The Ethics Council, which, in accordance with Law No. 1798-VIII,[38] assesses candidates for the HCJ against the criteria of professional ethics and integrity, notes that given the length of the candidate vetting procedure, it appears necessary to urgently initiate selection procedures for eight positions of HCJ member.[39] At the same time, members of the Ethics Council point to several challenges in their work, including the lengthy duration of special background checks of candidates, which often makes it impossible to comply with the deadlines established by Law No. 1798-VIII, as well as the remote mode of work of international (foreign) experts — members of the Ethics Council.[40] An additional, albeit less systemic, issue is the participation of international

34 Composition of the High Council of Justice. High Council of Justice. ↗

35 On the Appointment of V. Makhinchuk as a Member of the High Council of Justice: Decree of the President of Ukraine No. 753/2025 of 08.10.2025.; On the Appointment of M. Saviuk as a Member of the High Council of Justice: Decree of the President of Ukraine No. 754/2025 of 08.10.2025. ↗

36 Congress of Judges of Ukraine Elects Members of the HCJ. Council of Judges of Ukraine, 2026. ↗

37 Eight HCJ members under the quota of the Congress of Judges of Ukraine were elected in January 2023. Accordingly, their term of office will expire in January 2027.

38 On the High Council of Justice: Law of Ukraine No. 1798-VIII of 21.12.2016. ↗

39 Information provided by Respondent 24 during an interview conducted on 20.03.2026.

40 Ibid.

(foreign) experts in the work of other commissions or councils in Ukraine or abroad.[41] This, in turn, affects the timelines of the Ethics Council's work in assessing candidates for compliance with the criteria of professional ethics and integrity.[42]

In December 2025, members of the Ethics Council addressed the appointing (electing) authorities of HCJ members, calling for the continuity of selection procedures.[43]

In light of the experience of selecting HCJ members under the quota of the Congress of Judges of Ukraine, the risk of the HCJ once again losing its quorum[44] in 2027 persists. This risk is primarily caused by the current legal requirement that the number of candidates must be at least twice the number of vacant HCJ member positions for the respective appointing (electing) authority. This means that, for the Congress of Judges of Ukraine to elect eight candidates to vacant HCJ member positions under its quota in a timely manner, the Ethics Council should, no later than the end of 2026, recognise at least 16 candidates as meeting the criteria of professional ethics and integrity for appointment as HCJ members.[45]

The HCJ has now completed the acceptance of documents from candidates for eight HCJ member positions. Seventy-one persons submitted documents.[46] The 21st Extraordinary Congress of Judges of Ukraine is scheduled for 2 September 2026, with the election of eight HCJ members included on its agenda.[47]

In August 2026 the terms of office of two HCJ members appointed under the quota of the Verkhovna Rada of Ukraine and one HCJ member elected by the Congress of Representatives of Higher Legal Education Institutions and Scientific Institutions will expire.[48] In February 2027, the terms of office of two HCJ members elected by the All-Ukrainian Conference of Prosecutors will expire.[49]

On 9 February 2026, the Verkhovna Rada Committee on Legal Policy announced the launch of a competition for two HCJ member positions.[50] A total of 32 candidates submitted applications.[51] In August, the Ethics Council will decide on the admission of these candidates to the competition.[52]

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41 Ibid.

42 Ibid.

43 The Ethics Council Completes the Evaluation of Candidates for the Position of a Member of the HCJ from the Congress of Judges of Ukraine within the Fourth Competition. Ethics Council, 2025. ↗

44 Pursuant to Article 18 of the Law of Ukraine 'On the High Council of Justice', the HCJ is competent provided that at least 15 members have been elected (appointed), the majority of whom are judges (including judges in retirement) and that they have taken the oath.

45 On the High Council of Justice: Law of Ukraine No. 1798-VIII of 21.12.2016, paragraph 2, Part 8 Article 9. ↗

46 Candidates for the HCJ. High Council of Justice, 2026. ↗

47 The Council of Judges of Ukraine Convened the 21st Extraordinary Congress of Judges of Ukraine. Council of Judges of Ukraine, 2026. ↗

48 All three HCJ members were elected in August 2022. Accordingly, their term of office will expire in August 2026.

49 Two HCJ members were elected in February 2023. Accordingly, their terms of office will expire in February 2027.

50 Announcement of a Competition for Two Positions of Members of the High Council of Justice and the Commencement of Applications from Candidates. Verkhovna Rada of Ukraine, 2026. ↗

51 Candidates for the Position of Member of the High Council of Justice. Verkhovna Rada of Ukraine, 2026. ↗

52 Publication by the Ethics Council on the social network Facebook, 2026. ↗

From 12 February 2026, a competition was launched for one vacant HCJ member position under the quota of the Congress of Representatives of Higher Legal Education Institutions and Scientific Institutions. Twelve candidates submitted documents for the vacant position.[53] Following the assessment, the Ethics Council recommended five candidates for election as meeting the criteria of professional ethics and integrity.[54] The Congress of Academics, at which an HCJ member will be elected, is scheduled for 27 August 2026.[55]

On 8 June 2026, a competition was launched for two vacant HCJ member positions under the quota of the All-Ukrainian Conference of Prosecutors.[56] Fifteen persons submitted documents.[57] The regular All-Ukrainian Conference of Prosecutors, whose agenda includes, inter alia, the election of two HCJ members,[58] is scheduled for 27–28 August 2026.

In the context of staffing the HCJ, the issue of filling the quota of the Congress of Advocates of Ukraine remains unresolved and problematic. For almost four years, the legal profession has refrained from fulfilling its constitutional obligation to elect HCJ members under its quota. The last Congress of Advocates of Ukraine took place in February 2019, at which two HCJ members were elected. However, they resigned early at their own request in January 2022.[59] At present, the position of the Ukrainian National Bar Association (UNBA) remains unchanged — the Sixth Congress of Advocates of Ukraine will be convened only after the end of martial law.[60] No measures are being taken by this appointing authority to identify possible ways of fulfilling its obligation to elect HCJ members.

At the same time, meetings of the Bar Council of Ukraine (BCU) are periodically held in person at locations in the western regions of Ukraine.[61] However, the issue of filling its HCJ quota is not raised during these meetings. The BCU has also established a working group on the implementation of the Rule of Law Roadmap,[62] and relevant activities are being carried out in this regard.[63] However, the activities of the Bar self-governance body in implementing the Roadmap are limited solely to issues related to

53 Candidates for the HCJ. High Council of Justice, 2026. ↗

54 Publication by the Ethics Council on the social network Facebook, 2026. ↗

55 The HCJ Set a New Date for the Congress of Representatives of Higher Legal Education Institutions and Scientific Institutions — 27 August 2026. High Council of Justice, 2026. ↗

56 Applications Open for the Competition to Elect Members of the High Council of Justice under the Quota of the All-Ukrainian Conference of Prosecutors. High Council of Justice, 2026. ↗

57 Candidates for the HCJ. High Council of Justice, 2026. ↗

58 Applications Open for the Competition to Elect Members of the High Council of Justice under the Quota of the All-Ukrainian Conference of Prosecutors. High Council of Justice, 2026. ↗

59 Challenges in Staffing the High Council of Justice. Agency for Legislative Initiatives, 2025. ↗

60 The Shadow Report on Justice Will Be Assessed at the BCU. Ukrainian National Bar Association, 2024. ↗

61 Most recently — on 17 October 2025 in Lviv region. The BCU Holds Its October Meeting in Lviv Region. Ukrainian National Bar Association, 2025. ↗

62 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

63 Dialogue Between the UNBA and the European Commission on Ukraine's Path to the EU Continues. Ukrainian National Bar Association, 2025. ↗

improving the legal regulation of the legal profession.[64] For its part, the HCJ called on the UNBA to take urgent measures and fulfil, as soon as possible, its constitutional powers to elect two HCJ members under the Bar quota.[65] The security situation under martial law, to which the UNBA refers, does not constitute sufficient justification for failing to hold the Congress of Advocates of Ukraine, and there are no legal obstacles to holding the Congress.[66]

Full staffing of vacant positions in the HCJ is critically important to ensure the continuity of its functioning. Even when operating with 17 members (prior to the election of two HCJ members by the Congress of Judges in March 2026), the HCJ was, in certain cases, unable[67] to adopt decisions in plenary due to recusals and/or self-recusals of individual members.[68] For example, the adoption of final decisions on the dismissal of certain judges of the DACK, which was liquidated in 2022, remains blocked.[69]

A positive step towards addressing the problem of filling vacant HCJ positions in the future is the provision in Draft Law No. 15374[70] stipulating that each vacant position is to be filled separately. In such a case, any number of candidates recommended by the Ethics Council for election (but no fewer than two)[71] would allow the selection procedure for existing vacant HCJ member positions to continue rather than requiring a new competition to be announced. In this respect, Draft Law No. 15374 fully reflects the civil society recommendations consistently provided in the 2024–2025 Shadow Reports[72] and merits support.

Also, during the previous reporting period, Draft Law No. 13137[73] and the alternative Draft Law No. 13137-1[74] were submitted to Parliament. The former, inter alia, proposes lowering the quorum of the HCJ.[75]

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64 Decision No. 125 on the Consideration of the Rule of Law Roadmap. Ukrainian National Bar Association, 12 December 2025. ↗

65 The HCJ Adopted a Public Appeal to the Ukrainian National Bar Association and the Bar Council of Ukraine on the Need to Elect Two HCJ Members under the Quota of the Congress of Advocates of Ukraine. High Council of Justice, 2026. ↗

66 Ibid.

67 Information provided by Respondent 17 during an interview conducted on 05.03.2026.

68 A meeting of the HCJ in plenary composition is competent if attended by a majority of its members (i.e. at least 11 members of the HCJ).

69 He Threatened a Judge with Criminal Prosecution Because He Wanted to Join the SBI — Another Case of Ablov Before the High Council of Justice. DEJURE Foundation, 05.02.2026. ↗

70 On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' and Certain Legislative Acts of Ukraine Regarding Improvement of Disciplinary Procedures and the Exercise of Other Powers by the High Council of Justice: Draft Law of Ukraine, registration No. 15374 of 02.07.2026. ↗

71 At present, pursuant to paragraphs 2 and 3 Part 8 Article 9 of the Law of Ukraine 'On the High Council of Justice', the number of candidates recommended by the Ethics Council for election to the position of HCJ member must be at least twice the number of vacant HCJ member positions under the quota of the respective appointing (electing) authority.

72 For example, Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report within the European Union Enlargement Package in 2024 / Agency for Legislative Initiatives [et al.]. Kyiv, 2025, pp. 29–30. ↗

73 On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' and Certain Legislative Acts of Ukraine Regarding the Improvement of Disciplinary and Other Procedures: Draft Law of Ukraine No. 13137 of 26.03.2025. ↗

74 On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' and Certain Legislative Acts of Ukraine Regarding the Improvement of Disciplinary and Other Procedures: Draft Law of Ukraine No. 13137-1 of 07.04.2025. ↗

75 Under the current wording of the law, the plenary composition of the HCJ is competent to consider issues related to submitting a motion for the appointment of a judge if at least 14 HCJ members are present.

According to the joint assessment of the proposed legislative amendments by the Venice Commission and the Directorate General of Human Rights and Rule of Law of the Council of Europe (DGI),[76] the introduction of a general formula without specifying a minimum quorum or a minimum number of votes for decisions on judicial appointments would allow decisions to be adopted without proper majority support, which could further undermine public trust in judicial governance institutions. Accordingly, it is recommended to seek alternative mechanisms to ensure the full composition of the HCJ.

During the reporting period, a new Head of the HCJ Secretariat, Olha Bulka, was appointed, having previously served as Deputy Head of the SJA.[77] This position remained vacant for over seven months.

Since December 2024, the Service of Disciplinary Inspectors of the HCJ (SDI HCJ) has been operational. Presently, this service consists of 23 inspectors (with two positions remaining vacant), the Head of the SDI HCJ and his Deputy.[78] At the same time, two disciplinary inspectors are on maternity leave.[79] A further 12 disciplinary inspectors are participating in competitions for positions in local and appellate courts[80] as well as one disciplinary inspector is participating in the competition for a vacant HCJ member position under the quota of the Congress of Representatives of Higher Legal Education Institutions and Scientific Institutions.[81] The outcomes of these competitions will determine whether a staffing renewal within the SDI HCJ will take place before the end of the five-year term of the appointed inspectors. Currently, the Competition Commission for the selection of SDI HCJ members is considering the issue of launching the next competition for vacant disciplinary inspector positions.

As regards challenges in the work of the Competition Commission for the selection of SDI HCJ members, similarly to the Ethics Council, the Commission faces delays in the special background check procedures of candidates, which affects the overall duration of competitions.[82] At the same time, the HCJ notes that it is capable of independently obtaining information from state registers, as the HCJ's analytical unit collects such information within the judicial appointment procedure.[83]

Another issue that remains is the elimination of a substantial number of candidates for disciplinary inspector positions at the stage of testing their cognitive abilities,[84] as due to

76 Ukraine - Joint Opinion of the Venice Commission and the Directorate General of Human Rights and Rule of Law (DGI) of the Council of Europe on draft amendments on disciplinary procedures against judges, declarations of integrity and other procedures (p. 92). Venice Commission of the Council of Europe, 2025. ↗

77 The HCJ Appointed Olha Bulka as Head of the HCJ Secretariat. High Council of Justice, 2025. ↗

78 Composition of the Service of Disciplinary Inspectors. High Council of Justice, 2026. ↗

79 Information provided by Respondent 25 during an interview conducted on 25.03.2026.

80 List of Persons Who Applied to the Commission for Selection and Transfer to Local Courts. High Qualification Commission of Judges of Ukraine, 2025. ↗

81 Candidates for the HCJ. High Council of Justice, 2026. ↗

82 Information provided by Respondent 25 during an interview conducted on 25.03.2026.

83 Ibid.

84 Ibid.

the complexity of the tasks, a considerable proportion of candidates do not even appear for the testing.[85]

Recommendations

1. In the event of delays by individual public authorities in verifying information on candidates, the Ethics Council should take all possible measures to obtain such information without delay.

2. Given the duration of the procedures conducted by the Ethics Council, it is advisable to amend the Law of Ukraine 'On the High Council of Justice' to ensure that all ongoing selection procedures are completed by the current composition of the Ethics Council, where the term of office of its members expires during a competition.

3. In view of the failure of the UNBA to fulfil its constitutional obligation to elect two HCJ members under its quota, it is advisable to develop, at the legislative level, an alternative mechanism for convening the Congress of Advocates and to provide for liability of the UNBA leadership in the event of its non-convening.[86] Given the prolonged passive position of the UNBA leadership in seeking solutions to this issue, it also appears appropriate to initiate a professional legal discussion on the possibility of future amendments to the Constitution of Ukraine to transfer the power to fill the quota of the Congress of Advocates to professional civil society associations (associations, unions, etc., the majority of whose members are advocates).

4. For candidates for HCJ membership (SDI HCJ, HQCJ etc.) who have already undergone a special background check and whose status has not changed, it is necessary to provide for the possibility of using previous conclusions issued by the authorities conducting such checks.[87]

5. To ensure the timely conduct of selection procedures and to accelerate them, the recommendation to introduce legislative amendments remains relevant, whereby special background checks of candidates would be conducted in parallel with the competition, rather than prior to its commencement.[88]

6. To improve the effectiveness of the selection procedures already launched, Parliament should adopt as soon as possible the legislative amendments proposed in Draft Law No. 15374 concerning the number of candidates recommended by the Ethics Council for election to the position of HCJ member.

7. To ensure the continuity of selection procedures conducted by the Ethics Council, the issue of initiating competitions at least one year before the expiry of the

85 Ranking of Cognitive Skills Test Results of Candidates for the Position of Disciplinary Inspector of the Service of Disciplinary Inspectors. High Council of Justice, 2025. ↗

86 The relevant recommendations were previously provided by civil society in 2023 in the Shadow Report on Chapter 23 'Justice and Fundamental Rights' of the European Commission's Report on Ukraine (p. 15-16). ↗

87 The recommendation provided by civil society in the 2025 Shadow Report (p. 27-28) remains relevant. ↗

88 Ibid.

terms of office of the current HCJ members under the respective quota should be addressed.[89]

8. In Draft Law No. 13137, the provisions on changing the quorum should be removed, as they entail corruption risks and risks of political pressure on the judiciary. In the future, any changes to the quorum of the HCJ should be avoided, and instead alternative mechanisms for ensuring the functioning quorum of the HCJ should be developed.

9. Given the high likelihood that some disciplinary inspectors will resign following their appointment to positions in local and appellate courts or due to election/appointment to any other positions requiring them to leave their positions as disciplinary inspectors, it is advisable to create a reserve of at least five candidates during the next competition for disciplinary inspector positions. This would facilitate the swift filling of vacancies and ensure more efficient use of financial, human and time resources.

10. Through amendments to the Laws of Ukraine 'On the High Council of Justice' and 'On the Judiciary and the Status of Judges', it should be provided that, during competitions conducted by the Ethics Council, the Competition Commission for the selection of HQCJ members and the Competition Commission for the selection of SDI HCJ members, the analytical unit of the HCJ may be involved in obtaining information within the framework of the special background checks of candidates for the HCJ, HQCJ and SDI. Such unit should be authorised to independently collect, via state registers, the information and documents required for the conduct of special background checks.

Exercise of Powers by the High Council of Justice

In 2025, the HCJ submitted to the President proposals for the appointment of 161 candidates to judicial positions,[90] including: 54 judges to local general courts; 4 judges to local commercial courts; 1 judge to a local administrative court; 28 judges to appellate general courts; 41 judges to appellate commercial courts; 31 judges to appellate administrative courts; and 2 judges to the HACC. In 2025, the President issued 87 decrees appointing 143 judges (70 to local courts, 71 to appellate courts and 2 to the HACC).[91]

In the first half of 2026, the HCJ submitted to the President proposals for the appointment of 93 candidates to judicial positions,[92] including: 13 judges to local general courts, 1 judge to a local administrative court, 1 judge to a local commercial court, 59 judges to appellate general courts, 12 judges to appellate commercial courts and 7 judges to appellate administrative courts.

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89 The recommendation provided by civil society in the Shadow Report 2025 (p. 29) remains relevant, namely the need to study the experience of EU Member States regarding the extension of the terms of office of sitting members of judicial councils until new members are appointed. ↗

90 During 2025, the HCJ adopted decisions to submit to the President of Ukraine proposals for the appointment of 161 judges. High Council of Justice, 2026. ↗

91 Annual Report on the State of Judicial Independence in Ukraine for 2025. High Council of Justice, 2026, p. 39. ↗

92 The HCJ Decided to Submit to the President of Ukraine Proposals for the Appointment of 93 Judges during January–June 2026. High Council of Justice, 2026. ↗

During the first six months of 2026, the President approved the HCJ's proposals for the appointment of **74 judges** to appellate and local courts.[93] At the end of July, the President appointed a further **12** judges to appellate courts and **one** judge to a local court.[94]

In 2025, the HCJ adopted decisions on the dismissal of **226 judges**.[95] Under general grounds, 186 judges were dismissed, namely: 12 judges of local courts following the submission of resignation requests at their own initiative and 174 judges following the submission of resignation requests upon retirement, including:

- 125 judges of local courts;
- 43 judges of appellate courts;
- 6 judges of the SC.

Under special grounds, the HCJ dismissed 40 judges, namely:

- 30 judges for committing a serious disciplinary offence;
- 10 judges on the basis of subparagraph 4 of paragraph 16[1] of Section XV 'Transitional Provisions' of the Constitution of Ukraine[96] pursuant to submissions with recommendations from the HQCJ.

During the first half of 2026, the HCJ adopted decisions on the dismissal of **105** judges.[97] Under special grounds, **16** judges were dismissed (14 for committing a serious disciplinary offence and 2 on the recommendation of the HQCJ). Under general grounds, **89** judges were dismissed (86 upon retirement and 3 at their own request).[98]

In 2025, the HCJ issued 15 rulings to suspend the consideration of judges' applications for dismissal on general grounds (retirement or resignation at their own request) pending the examination of disciplinary complaints lodged against them concerning serious violations.[99] In the first half of 2026, **5** such rulings were issued.[100] However, the HCJ's practice is not consistent, as there are cases where, despite the existence of disciplinary complaints alleging serious misconduct, the HCJ dismissed judges upon retire-

93 The HCJ Decided to Submit to the President of Ukraine Proposals for the Appointment of 75 Judges during January–May 2026. High Council of Justice, 2026. ↗

94 The President of Ukraine Approved the HCJ's Proposals for the Appointment of 13 Judges. High Council of Justice, 2026. ↗

95 A total of 226 judges were dismissed during 2025. High Council of Justice, 2026. ↗

96 The establishment, as a result of such evaluation, of a judge's non-compliance with the position held based on the criteria of competence, professional ethics or integrity — where the judge was appointed for a five-year term or elected without a fixed term prior to the entry into force of the Law of Ukraine 'On Amendments to the Constitution of Ukraine (regarding justice)' — or the judge's refusal to undergo such evaluation constitutes grounds for dismissal.

97 105 Judges Dismissed during the First Half of 2026. High Council of Justice, 2026. ↗

98 Ibid.

99 Acts of the High Council of Justice. High Council of Justice, 2026. ↗

100 Ibid.

ment.[101] This inconsistency stems from the fact that the HCJ has the right, but not the obligation, to suspend consideration of a judge's retirement.[102]

Draft Law No. 15374[103] provides for suspending consideration of a resignation request where, before the judge submitted the request, the HCJ had already commenced disciplinary proceedings that may result in the judge's dismissal, where there are already disciplinary proceedings being conducted on a priority basis, or where a disciplinary case has already been opened against the judge (irrespective of the possible outcome). However, the draft law does not regulate the priority consideration of disciplinary proceedings concerning a judge who is entitled to retire and has submitted the relevant request to the HCJ. Suspending consideration of a judge's resignation request without simultaneously granting the relevant disciplinary proceedings priority status and without establishing the shortest possible timeframe for their consideration creates a state of uncertainty and, accordingly, adversely affects the constitutional principle of judicial independence.

The proposal to suspend consideration of a judge's resignation request where the judge has been notified of suspicion of committing a criminal offence also adversely affects guarantees of judicial independence.[104] It would be appropriate to specify the criminal offences concerned and exclude from the list acts by a judge that do not relate to the judge's professional status or to the administration of justice. In addition, the draft law proposes a significant extension of the period for considering a judge's resignation request, to six months. Such a period is unjustifiably excessive, and adoption of this change together with the other proposed amendments could further deepen the staffing crisis currently affecting the judiciary. Overall, the proposed legislative initiatives should be preceded by a detailed and comprehensive analysis of the current situation and an assessment of their potential impact, which should determine whether their adoption is necessary.

A separate issue identified was a negative practice whereby the HCJ retains in office judges in respect of whom the HQCJ has recommended dismissal (six such cases are known during the reporting period).[105] At the same time, it is known that the HCJ dismissed 16 judges following consideration of submissions from the HQCJ.[106] Thus, the HCJ's practice in this regard is inconsistent. As a result, judges deemed not to meet the requirements of the judicial office remain in their positions. In this context, an additional issue is the absence in the current legislation of a defined time limit within which the HCJ must consider submissions from the HQCJ recommending the dismissal of a judge. This leads to significant discrepancies in the HCJ's handling of such recom-

101 Problematic Aspects of Disciplinary Liability and Dismissal of Judges: Analytical Overview and Recommendations. DEJURE Foundation, 2026, pp. 7–8. ↗

102 On the High Council of Justice: Law of Ukraine No. 1798-VIII of 21.12.2016, paragraph 2 of part 3 of Article 55. ↗

103 On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' and Certain Legislative Acts of Ukraine Regarding Improvement of Disciplinary Procedures and the Exercise of Other Powers by the High Council of Justice: Draft Law of Ukraine, registration No. 15374 of 02.07.2026. ↗

104 Ibid.

105 Problematic Aspects of Disciplinary Liability and Dismissal of Judges: Analytical Overview and Recommendations. DEJURE Foundation, 2026, p. 17. ↗

106 Ibid.

mendations in respect of different judges.[107] At present, nearly half of all HQCJ submissions remain pending consideration.[108]

During 2025, the HCJ received 22 motions from the Prosecutor General's Office (PGO), namely: 15 motions for the temporary suspension of a judge from the administration of justice in connection with the bringing of criminal charges against the judge; and 7 motions for the extension of the period of temporary suspension.[109]

Following consideration of these motions, the HCJ adopted 18 decisions granting the PGO's motions (14 decisions on the temporary suspension of a judge and 4 decisions on the extension of the period of temporary suspension), 1 decision refusing a motion for temporary suspension, and 3 decisions returning, without consideration, motions for the extension of the period of temporary suspension.[110]

During the first six months of 2026, the HCJ received **12** motions from the PGO, of which **8** sought the temporary suspension of a judge from the administration of justice in connection with criminal prosecution, all of which were subsequently granted by the HCJ. A further **4** motions concerned extension of the period of temporary suspension from the administration of justice, of which the HCJ granted only two. The HCJ returned the other two motions without consideration[111] because one motion had been submitted without compliance with the statutory requirements[112] while in the other case the prosecutor sought a further extension.[113] No decision refusing a PGO motion was adopted.

During the reporting period, the HCJ prepared a consolidated review of its decisions on the temporary suspension of judges from the administration of justice in connection with criminal proceedings, as well as on the extension of such suspensions, for the first half of 2025.[114]

During 2025, the HCJ received **8** submissions requesting consent to detain a judge and to hold them in custody (the HCJ granted consent in 6 cases and refused in 2 cases), as well as **2** submissions requesting consent to place a judge under arrest (the HCJ granted consent in 1 case and refused in the other).[115]

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107 Ibid.

108 Ibid.

109 Information on HCJ decisions concerning temporary suspension, granting consent to detention and holding judges in custody during 2025. High Council of Justice, 2026. ↗

110 Ibid.

111 Information on HCJ Decisions concerning Temporary Suspension, Consent to Detention and Holding Judges in Custody during the First Half of 2026. High Council of Justice, 2026. ↗

112 Ruling of the High Council of Justice No. 74/0/15-26 of 19.01.2026. ↗

113 Ruling of the High Council of Justice No. 286/0/15-26 of 26.02.2026. ↗

114 Overview of HCJ decisions adopted following consideration of motions on temporary suspension of judges from administering justice in connection with criminal liability and extension of such suspension for the first half of 2025. High Council of Justice. ↗

115 Information on HCJ decisions concerning temporary suspension, granting consent to detention and holding judges in custody during 2025. High Council of Justice, 2026. ↗

During the first half of 2026, the HCJ granted **1** consent for the detention of a judge in custody.[116]

The issue of the PGO submitting requests for consent to detain a judge in custody simultaneously with the suspension of that judge from the administration of justice remains unregulated at the legislative level.[117]

The HCJ has prepared a consolidated review of its decisions adopted following consideration of submissions requesting consent to detain judges in custody for the first half of 2025.[118] In addition, in February 2026, the HCJ reported on the development of consolidated practice regarding the application by the HCJ, the HQCJ and the PIC of the Unified Indicators for Assessing the Integrity and Professional Ethics of a Judge (or Judicial Candidate).[119] At present, different approaches are observed in assessing the integrity of judges (judicial candidates), and there is a need to develop more consistent practice, particularly with regard to analysing events that occurred many years ago and are not always supported by documentary evidence.[120]

During the previous reporting period, the HCJ announced the launch of a competition to fill vacant positions of members of the Competition Commission responsible for conducting the competition for the position of HQCJ member.[121] At present, the new composition of the Competition Commission has not yet been formed. The HCJ notes the absence of an agreed position (and corresponding legislative amendments) on the mechanism for its formation, taking into account the European Commission's recommendation to expand the participation of independent international experts.[122]

The HCJ plans to approve its Development Strategy for 2026–2030 in August–September 2026.[123] In July 2026, the HCJ held a public discussion of the draft Strategy, during which the following key priorities for the HCJ's activities in the coming years were identified:[124] ensuring the institutional independence of judicial governance bodies, timely filling of judicial vacancies, improving procedures for the selection, assessment, transfer and secondment of judges, improving disciplinary procedures, ensuring adequate funding of the judiciary, developing e-justice and introducing modern digital tech-

116 The HCJ granted consent to the detention in custody of a judge of the Reni District Court of Odesa region. High Council of Justice, 2026. ↗

117 This issue had already been highlighted by civil society in the Shadow Report on Chapter 23 'Justice and Fundamental Rights' of the European Commission's Report on Ukraine for 2023 (p. 16). ↗

118 Overview of HCJ decisions adopted following consideration of motions to grant consent to the detention of a judge in custody for the first half of 2025. High Council of Justice. ↗

119 Opening of the Judicial Year: At the SC Plenum, Oksana Kvasha Presented the Results and Priorities of the HCJ. High Council of Justice, 2026. ↗

120 Modernisation of the Court Network and Unified Approaches to Integrity Assessment: HCJ Members Participated in the XIV International Judicial and Legal Forum. High Council of Justice, 2026. ↗

121 Announcement of the Launch of a Competition for Vacant Positions of Members of the Competition Commission. High Council of Justice, 2025. ↗

122 The HCJ Discussed Key Areas of Judicial Reform and Execution of ECtHR Judgments with the Council of Europe. High Council of Justice, 2026. ↗

123 Information provided by Respondent 16 during an interview conducted on 04.03.2026.

124 The High Council of Justice Presented the Draft Strategy for Its Activities for 2026–2030. High Council of Justice, 2026. ↗

nologies, optimising the network of local courts, improving case allocation mechanisms and ensuring a balanced workload across courts.[125]

On 24 March 2026, the HCJ adopted a comprehensive public address to the Verkhovna Rada committees responsible for legal policy, budgetary matters and law enforcement regarding the implementation of certain measures of the Rule of Law Roadmap.[126] The address identifies a number of issues requiring legislative improvements, including mechanisms for responding to interference with judicial independence, strengthening the role of the HCJ in the budgetary process, ensuring the institutional continuity of the HCJ's functioning, improving procedures for the selection of HCJ members and taking into account the HCJ's advisory opinions on draft laws concerning the establishment, reorganisation or liquidation of courts, as well as the judiciary and the status of judges.[127]

Recommendations[128]

1. Amend the Law of Ukraine 'On the High Council of Justice' to provide that, where the HCJ grants consent to the detention of a judge in custody or under arrest, the issue of suspending the judge from the administration of justice is decided simultaneously.

2. Where a judge submits a resignation upon retirement, but disciplinary complaints against that judge had been filed prior to the submission of such application (though not yet formally opened), the issue of opening and considering such complaints should be resolved by the SDI HCJ and the disciplinary chambers of the HCJ within two months. Following this, a decision should be adopted on the dismissal of the judge upon retirement (or refusal of such dismissal).

3. The initiatives proposed in Draft Law No. 15374 (other than those concerning competition procedures) require broad public discussion, a detailed and comprehensive analysis of the current situation and an assessment of their potential impact on the judiciary. It would also be advisable to submit the draft law for review by the Venice Commission and the OSCE Office[129] for Democratic Institutions and Human Rights (ODIHR).

4. Adopt the HCJ Development Strategy for 2026–2030.

5. Summarise the practice of the HCJ, HQCJ and PIC in applying the Unified Indicators for Assessing the Integrity and Professional Ethics of a Judge (Judicial Candidate).

6. Support the legislative amendments proposed by the HCJ in its address of 24 March 2026 and, taking into account the Constitution of Ukraine, develop the relevant draft law and submit it to the Venice Commission for an expert opinion.

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125 Strategic Issues of Justice during Wartime Discussed at the IX Kyiv Polylogue. High Council of Justice, 2026. ↗

126 The HCJ adopted a public appeal to the VRU Committee on Legal Policy, the VRU Committee on Budget and the VRU Committee on Law Enforcement regarding the implementation of certain measures under the Rule of Law Roadmap. High Council of Justice, 2026. ↗

127 Ibid.

128 The below recommendations were previously provided by civil society in the Shadow Report on Chapter 23 'Justice and Fundamental Rights' of the European Commission's Report on Ukraine for 2024 (p. 32) and remain relevant. ↗

129 Organization for Security and Co-operation in Europe.

Disciplinary Liability of Judges

During 2025, the HCJ received **10,795 complaints** concerning alleged disciplinary offences by judges[130] (the number of new disciplinary complaints increased by more than one third compared to 2024[131]). At the same time, as of 23 December 2024 (the date the SDI HCJ became operational), 10,896 complaints remained for which no decision had yet been adopted on the opening of disciplinary proceedings.[132] Thus, the total number of disciplinary complaints pending before the HCJ in 2025 amounted to 21,691.

During 2025, HCJ members, disciplinary inspectors and Disciplinary Chambers fully completed the consideration of 10,485 disciplinary complaints (including those received in previous years).[133]

From the start of the operation of the SDI HCJ and up to and including 1 December 2025, disciplinary inspectors of the HCJ, acting individually, issued rulings leaving 6,356 disciplinary complaints without consideration or returning them.[134] During the same period, the Disciplinary Chambers refused to open disciplinary proceedings in respect of 2,356 complaints.[135] Disciplinary proceedings were opened following the consideration of 364 complaints.[136] These statistics indicate that the main efforts of the SDI HCJ and the Disciplinary Chambers were focused on filtering disciplinary complaints and screening out those that were inadmissible or unfounded.

In 2025, following the consideration of opened disciplinary cases, the Disciplinary Chambers of the HCJ adopted **115 decisions** on bringing **118 judges** to disciplinary liability and imposed the following disciplinary sanctions:[137]

- warning — 59 judges;
- reprimand with deprivation of the right to receive additional payments to the judge's official salary for one month — 18 judges;
- severe reprimand with deprivation of the right to receive additional payments to the judge's official salary for three months — 6 judges;

130 Annual Report on the State of Judicial Independence in Ukraine for 2025: Decision of the High Council of Justice No. 1045/0/15-26 of 28.05.2026. ↗

131 The Results of the First Year of Work of the Service of Disciplinary Inspectors Were Presented at the High Council of Justice. High Council of Justice, 2026. ↗

132 Ibid.

133 Annual Report on the State of Judicial Independence in Ukraine for 2025. High Council of Justice, 2026, p. 28. ↗

134 Where the grounds specified in points 1, 4 and 5 (formal grounds) of part 1 of Article 44 of the Law of Ukraine 'On the High Council of Justice' are present, the HCJ disciplinary inspector designated by the automated case distribution system to conduct the preliminary review of a disciplinary complaint (rapporteur) shall, acting individually, leave the complaint without consideration and return it to the complainant (paragraph 2 of part 1 of Article 43 of the Law of Ukraine 'On the High Council of Justice'). ↗

135 Where the grounds provided for in Article 45 of the Law of Ukraine 'On the High Council of Justice' are present, the HCJ Disciplinary Chamber shall adopt a decision to refuse to open a disciplinary case. A conclusion proposing to open or refuse to open a disciplinary case is prepared by the HCJ disciplinary inspector acting as rapporteur (part 2 of Article 43 of the Law of Ukraine 'On the High Council of Justice'). ↗

136 One Year Later: Has the Service of Disciplinary Inspectors Become What Was Expected? Automaidan. ↗

137 In 2025, 118 judges were held disciplinarily liable. High Council of Justice, 2026. ↗

- submission for temporary (from one to six months) suspension from administering justice — 2 judges;
- submission for dismissal — 33 judges.

During the same period, the HCJ adopted decisions on the dismissal of 30 judges for committing a serious disciplinary offence.[138]

Between January and July 2026, the Disciplinary Chambers adopted **48** decisions on bringing **49** judges to disciplinary liability.[139] The following disciplinary sanctions were applied:

- warning — in respect of 24 judges;
- reprimand with deprivation of the right to receive additional payments to the judge's official salary for one month — in respect of 5 judges;
- severe reprimand with deprivation of the right to receive additional payments to the judge's official salary for three months — in respect of 3 judges;
- submission for dismissal — in respect of 17 judges.

During the first year of operation, disciplinary inspectors identified **174 disciplinary complaints** as priority cases.[140] The criteria for assigning priority status to complaints included 'significant public interest' and 'possible dismissal of a judge' (most frequently), as well as 'retirement of a judge' (less frequently) and, in one case, in connection with the qualification assessment of a judge.[141]

Delays in the consideration of priority disciplinary complaints are observed for various reasons, including the fact that the HCJ does not maintain records of the work of disciplinary inspectors (such as the date of a conclusion, the date of its submission, the date of its possible return, etc.).[142] In addition, civil society research highlights the issue of significant variability in the approaches of disciplinary inspectors to the application of priority criteria,[143] which indicates the ineffectiveness of the current institution of 'priority disciplinary complaints'.

The above-mentioned draft laws No. 13137[144] and No. 13137-1[145] propose, inter alia, to classify as priority those disciplinary proceedings initiated on the basis of a submission

138 A total of 226 judges were dismissed during 2025. High Council of Justice, 2026. ↗

139 49 Judges Held Disciplinarily Liable during the First Five Months of 2026. High Council of Justice, 2026. ↗

140 Service of Disciplinary Inspectors: One Year of Reviewing Priority Complaints. DEJURE Foundation, 2026. ↗

141 Nine Months of Work of the Service of Disciplinary Inspectors. DEJURE Foundation, 2025. ↗; The chronological order of conducting disciplinary proceedings against judges based on the date of receipt of disciplinary complaints, taking into account prioritisation criteria, is defined in paragraph 13.7 of the Rules of Procedure of the High Council of Justice.

142 Service of Disciplinary Inspectors: One Year of Reviewing Priority Complaints. DEJURE Foundation, 2026. ↗

143 Ibid.

144 On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' and Certain Legislative Acts of Ukraine Regarding the Improvement of Disciplinary and Other Procedures: Draft Law of Ukraine, registration No. 13137 of 26.03.2025. ↗

145 On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' and Certain Legislative Acts of Ukraine Regarding the Improvement of Disciplinary and Other Procedures: Draft Law of Ukraine, registration No. 13137-1 of 07.04.2025. ↗

from the HQCJ, as well as those initiated in respect of judges for whom the HCJ is considering transfer from one court to another following a competition. However, in its opinion, the Venice Commission and the DGI noted[146] that such legislative proposals lack sufficient justification for prioritising these categories of proceedings over other disciplinary cases. They also criticised the absence of an exhaustive list of well-founded priority criteria. Instead, the HCJ is granted discretion to establish 'other criteria'.

Draft Law No. 15374 also refers to these categories of proceedings and, at the same time, supplements the list of priority criteria with additional categories, namely where disciplinary proceedings may result in dismissal of a judge, where a disciplinary complaint contains information on a judge's actions that have attracted significant public interest, or where criminal proceedings are being conducted in relation to such actions.[147] However, the criterion of 'significant public interest' proposed for inclusion in the law is evaluative and affords very broad discretion, so the need to use it at the legislative level may reasonably be questioned.

The involvement of the SDI HCJ in the consideration of disciplinary complaints has partially addressed the issue of complaints that remained pending as of 31 December 2023 (a total of 6,054 disciplinary complaints).[148] As at the end of 2025, 2,741 such complaints were considered with the participation of disciplinary inspectors, accounting for 45%[149] of the disciplinary proceedings (complaints) that had remained pending as of 31 December 2023. As of the end of June 2026, 3,096 such complaints had been considered, representing 51%.[150] The consideration of this category of complaints is ongoing and remains one of the priorities of the SDI HCJ for 2026.[151] As regards other disciplinary complaints, the pace of their consideration has increased by 15%[152] compared to the period prior to the establishment of the SDI HCJ.[153]

At the same time, one year of operation of the SDI HCJ has not demonstrated the expected progress in accelerating disciplinary proceedings against judges. Although the establishment of this service was intended to address the large number of previously unresolved disciplinary complaints and to streamline and expedite the consideration of all disciplinary complaints in line with the highest European standards of justice, this has

146 Ukraine – Joint Opinion of the Venice Commission and the Directorate General of Human Rights and Rule of Law (DGI) of the Council of Europe on draft amendments on disciplinary procedures against judges, declarations of integrity and other procedures. Venice Commission of the Council of Europe 2025. ↗

147 On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' and Certain Legislative Acts of Ukraine Regarding Improvement of Disciplinary Procedures and the Exercise of Other Powers by the High Council of Justice: Draft Law of Ukraine, registration No. 15374 of 02.07.2026. See subparagraph 9 of paragraph 2 of Section II (amendments concerning Part 4 Article 42 of the Law of Ukraine 'On the High Council of Justice'). ↗

148 Materials provided at working level by the Directorate for Strategic Planning and European Integration of the Ministry of Justice of Ukraine.

149 The High Council of Justice Presented the Results of the First Year of Work of the Service of Disciplinary Inspectors. High Council of Justice, 2026. ↗

150 Materials provided at working level by the Directorate for Strategic Planning and European Integration of the Ministry of Justice of Ukraine.

151 The Results of the First Year of Work of the Service of Disciplinary Inspectors Were Presented at the High Council of Justice. High Council of Justice, 2026. ↗

152 Ibid.

153 Prior to the establishment of the SDI HCJ, the functions of a disciplinary inspector were performed by a member of the HCJ Disciplinary Chamber (rapporteur) designated by the automated case distribution system.

not yet been achieved.[154] Thus, by the end of 2025, the number of pending disciplinary complaints (11,539) almost equalled the number of new complaints received during the year (11,025).[155] In previous reporting periods, the backlog of unresolved disciplinary complaints was similarly significant (14,454 complaints[156] at the end of 2023 and 10,896 at the end of 2024). Given that the number of new disciplinary complaints against judges continues to increase, there is a risk of non-compliance with procedural time limits for their consideration.[157] The duration of disciplinary proceedings is also affected by the substantial volume of case materials, as well as by the involvement of HCJ members in judicial appointment procedures and the performance of other functions.[158]

Disciplinary inspectors consider[159] that, inter alia, their powers should be expanded in order to accelerate the process of examining disciplinary complaints. It is proposed that a disciplinary inspector should be empowered to decide, acting individually, on leaving a complaint without consideration or returning it not only on formal grounds, but also where the complaint does not meet other (substantive) admissibility criteria.[160] Such procedural improvements could optimise the work of disciplinary bodies and ensure procedural and budgetary efficiency.

The overall duration of the consideration of disciplinary complaints is also affected by differences in the requirements of various Disciplinary Chambers regarding the conclusions prepared by disciplinary inspectors. Combined with inadequate communication between the Disciplinary Chambers and disciplinary inspectors, this leads to delays caused by the need for revisions. The absence of electronic document management and the need for disciplinary inspectors to perform technical and organisational tasks in the course of handling complaints also have a negative impact.[161] There also remains a risk of staff attrition within the SDI HCJ due to uncompetitive remuneration of disciplinary inspectors and the absence of bonuses and other incentive payments.[162]

Draft laws No. 13137 and No. 13137-1 propose the introduction of a safeguard mechanism against abuse of the right to file disciplinary complaints, whereby complainants who misuse this right would be required to pay a fee for submitting subsequent disciplinary complaints within a specified period. However, the Venice Commission and the

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154 Establishment of the Disciplinary Inspectors Service: A Task from the European Commission for 2024, which Ukraine Must Fulfil. PRAVO-JUSTICE, 2024. ↗

155 The High Council of Justice Presented the Results of the First Year of Work of the Service of Disciplinary Inspectors. High Council of Justice, 2026. ↗

156 Establishment of the Disciplinary Inspectors Service: A Task from the European Commission for 2024, which Ukraine Must Fulfil. PRAVO-JUSTICE, 2024. ↗

157 Pursuant to part 15 of Article 49 of the Law of Ukraine 'On the High Council of Justice', the total duration of disciplinary proceedings may not exceed 18 months. The High Council of Justice Presented the Results of the First Year of Work of the Service of Disciplinary Inspectors. High Council of Justice, 2026. ↗

158 Service of Disciplinary Inspectors: One Year of Reviewing Priority Complaints. DEJURE Foundation, 2026. ↗

159 The High Council of Justice Presented the Results of the First Year of Work of the Service of Disciplinary Inspectors. High Council of Justice, 2026. ↗

160 These refer to the grounds set out in points 2, 3 and 6 of part 1 of Article 44 of the Law of Ukraine 'On the High Council of Justice', non-compliance with which results in the Disciplinary Chamber adopting the relevant ruling, based on a prior conclusion prepared by the disciplinary inspector.

161 One Year Later: Has the Service of Disciplinary Inspectors Become What Was Expected? Automaidan. ↗

162 Ibid.

DGI consider[163] the proposed amount of the fee to be excessive for an average individual, which may restrict access to justice for certain groups of the population. At the same time, the Venice Commission recommends[164] limiting the circle of persons entitled to lodge complaints to those who have been directly affected by the actions of a judge or who have a substantiated legal interest.

As regards the practice of the HCJ Disciplinary Chambers in holding judges disciplinarily liable, it remains inconsistent, as in previous reporting periods.[165] There are no unified approaches either among the three Disciplinary Chambers or within the plenary composition of the HCJ in qualifying judges' conduct. The facts and circumstances examined in disciplinary cases concerning the same grounds of disciplinary liability also differ. As a result, this leads to divergent conclusions in similar cases and a lack of consolidation in disciplinary practice.[166]

A degree of consistency in disciplinary practice[167] can be observed only in the category of cases concerning the imposition of liability on judges under the ground set out in paragraph 3 of part 1 of Article 106 of the Law of Ukraine 'On the Judiciary and the Status of Judges'.[168] With regard to this ground of disciplinary liability, the HCJ has publicly insisted on the consistency of its practice of using materials from covert investigative (search) actions as evidence in disciplinary proceedings.[169] Over a period of nearly seven years, the Disciplinary Chambers have submitted motions for the dismissal of 50 judges on the basis of such evidence.[170]

The Grand Chamber of the SC (GC SC) agrees with this HCJ practice, as indicated in a recent GC SC judgment upholding the HCJ decision in the disciplinary case concerning former DACK President Pavlo Vovk and his dismissal from office.[171]

In order to avoid discrepancies in the decisions of disciplinary bodies and to ensure the predictability of consequences for judicial misconduct, the HCJ has developed generalisations of such disciplinary practice, including: the practice of the Disciplinary Chambers in examining disciplinary cases concerning judges for 2024;[172] the practice

163 Ukraine - Joint Opinion of the Venice Commission and the Directorate General of Human Rights and Rule of Law (DGI) of the Council of Europe on draft amendments on disciplinary procedures against judges, declarations of integrity and other procedures (p. 78). Venice Commission of the Council of Europe 2025. ↗

164 Ibid, pp. 67, 75.

165 According to the analysis of decisions of the High Council of Justice and its Disciplinary Chambers conducted by the Agency for Legislative Initiatives in the preparation of this report.

166 Ibid.

167 Ibid.

168 Engaging in conduct that discredits the office of a judge or undermines the authority of the judiciary, including in matters of morality, honesty, integrity, consistency of a judge's lifestyle with their status, compliance with other rules of judicial ethics and standards of conduct that ensure public trust in the courts, as well as demonstrating disrespect towards other judges, defence counsel, experts, witnesses or other participants in judicial proceedings.

169 Use of Materials from Criminal Proceedings as Evidence in Disciplinary Proceedings Against Judges: Is There a Legal Issue? High Council of Justice, 2026. ↗

170 Ibid.

171 Judgment of the Grand Chamber of the Supreme Court of 18.06.2026 in case No. 990SCGC/21/25. ↗

172 Summary of the Practice of Consideration by the Disciplinary Chambers of Disciplinary Cases Against Judges for 2024. High Council of Justice, 2025. ↗

of the HCJ in reviewing decisions of its Disciplinary Chambers for 2024;[173] and the practice of the HCJ concerning decisions to leave disciplinary complaints without consideration and to refuse to open disciplinary cases against judges for 2024,[174] a summary of HCJ practice in reviewing decisions of the HCJ Disciplinary Chambers for 2025.[175] One of the members of the working group that developed these generalisations emphasised[176] the need to further specify, at the legislative level, certain elements of a 'serious disciplinary offence' that constitute grounds for the dismissal of a judge.

In 2025, the GC SC reported an increase in judges' appeals against HCJ decisions imposing disciplinary liability on them (70% more than in 2024). The GC SC notes that such complaints constitute one of the most complex categories of cases.[177] It highlights the problem of proper qualification of disciplinary offences and the clarity of the statutory grounds for holding judges disciplinarily liable. Addressing this issue requires institutional alignment between the HCJ and the SC, as well as streamlining and improving legislative provisions in the context of defining the elements of disciplinary offences.[178] At the same time, judges of the GC SC note an evolution in the HCJ's approaches to the qualification of judges' conduct, despite the fact that the relevant legislative provisions in this area have remained unchanged since 2017. They also identify as a negative practice the qualification by the disciplinary body of a single act of a judge under several types of disciplinary offences without proper justification. These factors are among the most common grounds for the GC SC to overturn HCJ decisions (overall, the HCJ overturns decisions in 30% of cases[179]). As regards 2025, of all HCJ decisions adopted that year following review of decisions of the HCJ Disciplinary Chambers (71 decisions[180]), 46 decisions were appealed to the GC SC.[181] Following review, the GC SC overturned 8 decisions and upheld 25 decisions (a further 13 cases challenging HCJ decisions remain pending before the GC SC).[182]

Another problematic issue concerns the disciplinary body's compliance with the time limits for disciplinary proceedings. Breaches of these time limits negatively affect the observance of the principle of proportionality in disciplinary proceedings, particularly in

173 Summary of the Disciplinary Practice of the High Council of Justice in Reviewing Decisions of the Disciplinary Chambers of the High Council of Justice for 2024. High Council of Justice, 2025. ↗

174 Summary of the Disciplinary Practice of the High Council of Justice (Regarding the Adoption of Rulings on Leaving Disciplinary Complaints Without Consideration and on Refusal to Open Disciplinary Cases Against Judges for 2024). High Council of Justice, 2025. ↗

175 Summary of the High Council of Justice's Practice in Reviewing Decisions of the Disciplinary Chambers of the High Council of Justice for 2025 Published. High Council of Justice, 2026. ↗

176 This refers to part 9 of Article 109 of the Law of Ukraine 'On the Judiciary and the Status of Judges'. At the High Council of Justice, the Summary of Practice in Disciplinary Proceedings Against Judges Was Discussed. High Council of Justice, 2025. ↗

177 Judicial Renewal Must Take Place Strictly Within the Law, Without Arbitrary Decisions – Secretary of the GC SC. Supreme Court, 2026. ↗

178 Judges of the Supreme Court Discussed the Summary of the Disciplinary Practice of the High Council of Justice. Supreme Court, 2026. ↗

179 Ibid.

180 Summary of the High Council of Justice's Practice in Reviewing Decisions of the Disciplinary Chambers of the High Council of Justice for 2025 / High Council of Justice, 2026, p. 7. ↗

181 Ibid, p. 52.

182 Ibid.

determining the appropriate disciplinary sanction.[183] In this regard, the established position of the GC SC is that the longer the duration of disciplinary proceedings, the more compelling the grounds must be for imposing the most severe disciplinary sanctions on judges. Furthermore, the GC SC emphasises the mandatory application of the standards of the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) in disciplinary proceedings against judges. General principles of judicial proceedings, such as adversarial proceedings, dispositiveness and the prohibition of *reformatio in peius*, should also apply. In addition, the GC SC proposes introducing a model of disciplinary proceedings whereby its decisions would be final as regards the merits of a disciplinary complaint. At present, however, if the GC SC sets aside an HCJ decision, the respective disciplinary case is reconsidered by the plenary composition of the HCJ.

At the same time, during the reporting period, the GC SC adopted judgments concerning HCJ decisions imposing disciplinary liability on two judges of the liquidated DACK.[184] The GC SC upheld the HCJ decision imposing disciplinary liability on the former President of the liquidated DACK and dismissing him from office.[185] The HCJ decision concerning another DACK judge was overturned because, in relation to one of the grounds on which the judge had been held disciplinarily liable, the HCJ had incorrectly determined the applicable time limits.[186]

The problem of clearly defining the grounds for holding judges disciplinarily liable remains unresolved. Other issues — particularly those related to improving disciplinary procedures for judges, reducing the number of disciplinary complaints, establishing an effective filtering mechanism for manifestly unfounded complaints and preventing abuse of the right to lodge disciplinary complaints — remain at the discussion stage.

Draft laws No. 13137 and No. 13137-1 are not regarded by civil society as addressing these problems; on the contrary, they contain provisions the implementation of which may undermine the existing achievements of the HCJ in disciplinary procedures and further blur the grounds for judges' disciplinary liability.[187] At present, these draft laws are under consideration in the committees of the Verkhovna Rada.

Draft Law No. 15374[188] also provides for greater detail regarding the grounds for disciplinary liability of judges. However, the proposed amendments are piecemeal and concern only some of these grounds. Accordingly, they do not fully resolve the problem of inconsistent disciplinary practice. A positive aspect of the draft law is that Parliament provides greater detail on conduct by a judge that discredits the title of judge or undermines the authority of justice.[189] At the same time, one item on this list provides for dis-

183 Ibid.

184 Former Head of the liquidated DACK, P. Vovk, and judge of the liquidated DACK, A. Mazur.

185 Judgment of the Grand Chamber of the Supreme Court of 18.06.2026 in case No. 990SCGC/21/25. ↗

186 Judgment of the Grand Chamber of the Supreme Court of 09.06.2026 in case No. 990SCGC/28/25. ↗

187 The observations and recommendations provided by civil society in the Shadow Report 2025 (pp. 35–36) remain relevant. ↗

188 On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' and Certain Legislative Acts of Ukraine Regarding Improvement of Disciplinary Procedures and the Exercise of Other Powers by the High Council of Justice: Draft Law of Ukraine, registration No. 15374 of 02.07.2026. ↗

189 Conduct for which liability is provided under paragraph 3 Part 1 Article 106 of the Law of Ukraine 'On the Judiciary and the Status of Judges'.

ciplinary liability for a judge's breach of judicial ethics and standards of conduct. The existence of such a ground for disciplinary liability is inconsistent with recommendations by international experts that ethical standards should not be equated with disciplinary rules whose violation entails disciplinary sanctions.[190]

Recommendations

1. The Parliament should revise Draft Law No. 13137 (and its alternative No. 13137-1), with mandatory consideration of the joint opinion of the Venice Commission and the DGI.

2. Parliament should substantially revise Draft Law No. 15374 and take into account the conclusions and recommendations already provided by international experts in the field of judicial disciplinary liability. It would also be advisable to submit the proposed legislative initiative for review by the Venice Commission and ODIHR.

3. With regard to the disciplinary practice of the HCJ, it is advisable to:

- develop the HCJ's disciplinary practice taking into account the positions of the GC SC in cases concerning complaints against HCJ decisions in disciplinary matters;
- periodically systematise disciplinary practice by types of disciplinary offences and across the approaches of each Disciplinary Chamber (both decisions and rulings) in order to identify discrepancies. Measures should be taken to unify these approaches, for example, through the periodic rotation of HCJ members between Disciplinary Chambers, which would facilitate the consolidation of best practices.

4. In the examination of disciplinary cases against judges, the HCJ should be guided by the principle of legal certainty and provide precise and well-reasoned qualifications of judges' conduct in its decisions. Compliance with these requirements would ensure that the HCJ's disciplinary practice remains consistent and predictable, even in the presence of imperfect legislation in this area.

5. Measures should be taken to achieve a uniform and publicly comprehensible practice in the application of criteria for prioritising disciplinary complaints.

6. The HCJ should refrain from voting on the dismissal of a judge upon retirement where a disciplinary complaint against that judge has been submitted prior to the judge filing for retirement, until such complaint has been examined. At the same time, such disciplinary complaints should be granted priority status at the legislative level, and a two-month time limit should be established for their resolution.

7. The HCJ should develop a comprehensive action plan for the further functioning of the SDI HCJ, aimed at addressing the persistent accumulation of disciplinary complaints as well as the continuous increase in the number of new submissions.

190 Opinion on the Code of Judicial Ethics of Ukraine. Opinion No. JUD-UKR/560/2025 [SA] / OSCE Office for Democratic Institutions and Human Rights. Warsaw, 2026, para. 21. ↗

8. Mechanisms should be developed to ensure compliance with time limits for the examination of disciplinary complaints, as well as expedited timeframes for priority complaints, for example by:

- relieving disciplinary inspectors of technical and organisational tasks in the course of examining disciplinary complaints and transferring such functions to technical staff;
- establishing uniform standards and approaches for procedural communication between disciplinary inspectors and different Disciplinary Chambers;
- introducing the recording of procedural communication between disciplinary inspectors and Disciplinary Chambers. This would not only enable monitoring of overall time limits for the examination of disciplinary complaints, but also allow for swift measures to be taken where there is a risk of expiry of the limitation period for holding a judge liable in a specific case and help identify the reasons for the length of disciplinary proceedings where a case is closed due to the expiry of time limits.

9. Effective mechanisms for filtering inadmissible disciplinary complaints against judges should be developed.

10. A system of quarterly public reporting by the SDI HCJ should be introduced, along with the requirement to maintain clear records of the work of disciplinary inspectors to monitor its quality.

High Qualification Commission of Judges of Ukraine

Progress and issues

Selection Commission for the Appointment of HQCJ Members

During the reporting period, the Selection Commission for the appointment of HQCJ members (Selection Commission) was not established by the HCJ. This is due to uncertainty regarding its future composition,[191] as the term of office of the previous composition of the Selection Commission expired on 1 June 2025.[192]

At present, the Law of Ukraine 'On the Judiciary and the Status of Judges' does not provide for the participation of international (foreign) experts in the Selection Commission.[193] The entities responsible for forming the Selection Commission are the Council of Judges of Ukraine (CJU) — 3 quotas, the BCU — 1 quota, the Council of Prosecutors of Ukraine — 1 quota and the National Academy of Legal Sciences of Ukraine, represented by its Presidium — 1 quota.[194]

191 Information provided by Respondent 16 during an interview conducted on 04.03.2026.

192 Publication by Ivan Mishchenko, Head of the Selection Commission for the Selection of Members of the HQCJ, on the social network Facebook, 2025. ↗

193 On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016, Part 4 Article 95[1]. ↗

194 Ibid.

Most of the institutions listed above had already nominated candidates for membership of the Selection Commission to the HCJ last year.[195] Some of these candidates, according to representatives of civil society,[196] do not meet the requirements of integrity and ethics. A separate issue is that these candidates were nominated by unreformed bodies; therefore, at this stage, abandoning the participation of international (foreign) experts in the Selection Commission appears premature.[197] At the same time, at the end of July 2026 the CJU extended the competitive selection for vacant positions of members of the Competition Commission under its quota until 25 September 2026.[198]

Last year, representatives of civil society[199] and the European Commission[200] already emphasised the need to continue the involvement of international experts in the selection of new members of the HQCJ, as the term of office of the current composition of the HQCJ expires in May 2027.

Since June 2025, Draft Law No. 13382[201] has been under consideration in Parliament, proposing to extend the participation of international experts in the selection of members of the HQCJ for a further three years; however, no progress in its adoption has been observed to date. At the same time, the Verkhovna Rada emphasises the need to conduct a dialogue among all stakeholders on this issue.[202]

Staffing

From the perspective of continuity of the work of the HQCJ, Law No. 1402-VIII[203] provides that, where the term of office of a member of the HQCJ expires and, as a result, the HQCJ would become non-quorate, such a member shall continue to perform their duties until a new person is appointed to the position, but for no longer than three months.

In view of the ongoing uncertainty regarding the future composition of the Selection Commission and the likely suspension of the work of the HCJ in 2027,[204] there are risks of a suspension of the work of the HQCJ after May 2027 for a period that may exceed three months. Under such circumstances, the current composition of the HQCJ may require an extension of its term of office until a new duly authorised composition of the HQCJ is appointed.[205]

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195 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report 2024, 2025, pp. 870–871. ↗

196 Ibid.

197 Ibid, p. 38.

198 Decision of the Council of Judges of Ukraine No. 30 of 21.07.2026. ↗

199 Ibid, p. 51.

200 Ukraine 2025 Report: Communication on EU Enlargement Policy. Brussels, 4.11.2025 SWD(2025) 759 final. ↗

201 On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' regarding the improvement of the procedure for the competition for the position of a member of the High Qualification Commission of Judges of Ukraine: Draft Law of Ukraine, registration No. 13382 of 18.06.2025. ↗

202 Information provided by Respondent 3 during an interview conducted on 18.02.2026.

203 On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016, para. 2 Part 4 Article 92. ↗

204 For details, see subsection 'High Council of Justice'.

205 On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016, para. 1 Part 4 Article 92. ↗

A separate issue is the participation of certain members of the HQCJ in other competitions.[206] In the event of their success in such competitions and subsequent appointment to other bodies (courts) before May 2027, the institutional capacity of the HQCJ will be reduced.

Exercise of powers by the HQCJ

The HQCJ has taken a number of steps to address its institutional problems from previous periods, resulting in certain systemic progress in its work. In particular, the HQCJ has managed to stabilise internal processes and schedules for various selection procedures, introduce a cyclical model of operation of its panels and chambers, fill vacancies in the Secretariat of the HQCJ and strengthen the analytical component of the Secretariat's work. The HQCJ has also developed the ability to forecast workload and timelines for the implementation of each procedure, thereby achieving stable operational capacity.[207]

At the same time, the largest judicial selection procedures (selection to courts of first instance and the competition to appellate general courts) had to be suspended in favour of competitions for positions at the HACC, the SDAC and the SACA in line with Ukraine's international obligations (in particular under the Ukraine Facility Plan), which affects the timelines for filling vacancies in the most problematic courts of first and appellate instances.[208] A separate issue concerns the pace at which the PIC[209] processes candidates for appellate courts, which in some cases leads to the postponement of candidate interviews[210] and negatively affects the timelines for filling vacancies in appellate general courts.

The HQCJ has introduced a systematic practice of analysing and summarising its own decisions, regularly publishing relevant digests for this purpose.[211] It is also working to improve the quality of reasoning in its decisions.[212] At the same time, there are repeated instances where HQCJ decisions are annulled by the SC, which identifies violations of candidates' rights.[213] However, in not all cases is it possible to effectively enforce such SC decisions.[214]

A separate issue is the reluctance of the HQCJ to acknowledge its own errors in respect of certain candidates following decisions of the court of first instance (the Administrative Cassation Court within the SC (ACC SC)) and the lodging of appeals to the

206 Candidates for the position of member of the High Council of Justice. Verkhovna Rada of Ukraine, 2026.; Candidates for the position of judge of the Constitutional Court of Ukraine. Verkhovna Rada of Ukraine, 2025. ↗; Candidates for the HCJ to Be Elected by the 21st Extraordinary Congress of Judges of Ukraine. High Council of Justice, 2026. ↗

207 Information provided by Respondents 2 and 19 during interviews conducted on 12.02.2026, 10.03.2026.

208 Ibid.

209 For details, see the subsection 'Public Integrity Council'.

210 Information provided by Respondents 2 and 19 during interviews conducted on 12.02.2026, 10.03.2026.

211 Ibid.

212 Ibid.

213 Publication by advocate Tetiana Ohneviuk on the social network Facebook, 2026. ↗

214 Ibid.

GC SC, the duration of whose consideration further affects the possibility of effectively enforcing even those decisions of the ACC SC that are upheld by the GC SC.[215]

The HQCJ has managed to establish a predictable model of cooperation with donor organisations and international technical assistance (ITA) projects, as these stakeholders understand which procedures will be conducted by the HQCJ and within what timelines. This makes it possible to forecast and efficiently utilise donor support, both expert and financial.[216]

In March 2026, the HQCJ approved the Procedure for Conducting Special Vetting of Candidates for the Position of Judge and the Procedure for Obtaining Information on a Judge (Judicial Candidate) and Their Family Members or Close Persons through the search and collection of data (information) in automated information and reference systems, registers and databases administered by state authorities, other state bodies and local self-government bodies.[217]

A structural reorganisation of the Secretariat of the HQCJ is planned for the second and third quarters of 2026 due to the excessive workload of certain departments.[218]

In autumn 2025, large-scale digitalisation projects of the HQCJ were launched.[219] A new HQCJ website and an examination module are currently under development and are expected to become operational by the end of 2026.[220]

During the reporting period, no competition was held for the position of Head of the Secretariat of the HQCJ.[221] This position has remained vacant since November 2024.[222]

Staffing Procedures in the Judiciary

Competition for 550 Vacant Positions of Appellate Court Judges

During the reporting period, the HQCJ completed the competition for five appellate general courts (the so-called first group). Consequently, the HQCJ recommended the appointment of 81 candidates to the appellate courts of Sumy (19 successful candidates), Zhytomyr (14), Zaporizhzhia (16), Uzhhorod (10) and Chernihiv (22).[223] In total, 159 candidates applied to participate in the competition for this group of courts.[224]

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215 Ibid.

216 Information provided by Respondents 2 and 19 during interviews conducted on 12.02.2026, 10.03.2026.

217 Overview of the results of the High Qualification Commission of Judges of Ukraine for March 2026. High Qualification Commission of Judges of Ukraine, 2026. ↗

218 Information provided by Respondent 19 during an interview conducted on 10.03.2026.

219 Ibid.

220 Ibid.

221 The problem described by civil society in the 2025 Shadow Report (p. 41) remains relevant. ↗

222 Changes in the composition of the leadership of the Secretariat of the Commission took place. High Qualification Commission of Judges of Ukraine, 2024. ↗

223 Winners of the competition. Appellate general courts. High Qualification Commission of Judges of Ukraine. ↗

224 Candidates who applied to participate in the first stage of the competition for vacant judicial positions in appellate general courts (first group of courts). High Qualification Commission of Judges of Ukraine, 2025. ↗

The HQCJ has commenced interviews for 183 vacant positions in five appellate general courts in major cities — Kyiv (45 vacancies), Odesa (23), Dnipro (23), Lviv (28), Kharkiv (47), as well as the Mykolaiv Court of Appeal (21) (the so-called second group).[225] As of 31 July 2026, the HQCJ had completed interviews for all courts in the so-called second group, except for the Kyiv Court of Appeal (these interviews will continue until the end of the third quarter).[226] In total, 326 candidates applied to participate in the competition for this group of courts.[227]

At the same time, in March 2026, the HQCJ defined the so-called third group of appellate courts (155 vacant positions): Vinnytsia (15 vacancies), Volyn (11), Ivano-Frankivsk (11), Kropyvnytskyi (12), Poltava (15), Rivne (12), Ternopil (17), Kherson (22), Khmelnytskyi (12), Cherkasy (21) and Chernivtsi (7)[228]. Interviews based on the review of candidates' dossiers for these courts will be conducted by the HQCJ from the third quarter of 2026 to the second quarter of 2027.[229] For example, in July 2026 interviews commenced for the Rivne Court of Appeal.[230]

The workload problem in appellate courts is expected to be resolved in 2027.[231]

Selection of Judges to Local Courts for 1,800 Vacant Positions

As of 31 July 2026, the ranking was approved and a reserve of 276 judicial candidates and judges wishing to be appointed (transferred) to district administrative courts was formed.[232] The competition for district administrative courts is planned to be announced in August 2026.[233]

The HQCJ has completed the review of 406 practical assignments in the specialisation of local commercial courts.[234] The competition for these courts is planned to be announced after completion of the competition for district administrative courts.[235]

The review of 2,834 practical assignments in the specialisation of local general courts has also been completed.[236] The review of the remaining assignments is planned to be

225 Candidates who applied to participate in the first stage of the competition for vacant judicial positions in appellate general courts (second group of courts). High Qualification Commission of Judges of Ukraine, 2025. ↗

226 When Will We Overcome the Staffing Crisis in the Courts? — Blog by Andrii Pasichnyk. PRAVO.UA, 2026. ↗

227 Candidates who applied to participate in the first stage of the competition for vacant judicial positions in appellate general courts (second group of courts). High Qualification Commission of Judges of Ukraine, 2025. ↗

228 Overview of the results of the High Qualification Commission of Judges of Ukraine for March 2026. High Qualification Commission of Judges of Ukraine, 2026. ↗

229 Information provided by Respondents 2 and 19 during interviews conducted on 12.02.2026, 10.03.2026.

230 The Commission Began Interviews with Candidates for the Rivne Court of Appeal. High Qualification Commission of Judges of Ukraine, 2026. ↗

231 When Will We Overcome the Staffing Crisis in the Courts? — Blog by Andrii Pasichnyk. PRAVO.UA, 2026. ↗

232 Ranking of Judicial Candidates and Judges Seeking Transfer Approved and Reserve for Vacant Positions of Judges in Local Administrative Courts Formed. High Qualification Commission of Judges of Ukraine, 2025. ↗

233 When Will We Overcome the Staffing Crisis in the Courts? — Blog by Andrii Pasichnyk. PRAVO.UA, 2026. ↗

234 Results of the Fourth Stage of the Qualification Examination (Practical Assignment in the Specialisation of a Local Commercial Court) Approved. High Qualification Commission of Judges of Ukraine, 2026. ↗

235 When Will We Overcome the Staffing Crisis in the Courts? — Blog by Andrii Pasichnyk. PRAVO.UA, 2026. ↗

236 Qualification Examination Results. High Qualification Commission of Judges of Ukraine, 2026. ↗

completed in August 2026.[237] The competition for local general courts is planned to be announced after completion of the competitions for district administrative courts and local commercial courts.[238]

The HQCJ notes that, provided interviews are conducted continuously, by the end of 2027 the most heavily burdened first-instance courts will receive substantial reinforcement, and by mid-2028 the entire system of local courts could be brought to an acceptable average workload level.[239]

Legislation aimed at eliminating the duplication of interviews at the level of the HQCJ and the HCJ with successful candidates in competitions to local courts has still not been adopted.[240] Likewise, the issue of the absence of clear requirements for the collection of personal data of judges, candidates, their family members and close persons, as well as third parties who are automatically subject to vetting (for example, in cases of shared business activities or transactions involving the purchase of property by or from judges or candidates), remains unresolved.[241] The issue of differing approaches to the assessment of integrity and ethics of judges and candidates also continues to persist.[242]

Competition for 25 Vacant Judicial Positions at the HACC and Its Appeals Chamber

During the reporting period, the HQCJ completed qualification examination stage for candidates to the HACC and its Appeals Chamber (AC HACC), which was successfully passed by 73 candidates.[243] In March 2026, the special joint sessions of the HQCJ and the Public Council of International Experts (PCIE) were also completed, as a result of which 22 candidates continued to participate in the competition.[244]

On 22 June 2026, the HQCJ recommended candidates for appointment as HACC judges: 7 candidates to the AC HACC and 12 candidates to positions as judges of the HACC as a court of first instance.[245] In July 2026, the HCJ considered all 19 HACC candidates and has so far submitted proposals to the President for the appointment of 16 of them: 5 candidates to the AC HACC and 12 candidates to the HACC as a court of first instance.[246]

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237 When Will We Overcome the Staffing Crisis in the Courts? — Blog by Andrii Pasichnyk. PRAVO.UA, 2026. ↗

238 Ibid.

239 Ibid.

240 The problem described by civil society in the 2025 Shadow Report (pp. 37–50) remains relevant. ↗

241 Ibid.

242 Ibid.

243 Information on the broadcast of interviews with candidates for judicial positions in the High Anti-Corruption Court. High Qualification Commission of Judges of Ukraine. ↗

244 Overview of the results of the High Qualification Commission of Judges of Ukraine for March 2026. High Qualification Commission of Judges of Ukraine, 2026. ↗

245 19 Candidates Recommended for Appointment as Judges of the High Anti-Corruption Court, High Qualification Commission of Judges of Ukraine, 2026. ↗

246 The HCJ Approved 16 of 19 Winners of the HACC Competition. Transparency International Ukraine, 2026. ↗

Competition to the SDAC and the SACA

On 15 June 2026, the HQCJ approved the coded and decoded results of the practical assignment for the SDAC specialisation. Sixty-seven candidates successfully completed the practical assignment and continue to participate in the competition.[247] Subsequently, the HQCJ approved the coded and decoded results of the practical assignment for the SACA: 23 candidates successfully completed it and continue to participate in the competition.[248] Ten candidates are applying for judicial positions in both competitions simultaneously.[249]

Given the HQCJ's workload, interviews are expected to begin in September 2026.

Qualification Assessment of Judges of Local and Appellate Courts for Compliance with Their Positions

During the reporting period, qualification assessments for compliance with the position were conducted at a relatively slow pace. This is due to the large number of other procedures involving members of the HQCJ and the inability to conduct them simultaneously.[250] The number of judges who, as of the beginning of 2026, had not completed qualification assessment is approximately 1,300.[251] Around 100 of them are so-called 'five-year judges' who have not administered justice for an extended period.[252] The HQCJ has prioritised the completion of qualification assessment of this category of judges.[253]

Overall, in 2025, the HQCJ considered 102 matters within the framework of qualification assessment procedures of judges for compliance with their positions.[254] A total of 43 judges were recognised as meeting the requirements of their positions, while 13 judges were found not to meet such requirements; 2 cases of refusal to undergo qualification assessment were recorded; and 30 decisions were adopted to terminate qualification assessment procedures in respect of 665 judges.[255]

At the same time, competitions for appellate courts contribute to the completion of qualification assessment procedures for individual judges who successfully demonstrate their ability to administer justice in an appellate court of the relevant specialisation. For example, following the competition for the Lviv Court of Appeal, the qualification assessment of 10 judges for compliance with their positions was terminated after they

247 Overview of Results of the High Qualification Commission of Judges of Ukraine in June 2026. High Qualification Commission of Judges of Ukraine, 2026. ↗

248 Ibid.

249 Ibid.

250 Head of the High Qualification Commission of Judges of Ukraine: 'We have already achieved significant results, but no more than one year is needed to implement all the goals we have set'. Watchers, 2026. ↗

251 Ibid.

252 Ibid.

253 Ibid.

254 HQCJ Digest for 2025. High Qualification Commission of Judges of Ukraine, 2026. ↗

255 Ibid.

demonstrated, within the competition procedure, their ability to administer justice in an appellate general court.[256]

Declarations of Integrity and Family Ties

In June 2026, Parliament adopted Law No. 4905-IX[257] on improving judicial integrity declarations and declarations of family ties.

Shortly afterwards, the HQCJ approved new forms of the integrity declaration and declaration of family ties for judges and judicial candidates and amended the relevant internal regulatory framework governing their verification.[258]

Despite some criticism from certain civil society representatives,[259] the adoption of this legislation is a step forward in implementing commitments under the Rule of Law Roadmap and the Ukraine Facility Plan.[260] Conclusions on the effectiveness of this tool for strengthening the integrity of the judiciary can be drawn once judges have submitted the new declarations.

Competition to the SC

Despite repeated public appeals by the SC regarding the need to hold a competition for 50 vacant positions of SC judges,[261] the HQCJ has not announced a competition to any of the cassation courts within the SC due to its workload in other procedures.[262] At the same time, the HQCJ notes that the competition for the SC could be conducted in 2027.[263]

Recommendations[264]

1. The Parliament should finalise and adopt Draft Law No. 13382 as soon as possible to ensure that the next composition of the HQCJ is formed by a Selection Commission, including three international (foreign) experts.

2. The HCJ should establish a new composition of the Selection Commission with the participation of international (foreign) experts immediately after the relevant

256 Ranking of Candidates Approved and Winners of the Competition for Vacant Judicial Positions in the Lviv Court of Appeal Determined. High Qualification Commission of Judges of Ukraine, 2026. ↗

257 On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' and the Law of Ukraine 'On the High Council of Justice' Regarding Improvement of Judicial Integrity Declarations and Declarations of Family Ties: Law of Ukraine No. 4905-IX of 09.06.2026. ↗

258 New Forms of Judicial Integrity Declarations and Declarations of Family Ties for Judges and Judicial Candidates Approved. High Qualification Commission of Judges of Ukraine, 2026. ↗

259 Imitation Instead of Reform: MPs Turned Judicial Vetting into a Formality. DEJURE Foundation, 2026. ↗

260 For details, see the subsection 'Judicial Reform Strategy: Progress, Issues and Prospects'.

261 Speech by the Head of the Supreme Court Stanislav Kravchenko at the opening of the judicial year in the Supreme Court. Supreme Observer, 2026. ↗

262 Information provided by Respondent 19 during an interview conducted on 10.03.2026.

263 When Will We Overcome the Staffing Crisis in the Courts? — Blog by Andrii Pasichnyk. PRAVO.UA, 2026. ↗

264 Recommendations provided by civil society in the Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report 2024 (pp. 49–50) remain relevant, with partial clarification. ↗

law enters into force, for which preliminary preparatory consultations should be held with all stakeholders.

3. The Selection Commission should launch the competition for 15 positions of members of the HQCJ the shortest possible period after commencing its work and complete the competition as swiftly as possible.

4. To ensure the continuity of staffing and qualification procedures within the judiciary, amendments should be introduced to the Law of Ukraine 'On the Judiciary and the Status of Judges', providing, as an exception, that the current composition of the HQCJ continues to exercise its powers until a new duly authorised composition of the HQCJ is appointed.

5. Amend the legislation to transfer the power to conduct interviews with successful candidates in competitions to local courts from the HQCJ to the HCJ (by extending, at the level of the HCJ, the procedure for judicial appointment provided by law and eliminating its duplication with the HQCJ).

6. Conduct a competition for the position of Head of the Secretariat of the HQCJ.

7. Complete the structural reorganisation of the Secretariat of the HQCJ.

8. Clarify legislative requirements regarding the discretion of the HQCJ in vetting judges, candidates and their family members, as well as third parties, including provisions on the protection of their personal data.

9. Complete the competitions for positions at the HACC and its Appeal Chamber, the SDAC and the SACA in the second and third quarters of 2026, in line with the established schedule.

10. Complete the competitions to the appellate general courts of the so-called second and third groups within the timeframe established by the HQCJ.

11. Announce a competition to the SC in the third and fourth quarters of 2026. Complete the qualification examination for candidates to the SC by the end of the term of office of the HQCJ in May 2027.

12. Conduct an in-depth analysis of the results of the qualification assessment of candidates to appellate administrative courts, appellate commercial courts and appellate general courts (the so-called first and second groups) to assess the effectiveness of the Unified Indicators for Assessing the Integrity and Professional Ethics of a Judge (Judicial Candidate).

13. Complete the ongoing digitalisation processes of the HQCJ within the timelines set by the HQCJ.

14. Complete the qualification assessment for compliance with the position of all 'five-year judges' by the end of 2026.

15. Conduct, in 2026, competitions for judicial positions in the district courts of the city of Kyiv, the most overburdened courts in frontline regions and the KCDAC.

16. Analyse the effectiveness of judicial integrity declarations and declarations of family ties as a tool for strengthening the integrity of the judiciary (after judges submit them using the new form).

Public Council of International Experts

Progress and issues

Within the framework of the competition for positions in the HACC,[265] special joint sessions of the HQCJ and the PCIE were held in February–March 2026 concerning 72 candidates.[266] As a result, 22 candidates[267] were found to meet the criteria set out in Part 4 of Article 8 of Law No. 2447-VIII,[268] which constitutes 30.6% of the candidates considered at the joint sessions, or 10.7% of those who submitted applications for the competition.[269] This number of candidates is **insufficient to fill all existing vacancies in the HACC and its Appeals Chamber**, which will affect Ukraine's fulfilment of its international and EU integration commitments.[270]

The term of office of the current composition of the PCIE, extended by Law No. 3996-IX,[271] expired in May 2026. As of the time of preparation of this report, no decision has been taken regarding the future mandate of the PCIE.

At the same time, the 2025 EU Enlargement Package Report[272] states that, following the adoption of new legislation on judges' integrity declarations, **independent experts nominated by international partners** should temporarily participate in the verification of integrity declarations of judges of higher courts. In addition, in order to mitigate corruption risks in the SC, such experts should also be **temporarily involved in the selection of new judges of the SC**.

Thus, it appears entirely logical to extend the mandate of the PCIE for the following three purposes: completion of the selection of HACC judges for all vacant positions, selection of new judges of the SC and verification of integrity declarations of judges of the SC and higher courts in accordance with the Rule of Law Roadmap. However, taking into account the 2025 EU Enlargement Package Report, the composition of the PCIE should be revised.

Recommendations

1. Involve the PCIE in future competitions for positions in the HACC and the SC, as well as in the verification of integrity declarations of SC judges and higher courts, applying a risk-based approach.

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265 Competition for vacant positions in the High Anti-Corruption Court announced on 03 June 2025. High Qualification Commission of Judges of Ukraine, 2025. ↗

266 Publication by the Public Council of International Experts on the social network Facebook, 2026. ↗

267 Publication by the Public Council of International Experts on the social network Facebook, 2026. ↗

268 On the High Anti-Corruption Court: Law of Ukraine No. 2447-VIII of 07.06.2018. ↗

269 205 candidates submitted applications for the competition.

270 The Rule of Law Roadmap, the Ukraine Facility Plan and the Memorandum with the International Monetary Fund provide that all vacancies of HACC judges should be filled.

271 On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' and the Law of Ukraine 'On the High Anti-Corruption Court' regarding the Public Council of International Experts: Law of Ukraine No. 3996-IX of 08.10.2024. ↗

272 Ukraine 2025 Report. Communication on EU Enlargement Policy. ↗

2. Consider introducing amendments to the law to grant international partners the right to delegate both international and Ukrainian experts to future compositions of the PCIE, as well as to determine their quantitative composition. It is also advisable to abandon the mechanism of a predominant vote of international experts, since all members of the PCIE will be delegated by international partners.

3. Systematise the practice of the PCIE in order to analyse it and consider the experience gained in future selection procedures for the HACC, other higher specialised courts and the SC.[273]

Public Integrity Council

Progress and issues

During the reporting period, the Secretariat of the PIC[274] was established, which marks a positive development in the functioning of the Council. At the same time, as of the end of July 2026, not all positions within the PIC Secretariat had been filled,[275] resulting in it operating below full capacity (approximately 80–90% of its planned staffing level).[276]

Given that the PIC Secretariat is financed exclusively through donor support, the risk of interruption of such funding (as previously observed, in the case of the United States Agency for International Development (USAID)[277]) persists. Furthermore, the need to continuously secure or extend funding adversely affects the institutional capacity and sustainability of the PIC Secretariat.[278] For example, the PIC is currently taking steps to obtain confirmation of funding until the end of 2027.[279]

Notwithstanding the establishment of the Secretariat, its functions remain limited to the analysis of information from open sources only,[280] as Law No. 1402-VIII does not grant Secretariat staff access to the full dossiers of candidates and judges.[281] This leads to risks of inaccuracies in the analysis, necessitates duplication of analytical work by PIC members and results in an increased operational workload.[282]

At the same time, even the establishment of the PIC Secretariat has not led to faster processing of dossiers of candidates and judges. Moreover, the situation slightly deteriorated during the reporting period. Thus, the PIC determined that, considering workload unrelated to its activities, it can process 60–64 dossiers per month.[283] In prac-

273 The recommendation previously provided by civil society in the Shadow Report 2025 (p. 52) remains relevant. ↗

274 Information provided by Respondent 7 during an interview conducted on 23.02.2026.

275 Publication by the DEJURE Foundation on the social network Facebook, 2026. ↗

276 Information provided by Respondent 7 during an interview conducted on 12.08.2026.

277 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report 2024, 2025, p. 55. ↗

278 Ibid.

279 Ibid.

280 Ibid.

281 On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016, para. 1 Part 4 Article 92. ↗

282 Information provided by Respondent 7 during an interview conducted on 23.02.2026.

283 Information provided by Respondents 7 and 18 during interviews conducted on 23.02.2026, 06.03.2026.

tice, however, the current pace allows for the processing of only 40–55 dossiers per month.[284] This is due to internal discipline, the workload of PIC members at their primary place of employment and certain external factors (such as threats arising from the armed aggression of the Russian Federation or public holidays/non-working days leave).[285] An additional factor is the pause in the transfer of information from the HQCJ to the PIC due to HQCJ members being engaged in other competitions that do not involve PIC members.[286]

The PIC often postpones voting on candidates/judges until the deadline or conducts voting at night.[287] At the same time, the PIC provides information or opinions to the HQCJ and the candidate/judge on the day of the interview or shortly before it, which forces the HQCJ to reschedule such interviews.[288] This, in turn, negatively affects compliance with the overall timelines for the completion of HQCJ procedures.[289]

In 2025, the problem remained relevant regarding delays in the publication by the PIC of certain opinions and information regarding judges and candidates.[290] In 2025, 14 decisions were published on the PIC website more than 90 days after their adoption, 6 decisions within 31 to 90 days, 140 decisions within 11 to 30 days and 346 decisions within 1 to 10 days after adoption.[291] Accordingly, only 68.2% of PIC documents[292] were published within the established timeframe (within 10 days of adoption).[293] However, the situation improved somewhat in 2026: delays in publishing PIC decisions are now isolated, while most documents are published during the first week of the following month.[294]

Overall, **in 2025**, **the PIC adopted 506 decisions**,[295] of which **298** were opinions **(58.9%)**, **178** were information regarding candidates/judges **(35.2%)** and **30** were decisions to revoke opinions **(5.9%)**. Of these, **290 documents (57.3%)** were adopted by the **third composition of the PIC** and **216 (42.7%) by the fourth composition**.[296] In the first half of 2026, the PIC adopted **279** decisions, including: **158** opinions **(56,6%)**,

284 Information provided by Respondent 7 during an interview conducted on 23.02.2026.

285 Information provided by Respondents 7 and 18 during an interview conducted on 23.02.2026, 06.03.2026.

286 Information provided by Respondent 7 during an interview conducted on 12.08.2026.

287 Ibid.

288 Information provided by Respondent 2 during an interview conducted on 13.02.2026.

289 Ibid.

290 Based on the analysis of PIC documents published between 01.01.2025 and 31.12.2025 on the website of the Public Integrity Council. ↗

291 Ibid.

292 Ibid.

293 Rules of Procedure of the Public Integrity Council: Decision of the Public Integrity Council No. 1/2016 of 23.11.2016, Part 3 Article 30 Section VIII. ↗

294 PIC Decisions. Public Integrity Council, 2026. ↗

295 Based on the analysis of PIC documents published between 01.01.2025 and 31.12.2025 on the website of the Public Integrity Council. ↗

296 Ibid.

information concerning candidates/judges — **112 (40,2%)**, withdrawals of opinions — **9 (3,2%)**.[297]

During the reporting period, the fourth composition of the PIC transitioned to operating not only in plenary (as previous compositions had done), but also in panels, as provided for by Law No. 1402-VIII.[298] This also corresponds to the recommendation of the 2025 Shadow Report regarding strengthening institutional capacity,[299] which has been confirmed in practice. At the same time, this has created risks of divergent decision-making practices across different PIC panels. For example, within Panel No. 1 of the fourth composition of the PIC, over the first six months of operation, 63% of decisions were opinions, 33% information and 5% other decisions; in Panel No. 2 — 53% opinions, 34% information and 13% other decisions; in Panel No. 3 — 51% opinions, 44% information and 5% other decisions; and in Panel No. 4 — 46% opinions, 46% information and 8% other decisions.[300]

In view of this, the PIC began tracking inconsistencies in its own practice and analysing them in PIC decision digests by categories of facts and indicators,[301] which should subsequently contribute to greater consistency of practice within the PIC. The PIC has also begun analysing which of its arguments are fully taken into account by the HQCJ, which are taken into account partially (and how this affects the subsequent decision concerning the candidate/judge) and which are never taken into account.[302]

Among the positive developments in the work of the PIC during the reporting period is the practice of holding joint meetings with the HQCJ, aimed at aligning the approaches of these institutions to the assessment of candidates/judges. Other improvements include enhanced approaches to data analysis, self-correction of decisions (for example, during the first six months of the current composition's work around 10 'negative' opinions were reviewed by the PIC on its own initiative) and the introduction of practices for the management of personal data (such as defining the point at which the PIC's review of a dossier is considered complete and establishing a 15-day period from the completion of the procedure for the deletion of data on candidates/judges — both dossiers received from the HQCJ and data collected independently by the PIC).[303]

The following systemic problems may be identified in the work of the PIC:

1) the PIC effectively analyses the same body of data as the HQCJ, which creates a risk of it transforming into a 'quasi-HQCJ'[304] rather than focusing on risks and the most problematic aspects of judges' and candidates' dossiers;

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297 Based on an analysis of PIC documents published on the Public Integrity Council website between 01.01.2026 and 30.06.2026 inclusive. ↗

298 On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016, para. 1 Part 4 Article 92. ↗

299 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report 2024, 2025, p. 59. ↗

300 Materials provided by Respondent 7 during interview conducted on 23.02.2026.

301 Digest of Decisions of the Fourth Composition of the Public Integrity Council for Its First Three Months of Work / Public Integrity Council, 2025. ↗; Digest of Decisions of the Fourth Composition of the Public Integrity Council for December 2025, January and February 2026 / Public Integrity Council, 2026. ↗

302 Information provided by Respondent 7 during an interview conducted on 12.08.2026.

303 Information provided by Respondent 7 during an interview conducted on 23.02.2026.

304 Information provided by Respondent 18 during an interview conducted on 06.03.2026.

2) the inability to ensure high quality decisions, comparable to that of commissions involving international experts;[305]

3) the absence of institutional memory within the PIC, as each subsequent composition effectively starts from scratch, either due to prolonged periods of inactivity or significant changes in its membership.[306] At the same time, the current composition of the PIC documented all work processes and algorithms and created a knowledge base, which should improve the situation for future compositions of the PIC;[307]

4) the absence of review of the PIC's 'negative' opinions following an HQCJ interview with a judicial candidate/judge where, during the interview, the candidate/judge fully dispelled all of the PIC's doubts as to compliance with the criteria of integrity and professional ethics.[308]

As of July 2026, the following issues remain unresolved:

- preventing conflicts of interest within the PIC and in its interaction with the HQCJ; establishing professional requirements for PIC members, modelled on those applicable to members of the Ethics Council, the Advisory Group of Experts (AGE) and the Expert Council;
- regulating the selection of reserve members of the PIC;
- ensuring an adequate level of remuneration for PIC members, while prohibiting them from receiving income other than from their primary employer;
- ensuring proper and regular communication of the results of its activities (including monthly statistics);
- preventing activities not provided by law and eliminating the possibility of influence by a single civil society organisation on the composition of the PIC and the subsequent financing of its activities;[309]
- marking or removing revoked 'negative' opinions concerning judges and candidates,[310] which remain publicly available on the PIC website without any indication of their revocation (as such revocations are formalised in separate, technically unlinked documents), thereby potentially misleading users of the website.

Recommendations[311]

1. The Parliament should regulate the following issues:

305 Ibid.

306 Ibid.

307 Information provided by Respondent 7 during an interview conducted on 12.08.2026.

308 Based on an analysis of PIC documents published on the Public Integrity Council website between 01.01.2026 and 30.06.2026 inclusive. ↗

309 The problems described by civil society in the 2025 Shadow Report (pp. 54-58 and 872-873) remain relevant. ↗

310 Opinion on the non-compliance of candidate Barvenko V.K. with the criteria of integrity and professional ethics: Public Integrity Council, 27.11.2025. ↗; Decision to revoke the opinion and provide the High Qualification Commission of Judges of Ukraine with information regarding Barvenko V.K.: Public Integrity Council, 22.03.2026. ↗

311 Recommendations provided by civil society in the 2025 Shadow Report (pp. 58-59 and 873) remain relevant. ↗

- preventing conflicts of interest within the PIC and in its interaction with the HQCJ, regarding the participation in the PIC of relatives or close persons of members of the PIC or the HQCJ;
- establishing professional requirements for PIC members, modelled on those applicable to members of the Ethics Council, the AGE and the Expert Council;
- regulating the selection of reserve members of the PIC (at least three), or determining another mechanism for filling vacancies of PIC members arising during the functioning of its current composition;
- ensuring remuneration for PIC members at the level of judges of local courts, to be channelled through the SJA to those civil society organisations that delegated PIC members, for the subsequent payment of such remuneration directly to PIC members by those organisations. Such an arrangement would ensure the independence of PIC members from the state, on the one hand, and their equality and financial stability, on the other. Civil society organisations should have the right to refuse state funding; however, in such cases, they must ensure the same level of remuneration for the PIC member they delegated at their own expense (without using grant funds or ITA);
- prohibiting PIC members, for the duration of their service on the Council, from receiving any income other than that from their primary employer or the remuneration received for their activities within the PIC from the civil society organisation that delegated them;
- ensure full-fledged funding of the PIC Secretariat from state budget funds (for example, through the SJA as the administrator of such funds), while allowing, for the duration of martial law, the direct attraction of funding from ITA projects (modelled on the financing of the secretariats of the Ethics Council, selection commissions, the AGE, etc.);
- prevent any single civil society organisation from exercising monopolistic influence both over the formation of the PIC (no more than three representatives from one organisation) and over the financing of its activities;
- revise the operational model of the PIC in order to eliminate duplication of the analysis of the same body of data as the HQCJ and instead move to a risk-based approach to the analysis of dossiers of all judges and candidates.

2. The PIC should:

- take measures to increase the pace of processing to at least 60 dossiers of candidates/judges per month to ensure the conduct of interviews scheduled by the HQCJ and to avoid technical postponements due to the PIC's failure to provide opinions or information in a timely manner;
- ensure the timely publication of opinions and information regarding judges and candidates;
- standardise approaches to 'negative' opinions;
- unify its practice regarding participation in interviews of judges and candidates;

- ensure the application of uniform approaches to the organisation of PIC work across all selection procedures and avoid activities not provided for by law;
- ensure proper communication of its activities, including the regular publication of statistics;
- mark 'negative' opinions that have been revoked or remove such opinions entirely from the PIC website;
- review its own 'negative' opinions following HQCJ interviews with judicial candidates/judges where, during the interview, those candidates/judges dispelled the PIC's doubts as to their compliance with the criteria of integrity and professional ethics.

3. For the purpose of performing its organisational functions, ensure that the PIC is provided with adequate premises, equipment and that all its processes are digitalised.

4. Ensure joint training of previous and newly appointed compositions of the PIC to preserve institutional memory and transfer best practices.

Supreme Court

Progress and issues

Staffing and Integrity Verification of SC Judges

During the reporting period, partial changes took place in the leadership of the SC. After eight years in office, the Head of the Civil Cassation Court within the SC (CCC SC), Borys Hulko, resigned.[312] A new Head (Judge Maryna Chervynska[313]) was elected by the assembly of judges only on the sixth attempt.[314] Her election is considered a compromise; however, she will reach the mandatory retirement age for judges (65) in March 2027.[315]

The Head of the ACC SC, Mykhailo Smokovych, was also replaced after eight years in office.[316] Ihor Dashutin was subsequently elected to this position by a margin of one vote.[317] This appointment received negative reactions from civil society,[318] as following a journalistic investigation,[319] concerns were raised regarding his integrity due to allegedly undeclared assets.

312 Borys Hulko, Head of the CCC SC, retired from office. Supreme Court, 2025. ↗

313 Chervynska Maryna elected Head of the Civil Cassation Court within the Supreme Court. Supreme Court, 2026. ↗

314 Rule of Law: Without Strategy, Ethics and Dignity. Dzerkalo Tyzhnia, 2026. ↗

315 Chervynska Maryna Yevheniivna. Profile, 2026. ↗

316 Report 'The Administrative Cassation Court in 2025', p. 8. ↗

317 Ibid.

318 Another indication that the reform of the Supreme Court is overdue: Ihor Dashutin elected Head of the Administrative Cassation Court. DEJURE Foundation, 2025. ↗

319 A judge of the Supreme Court spotted in one of Kyiv's most expensive cottage towns. Bihus.Info, 2024. ↗

In January 2026, Serhii Pohribnyi assumed the position of Secretary of the GC SC,[320] although his term of office as a judge of the GC SC is limited until December 2026.[321] The composition of the GC SC also underwent partial changes.[322]

As of the end of the reporting period, 145 judges were serving at the SC.[323] 51 positions are currently vacant.[324] The President of the SC, Stanislav Kravchenko, during the reporting plenary session on the results of 2025, emphasised 'the need to announce and conduct a competition for the [vacant] positions of SC judges — at least after the completion of the procedure for the [selection] of appellate court judges'.[325]

In July 2026, Rasim Babanly was appointed Head of the SC Secretariat.[326]

Integrity verification of SC judges was not carried out in full during the reporting period. At the same time, former SC President Vsevolod Kniaziev entered into a plea agreement (with a sentence of five years' imprisonment, deprivation of the right to hold positions in judicial and law enforcement bodies for three years and confiscation of property)[327] and allegedly provided incriminating testimony concerning four SC judges (one of whom has already retired), on the basis of which they were notified of suspicion of receiving an undue advantage,[328] bail was set[329] and, by decisions of the HCJ, they were suspended from the administration of justice.[330]

Exercise of the SC's Mandate

In 2025, 93,600 cases were submitted to the SC for consideration, which is 3% more than in 2024, while the number of cases considered reached 91,700, exceeding the previous year's figure by more than 4,000.[331] At the same time, 22,000 cases were decided on the merits.[332] In the first half of 2026, approximately 49,000 cases were received by the SC and approximately 48,000 cases were considered.[333] This indicates that the trend of excessive recourse to the SC by individuals and legal entities,

320 Pohribnyi Serhii elected Secretary of the Grand Chamber of the Supreme Court. Supreme Court, 2026. ↗

321 The meeting of judges of the CCC SC elected two judges to the GC SC and amended the composition of judicial chambers and permanent panels. Supreme Court, 2023. ↗

322 The meeting of judges of the ACC SC elected the Head of the court and a judge to the Grand Chamber of the Supreme Court. Supreme Court, 2026. ↗

323 Register of Judicial Positions. High Qualification Commission of Judges of Ukraine, 2026. ↗

324 Ibid.

325 Plenary session of the Supreme Court of 13.02.2026. YouTube channel of the Supreme Court, 2026. ↗

326 Supreme Court Profile on Opendatabot, 2026. ↗

327 Publication by the High Anti-Corruption Court on the social network Facebook, 2026. ↗

328 Publication by the National Anti-Corruption Bureau of Ukraine on the social network Facebook, 2026. ↗

329 Publications by the High Anti-Corruption Court on the social network Facebook, 2026. ↗

330 Publication by the High Council of Justice on the social network Facebook, 2026. ↗

331 Opening of the Judicial Year at the Supreme Court: Results, Achievements and Prospects for the Development of the National Judicial System. Supreme Court, 2026. ↗

332 Information provided by Respondent 5 during an interview conducted on 19.02.2026.

333 Publication by the Supreme Court on the social network Facebook, 2026. ↗

observed in previous periods, has persisted.[334] At the same time, in 2025 the number of SC judges decreased by six.[335]

This also demonstrates that the problem of the SC's excessive caseload remained unresolved during the reporting period.[336] At the same time, it is important to note that in 2025 the SC refunded UAH 68 million in court fees due to the inadmissibility of cassation appeals for consideration by the SC.[337] Of this amount, 62% concerned cassation appeals lodged by state authorities, including 27% by tax authorities.[338] This indicates abuse by state authorities of their right to apply to the SC as a cassation court and their failure to take into account the provisions of the procedural codes regarding cassation filters.[339] The SC, in turn, is compelled to process such cassation appeals by conducting a full analysis of them.

The excessive number of appeals also negatively affects the consistency of judicial practice. At the same time, the existing system in Ukraine of full reimbursement of court fees in cases where a case is refused admission to cassation review does not serve as a deterrent and contributes to the overloading of the SC.[340]

A separate factor that continued to affect the consistency of judicial practice is the disregard for SC case law by state authorities and local self-government bodies, despite references to relevant SC practice by ordinary citizens or lawyers when applying to such bodies.[341] This systemic problem has remained unresolved for a prolonged period and results in the SC being overloaded with repetitive cases in which a legal position has already been established. Consequently, this situation prevents the full development of strategic approaches to the evolution of judicial practice.

The SC's overload with administrative cases (57,000 in 2025) also calls into question the effectiveness[342] of the Law of Ukraine 'On Administrative Procedure'.[343]

Another serious standalone problem is the disregard for SC practice by a significant number of appellate court judges.[344] Among other things, this leads to the overloading of the SC with cases, as a decision of a first instance court adopted in compliance with SC practice is subsequently overturned by an appellate court, which in turn leads to its being quashed by the cassation court within the SC.[345] The trend towards an increasing number of cases submitted to the SC provides further confirmation of this.

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334 The problem identified by civil society in the Shadow Report 2025 (pp. 61–64) remains relevant. ↗

335 Register of Judicial Positions. High Qualification Commission of Judges of Ukraine, 2026. ↗

336 The problem identified by civil society in the Shadow Report 2025 (pp. 61–64) remains relevant. ↗

337 Information provided by Respondent 5 during an interview conducted on 19.02.2026.

338 Ibid.

339 The problem identified by civil society in the Shadow Report 2025 (pp. 61–64) remains relevant. ↗

340 Ibid.

341 Ibid.

342 Plenary session of the Supreme Court of 13.02.2026. YouTube channel of the Supreme Court, 2026. ↗

343 On Administrative Procedure: Law of Ukraine No. 2073-IX of 17.02.2022. ↗

344 Information provided by Respondent 4 during an interview conducted on 19.02.2026.

345 Ibid.

Other systemic challenges that affected the consistency of judicial practice during the reporting period include legislative instability and inter-jurisdictional divergences within the SC.[346] At the same time, the situation with legislative instability is likely to worsen further, as Parliament is preparing to adopt a new version of the Civil Code of Ukraine.[347] The draft of the new Civil Code of Ukraine has been prepared in such a way that not only the provisions undergoing harmonisation with EU acquis are amended, but also those whose substance does not in fact change, although they are set out under different numbering, in different parts, or with slightly altered wording.[348] This will necessitate renewed judicial interpretation of such provisions, in addition to the fact that all new provisions of the Civil Code of Ukraine will require several years to stabilise in judicial practice.[349]

As regards inter-jurisdictional divergences within the SC, the most problematic situation is observed in the administrative jurisdiction, which, in a significant number of cases, refuses to follow the legal conclusions of the GC SC.[350]

At the same time, active work is ongoing within the SC on mechanisms to ensure the consistency of judicial practice. A working group involving SC judges has been established to implement measures envisaged by the Rule of Law Roadmap,[351] within which a draft of legislative amendments introducing a mechanism for advisory opinions of the SC has already been prepared.[352] This mechanism would allow courts of first instance and appellate courts to submit a preliminary request to the SC in cases of inconsistent practice in matters not subject to cassation appeal.[353]

During the reporting period, with the support of the EU Project 'Pravo-Justice', the SC integrated the SC Legal Positions Database with the Unified State Register of Court Decisions. This should facilitate faster, more convenient and more efficient searches for relevant case law.[354]

In parallel, work is ongoing on a comprehensive package of legislative amendments covering cassation filters, remote justice and countering the abuse of procedural rights.[355]

At the same time, the SC continues to develop the analytical and statistical capacity of the judiciary — including the implementation of standards of the European Commission for the Efficiency of Justice (CEPEJ) and the preparation of a new judicial statistics system.[356]

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346 Information provided by Respondent 12 during an interview conducted on 27.02.2026.

347 Publication by Denys Maslov, Head of the Committee of the Verkhovna Rada of Ukraine on Legal Policy, on the social network Facebook, 2026. ↗

348 Civil Code of Ukraine : Draft, registration No. 15150 of 09.04.2026. ↗

349 Information provided by Respondent 12 during an interview conducted on 27.02.2026.

350 One example of such a situation is provided in the section 'State of Judicial Independence'.

351 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 588 of 08.06.2024. ↗

352 Information provided by Respondent 5 during an interview conducted on 19.02.2026.

353 Ibid.

354 Integration of the Unified State Register of Court Decisions and the Supreme Court Legal Positions Database. Supreme Court, 2026. ↗

355 Information provided by Respondent 5 during an interview conducted on 19.02.2026.

356 Ibid.

During the reporting period, for the first time and with the support of Council of Europe projects, the measurement of public trust in the judicial system was introduced, with surveys conducted not only among the public but also among court users.[357] This measure will be carried out on a regular basis in the future.[358]

However, despite this progress, a comprehensive SC Development Strategy was neither developed nor adopted during the reporting period.[359]

GC SC

In 2025, 1,032 cases were under consideration by the GC SC (compared to 809 cases in 2024).[360] At the same time, there was a 32% increase in incoming cases (864 in 2025 compared to 656 in 2024).[361] Of these, 61% were administrative cases, 18% civil, 14% criminal and 7% commercial.[362] During the same period, 693 cases were completed (+8% compared to 2024[363]). At the same time, 320 decisions were adopted on the merits, which is 19% more than in the previous year.[364]

The most substantial area of activity of the GC SC remains the appellate review of administrative cases. In 2025, 343 appellate complaints in administrative cases were submitted to the GC SC (48% more than in 2024), accounting for 40% of all incoming cases to the GC SC during the reporting period.[365] Of these, 224 complaints were considered on the merits, which is 48% more than in the previous period.[366]

The performance of the GC SC in priority subcategories of cases is as follows: in cases concerning the application of sanctions, 29 appellate complaints were considered on the merits.[367] Likewise, of the 56 disciplinary complaints against decisions of the HCJ received during the year, 29 were considered.[368] In addition, last year four model cases were under consideration by the GC SC, two of which were decided on the merits.[369] On the grounds of the need to review court decisions under exceptional circumstances, proceedings were completed in respect of 62 out of 84 applications received in 2025.[370]

357 Ibid.

358 Ibid.

359 The problem identified by civil society in the Shadow Report 2025 (pp. 61–64) remains relevant. ↗

360 Opening of the Judicial Year at the Supreme Court: Results, Achievements and Prospects for the Development of the National Judicial System. Supreme Court, 2026. ↗

361 Ibid.

362 Ibid.

363 Ibid.

364 Ibid.

365 Ibid.

366 Ibid.

367 Ibid.

368 Ibid.

369 Ibid.

370 Ibid.

In 2025, the GC SC demonstrated progress in developing consistent approaches in public law disputes, in cases concerning social benefits and the financial obligations of the state. The Court formulated a position on the need to take budgetary constraints into account when adopting decisions on social guarantees.[371]

An important achievement was also the standardisation of approaches to challenging the results of competitions to courts of first and appellate instances. The GC SC limited judicial interference in the discretionary powers of the HQCJ.[372] In this category of cases, a stable body of case law (up to ten decisions) has been formed, contributing to the predictability of ongoing and future competition procedures.[373]

It is also worth noting the return to a previous legal position in cases concerning qualification assessment of judges as to their suitability for office, whereby final decisions regarding judges with 'negative' opinions of the PIC are adopted by the plenary composition of the HQCJ.[374]

At present, the GC SC has also managed to maintain a consistent position regarding the admissibility of materials obtained through covert investigative (search) actions in disciplinary proceedings against judges.[375] The GC SC decision in the case of former DACK President Pavlo Vovk provides further confirmation of this.[376]

In the first half of 2026, the number of applications, complaints, cases and proceedings received by the GC SC increased by 5% compared with the same period in 2025, amounting to 477 materials (456 materials in the first half of 2025).[377] By jurisdiction, among the materials pending before the GC SC in the first half of this year, administrative cases accounted for the largest share (69%), civil cases for 13%, criminal proceedings for 12% and commercial cases for 6%.[378]

During the first half of 2026, the GC SC considered 397 procedural applications (applications, complaints, cases and proceedings) across all jurisdictions, 5% more than last year (379). A total of 218 cases were considered with decisions on the merits.[379] In total, in the first half of 2026, the GC SC adopted 1,096 judicial decisions: 218 judgments and 878 rulings.[380]

The most common grounds for referring cases to the GC SC were the existence of an exceptional legal problem (33% of cases), the need to depart from previous conclusions of the GC SC (30%) and the need to depart from the legal conclusions of another cassation court (29%).[381]

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371 Information provided by Respondent 12 during an interview conducted on 27.02.2026.

372 Ibid.

373 Ibid.

374 Ibid.

375 Ibid.

376 Judgment of the Grand Chamber of the Supreme Court of 18.06.2026 in case No. 990SCGC/21/25. ↗

377 Publication by the Supreme Court on the social network Facebook, 2026. ↗

378 Ibid.

379 Ibid.

380 Ibid.

381 Ibid.

In addition, in the first half of 2026, three model cases were pending before the GC SC, two of which were considered on the merits.[382] The GC SC also received 25 complaints against HCJ decisions adopted following review of complaints against decisions of its Disciplinary Chamber, while, including the backlog, 57 complaints were pending,[383] of which 23 were considered on the merits. Ninety-three applications for review of judicial decisions on exceptional grounds were pending before the GC SC in the first half of 2026.[384]

In the first half of 2026, the GC SC developed a number of legal positions that strengthened consistency in the application of law in key areas of social relations, including regarding challenges to HQCJ decisions on the assessment of practical assignments and cognitive ability test results, appeals against rulings of the ACC SC refusing to open proceedings or closing proceedings in cases challenging HCJ decisions leaving complaints against judges' actions without consideration, challenges to Presidential decrees bringing sanctions into effect and the possibility of using information contained in records of covert investigative (search) actions in disciplinary proceedings, among other matters.[385]

The main problems include: the overload of the GC SC with administrative cases (and, accordingly, the uneven distribution of workload among GC SC judges); the existence of a significant number of conflicting legal conclusions at the level of the cassation courts and even within the GC SC due to legislative instability, which require constant response; and the undermining by the ACC SC of the role of the GC SC as the sole arbiter.[386] The overall effectiveness of the GC SC is also affected by the limited effectiveness of existing procedural instruments. The institution of model cases is provided for only in administrative jurisdiction and is rarely applied.[387] At the same time, there are no mechanisms for consolidating similar cases or applying approaches comparable to 'pilot judgments'.[388]

During the reporting period, the issue of the proportional reduction of the number of GC SC judges against the background of the overall decrease in the number of SC judges remained unresolved.[389]

Specific Issues of the SC Regarding Funding and Management

During the reporting period, the SC continued implementing several infrastructure and organisational projects. In particular, preparations are ongoing for the relocation of judges of the Criminal Cassation Court within the SC (CrCC SC) and staff of its Secretariat to renovated premises located at 28 Povitrianykh Syl Avenue, Kyiv.[390] The com-

382 Ibid.

383 Ibid.

384 Ibid.

385 Ibid.

386 Information provided by Respondent 12 during an interview conducted on 27.02.2026.

387 Ibid.

388 Ibid.

389 The problem identified by civil society in the Shadow Report 2025 (pp. 61–64) remains relevant. ↗

390 Information provided by Respondent 5 during an interview conducted on 19.02.2026.

pletion of the relocation is planned by the end of 2026.[391] This is expected to improve the conditions for the adjudication of criminal cases and optimise the allocation of SC staff.

Measures aimed at increasing the energy autonomy of the Court are also planned for implementation, including the installation of solar panels and the development of autonomous energy solutions for SC buildings.[392] These initiatives are intended both to ensure resource efficiency and to enhance operational resilience in the face of energy-related risks.[393]

During the reporting period, the problem of the disproportionate influence of the SJA (primarily its Head or the acting Head) on the appointment and dismissal of the Head of the SC Secretariat, the First Deputy Head, and the approval of their bonuses, among other matters, remained unresolved. This continues to negatively affect the independence of the SC Secretariat's leadership and may create preconditions for interference in the activities of the SC by the SJA.[394] Similarly, the absence of an HR policy at the level of the judiciary — and, consequently, the lack of a systematic personnel reserve for any court, including the SC — also remained unresolved.[395]

Recommendations[396]

1. Introduce effective instruments to ensure the consistency of judicial practice, in particular a preliminary ruling request mechanism enabling appellate courts and courts of first instance to refer questions to the SC in cases where no SC conclusion exists on the matter. Strengthen the reasoning of SC judicial decisions, namely with regard to the similarity of legal relations and the admissibility or inadmissibility of cassation appeals considering cassation filters. As regards the improvement of procedural instruments, it is proposed to review the approach to the use of model cases, to intensify their application and to consider extending this institution to other jurisdictions, considering their specific features.

2. To ensure the stability of judicial practice, it is proposed to initiate a discussion on the possible introduction of a qualified majority rule for departing from previous legal conclusions of the GC SC, joint chambers and chambers within the cassation courts.

3. Equip the SC with appropriate instruments to respond to the disregard of SC practice by state authorities and local self-government bodies.

4. Determine the appropriateness of examining certain categories of administrative cases, in respect of which SC legal positions have already been established, under an order (summary) procedure (for example, various categories of pension-related disputes).

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391 Ibid.

392 Information provided by Respondent 4 during an interview conducted on 19.02.2026.

393 Ibid.

394 The problem identified by civil society in the Shadow Report 2025 (pp. 66–67) remains relevant. ↗

395 Ibid.

396 The recommendations provided by civil society in the Shadow Report 2025 (pp. 68–69) remain relevant and have been further clarified (refined). ↗

5. To address the issue of uneven workload, it is proposed to revise the approach to the allocation of certain categories of cases, in particular disciplinary proceedings against judges, by providing for their distribution among all judges of the GC SC.

6. Consider the systematisation of approaches to filtering cases submitted to the SC, in line with the model applied by the European Court of Human Rights (ECtHR). In addition, with a view to reducing workload and increasing efficiency in case handling, it is proposed to introduce, at the level of the GC SC, mechanisms similar to ECtHR practice — namely, the adoption of 'pilot judgments' with subsequent extension of their findings to analogous cases, as well as the possibility of joining similar proceedings and examining them under simplified procedures.

7. Establish rules for the proportional reduction in the number of judges of the GC SC in the event of changes in the overall number of SC judges, based on the following formula: a 25% reduction in the total number of SC judges should result in a decrease of one judge in the representation of cassation courts within the GC SC (i.e. the total composition of the GC SC would be 17 judges); a 50% reduction should result in a decrease of two judges (i.e. the total composition of the GC SC would be 13 judges).

8. Move away from excessive formalism and overregulation in procedural documents that do not require detailed reasoning. Optimise cassation proceedings and expand the categories of cases that may be examined under written procedure.

9. Define the strategic development of the SC and adopt the relevant documents, including workload standards, an SC development strategy and a strategy for ensuring the consistency of judicial practice.

10. Improve the quality of communication between courts within the SC, through interjurisdictional measures and with courts of first instance and appellate courts, primarily through targeted training. Continue communication and educational activities for the legal community.

11. Introduce, at the level of the judiciary, a platform for building a talent pool for courts of all instances and jurisdictions.

12. Take measures to enhance the energy resilience of the SC, by establishing back-up and alternative power supply systems based on solar energy and storage systems and ensure that the SC's 2026 budget provides for the necessary funding.

13. Ensure the formation of financial reserves by adopting amendments to the Law of Ukraine 'On Court Fees', whereby 100% of the court fee remains with the SC in cases where a cassation appeal is refused admission. This measure would help prevent abuse of procedural rights by parties and reduce the number of unfounded cassation appeals submitted to the SC.

14. Eliminate administrative and financial influence over the leadership of the SC Secretariat, which requires amending the Law of Ukraine 'On the Judiciary and the Status of Judges' by transferring these powers to the President of the SC.

15. If the number of cases submitted to the SC has not decreased by the beginning of 2027, conduct a competitive selection of SC judges to fill all existing vacancies

at that time. Independent international experts should be involved in the selection process instead of the PIC.[397]

16. The Parliament should reconsider its approach to drafting the provisions of the new Civil Code of Ukraine. To preserve the stability of judicial practice, at least for those provisions whose substance remains unchanged, such norms should be retained without any amendments, including technical ones (such as article numbering, punctuation, placement within the Code, or wording). The provisions proposed in the draft Civil Code should instead be incorporated through amendments to specific articles of the current Civil Code of Ukraine, including by way of supplements, rather than through the adoption of an entirely new version of the Code.

High Anti-Corruption Court

Progress and issues

Staffing of the HACC

One of the key systemic problems in the functioning of the HACC remains the **23 unfilled judicial positions (13 in the first instance of the HACC and 10 in the AC HACC)**. The filling of vacancies is proceeding more slowly than expected, which directly affects the institutional capacity of the court.[398] In June 2026, the HQCJ recommended candidates to the HCJ for appointment as HACC judges: 7 candidates to the AC HACC and 12 candidates to positions as judges of the HACC as a court of first instance.[399] At the same time, three of these candidates are judges of the first instance of the HACC.[400] This means that it will not be possible to fill all existing vacancies in the HACC within the framework of this competition. The HCJ considered all 19 HACC candidates and has so far submitted proposals to the President for the appointment of 16 of them: 5 candidates to the AC HACC and 12 candidates to the HACC as a court of first instance.[401]

At the same time, on 25 March 2026, the assembly of judges of the HACC elected Ihor Strohy (first instance of the HACC)[402] as Head of the HACC and Dmytro Mykhailenko (AC HACC)[403] as Deputy Head of the HACC. The position of Deputy Head had remained vacant for four years. Representatives of civil society had drawn attention[404] to this issue and the need for its prompt resolution.

397 Described in detail in the section 'Public Council of International Experts'.

398 Information provided by Respondent 1 during an interview conducted on 13.02.2026.

399 19 Candidates Recommended for Appointment as Judges of the High Anti-Corruption Court. High Qualification Commission of Judges of Ukraine, 2026. ↗

400 Ibid.

401 The HCJ Approved 16 of 19 Winners of the HACC Competition. Transparency International Ukraine, 2026. ↗

402 Publication by the High Anti-Corruption Court on the social network Facebook, 2026. ↗

403 Publication by the High Anti-Corruption Court on the social network Facebook, 2026. ↗

404 Shadow Report on Chapter 23 'Justice and fundamental rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's Progress under the 2024 EU Enlargement Package, 2025. P. 126. ↗

At the same time, on 26 November 2025, the Head of the Appeals Chamber — Ihor Panaida — was elected.[405] Thus, for the first time in four years, the leadership of the HACC has been fully formed.

Jurisdiction of the HACC and Workload of Its Judges

A key challenge for the HACC at this stage of its activity is the **rapid increase in the number of cases** submitted for its consideration. While in 2024, **122 criminal proceedings** were submitted for consideration on the merits, in 2025 this number increased to **156**.[406] As a result, the backlog of pending cases is growing: while at the end of 2024 there were **260** such cases, as at the end of the first half of 2026, the backlog stood at **322** criminal proceedings.[407]

Despite an increase in the number of judgments (77 in 2024 and 109 in 2025, i.e. +41%),[408] **in 2025 the pace of case examination did not keep up with the inflow of new cases, and the backlog of pending cases continued to grow**.[409]

In the first half of 2026, the HACC's overall efficiency (the ratio of cases considered to cases received) increased from 99% to 100% compared with the same period in 2025.[410] In particular, the efficiency of considering criminal proceedings increased by 37%, while that of claims for the recognition of assets as unjustified and their recovery to the state increased by 22%. In the first half of 2026, the HACC's efficiency in considering criminal proceedings reached 101% for the first time since the court began operating.[411] The number of judgments delivered by the HACC in the first half of 2026 increased by 25% compared with the same period in 2025, from 52 to 65.[412]

At the same time, the introduction of single-judge consideration of criminal cases has become an important factor in improving the court's efficiency.[413] In 2025, 64 out of 109 judgments were delivered by single judges.[414] In the first half of 2026, 31 judgments were delivered by HACC judges sitting alone, accounting for 48% of all judgments during this period.[415]

In 2025, investigating judges of the HACC examined over 11,000 motions and complaints.[416] This trend has remained stable for the second consecutive year (11,190 in

405 Head of the Appeals Chamber of the High Anti-Corruption Court elected. Judiciary of Ukraine, 2025. ↗

406 Publication by the High Anti-Corruption Court on the social network Facebook, 2026. ↗

407 Analysis of the Administration of Justice by the High Anti-Corruption Court (as a Court of First Instance) in the First Half of 2026. High Anti-Corruption Court, 2026. ↗

408 Publication by the High Anti-Corruption Court on the social network Facebook, 2026. ↗

409 Information provided by Respondent 1 during an interview conducted on 13.02.2026.

410 Analysis of the Administration of Justice by the High Anti-Corruption Court (as a Court of First Instance) in the First Half of 2026. High Anti-Corruption Court, 2026. ↗

411 Ibid.

412 Ibid.

413 Information provided by Respondent 1 during an interview conducted on 13.02.2026.

414 Publication by the High Anti-Corruption Court on the social network Facebook, 2026. ↗

415 Analysis of the Administration of Justice by the High Anti-Corruption Court (as a Court of First Instance) in the First Half of 2026. High Anti-Corruption Court, 2026. ↗

416 Publication by the High Anti-Corruption Court on the social network Facebook, 2026. ↗

2025 compared to 11,153 in 2024).[417] In the first half of 2026, the high rate (100%) of consideration of pre-trial investigation materials indicates that investigating judges are fully coping with the current inflow of pre-trial investigation materials during the reporting period (5,757 materials considered).[418]

The number of civil claims for the recognition of assets as unjustified and their recovery to the benefit of the state increased from 8 to 19 in 2025.[419] In the first half of 2026, 23 such cases were received and 15 were considered.[420]

In 2025, 15 administrative claims concerning the application of the sanction provided for in para. 1-1 of Part 1 of Article 4 of the Law of Ukraine 'On Sanctions' were submitted to the HACC.[421] Taking into account cases pending from previous periods, the HACC adopted 16 decisions granting such claims (compared to 27 in 2024).[422] In the first half of 2026, only 3 cases in this category were received and only 4 were considered.[423]

Overall, from the start of its operation until 31 July 2026[424] inclusive, the HACC has delivered **425 judgments** (119 by single judges and 306 by panels). Investigating judges have examined 69,422 complaints, applications and motions.[425] Over the same period, the HACC adopted 59 decisions in civil cases and 79 in administrative cases.[426]

In 2025, 1,088 cases and materials were submitted to the AC HACC,[427] while 1,045 cases and materials were examined.[428] In the first half of 2026, the AC HACC received 525 cases and materials,429 while 552 cases and materials were considered. Overall, from the start of its operation until the end of July 2026, 7,212 appellate cases and materials were submitted to the AC HACC,of which 7,079 were examined.[430]

At the same time, during the reporting period, Parliament did not adopt legislation introducing single-judge consideration of civil and administrative cases (by analogy with criminal cases). Likewise, no legislation was adopted to prevent abuse of procedural rights by parties to criminal proceedings.

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417 Ibid.

418 Analysis of the Administration of Justice by the High Anti-Corruption Court (as a Court of First Instance) in the First Half of 2026. High Anti-Corruption Court, 2026. ↗

419 Publication by the High Anti-Corruption Court on the social network Facebook, 2026. ↗

420 Analysis of the Administration of Justice by the High Anti-Corruption Court (as a Court of First Instance) in the First Half of 2026. High Anti-Corruption Court, 2026. ↗

421 Publication by the High Anti-Corruption Court on the social network Facebook, 2026. ↗

422 Ibid.

423 Analysis of the Administration of Justice by the High Anti-Corruption Court (as a Court of First Instance) in the First Half of 2026. High Anti-Corruption Court, 2026. ↗

424 Publication by the High Anti-Corruption Court on the social network Facebook, 2026. ↗

425 Ibid.

426 Ibid.

427 Key performance indicators of the Appeals Chamber of the High Anti-Corruption Court for 2025. High Anti-Corruption Court, 2026. ↗

428 Ibid.

429 Key Performance Indicators of the Appeals Chamber of the High Anti-Corruption Court for the First Half of 2026. High Anti-Corruption Court, 2026. ↗

430 Statistics of the Appeals Chamber of the High Anti-Corruption Court. High Anti-Corruption Court, 2026. ↗

In November 2025, the Strategy for the Institutional Development of the HACC for 2026–2028 was adopted, aimed at improving the effectiveness of the HACC and ensuring its contribution to the implementation of national priorities,[431] particularly those set out in the Rule of Law Roadmap.[432]

Logistical Support of the HACC

One of the most serious institutional problems of the HACC remains the **lack of adequate premises**.[433] As at the end of July 2026, the HACC continues to operate in three buildings located at a considerable distance from each other.[434] While previously the absence of a single premises for the first instance of the HACC created logistical difficulties affecting the duration of case consideration, in 2026 the HACC will face the problem of physically accommodating 19 (as expected) new judges and 120 members of court apparatus staff. The existing premises are unable to accommodate even part of these 140 new judges and staff members.[435] In the current situation, the HACC is unable to fill even part of the existing vacancies in the court apparatus, as there is no physical capacity to accommodate new staff in the available premises.[436] In March 2026, judges of the HACC appealed to the President regarding this issue.[437]

In the second and third quarters of 2026, the Government decided to transfer to the HACC non-residential premises with a total area of 1,001.9 sq. m at 35 Metropolitan Vasyl Lypkivskyi Street, Kyiv.[438] **However, the premises have so far been transferred only 'on paper'.**[439] They will require substantial refurbishment, including internet connectivity, security, new furniture and equipment. Accordingly, the premises may become suitable for the operation of the HACC as a court of first instance no earlier than the end of the fourth quarter of 2026.[440]

During the reporting period, the HACC, like other courts located in Kyiv, faced an energy crisis, which it addressed independently.[441] At the same time, the available resources (generators) do not allow for the full functioning of the court during prolonged outages of electricity, water and heating.[442]

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431 The High Anti-Corruption Court approved the Strategy for Institutional Development for 2026–2028. Judiciary of Ukraine, 2025. ↗

432 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

433 The problem described by civil society in the Shadow Report 2025 (pp. 73–74) remains relevant. ↗

434 Ibid.

435 Ibid.

436 Publication by the High Anti-Corruption Court on the social network Facebook, 2026. ↗

437 Ibid.

438 On the Transfer of Immovable Property in Kyiv to the Management of the High Anti-Corruption Court: Order of the Cabinet of Ministers of Ukraine No. 593 of 17.06.2026. ↗; On the Transfer of Non-Residential Premises in Kyiv to the Management of the High Anti-Corruption Court: Order of the Cabinet of Ministers of Ukraine No. 756 of 06.08.2026. ↗

439 Information provided by Respondent 1 during an interview conducted on 10.07.2026.

440 Ibid.

441 Information provided by Respondent 1 during an interview conducted on 13.02.2026.

442 Ibid.

Recommendations[443]

1. Fill vacant positions in the HACC and its Appeals Chamber as soon as possible in the second quarter of 2026.

2. Ensure that the first instance of the HACC is provided with a single, fully functional premises:

- relocate, in 2026, the first instance of the HACC to the new premises, located at 35 Vasyl Lypkivskyi Street, Kyiv, and the AC HACC to the HACC building at 41 Beresteiskyi Avenue, Kyiv, 01601;
- abandon the practice of accommodating the first instance of the HACC in separate (two or more) premises located at a significant distance from each other, which negatively affects the court's functioning;
- ensure that the HACC and its Appeals Chamber are technically equipped with the necessary equipment and allocate funds for urgent repair works.

3. Adopt, in 2026, legislation introducing single-judge consideration of civil and administrative cases by the HACC.

4. Transfer jurisdiction over administrative cases (application of sanctions) from the HACC to the SDAC and the SACA after the commencement of their operation, to reduce the workload of the HACC and ensure an effective distribution of jurisdiction between courts within the judicial system.

5. Clarify legislative provisions on the election of the Deputy Head of the HACC, thereby formalising the current situation in which the Head of the court is a judge of the first instance of the HACC, while the Deputy Head is a judge of the AC HACC.

6. Adopt, in 2026, legislation aimed at preventing abuse of procedural rights by parties.

7. Refrain from expanding the jurisdiction of the HACC at least until the backlog of pending cases shifts from accumulation to a stable and consistent reduction.

8. Introduce a comprehensive strategy to ensure the effective consideration of cases by the HACC and to reduce the number of pending cases.

9. Take measures aimed at increasing the energy independence of the HACC, by establishing a backup/alternative power supply system based on solar energy and storage systems, with corresponding funding to be provided in the HACC budget for 2026.

Local and Appellate Courts

Progress and issues

Since September 2025, no significant positive changes have been observed in the functioning of local and appellate courts. At the same time, procedures for the selection of

443 The recommendations provided by civil society in the Shadow Report 2025 (pp. 74–75) remain relevant and have been clarified with regard to the timing. ↗

new judges demonstrate consistent moderate progress.[444] Thus, **143** judges[445] were appointed last year and **87** judges[446] within seven months of 2026. Meanwhile, the number of dismissed judges in 2025 reached **226**.[447] Of these, 125 judges of local courts and 43 judges of appellate courts resigned. A further 12 judges of local courts were dismissed at their own request, 10 judges were dismissed for failing to pass the qualification assessment and 30 — for committing a significant disciplinary offence. In the first half of 2026, **105** judges resigned.[448]

A separate issue concerns the regular administration of the oath to newly appointed judges. Thus, despite the appointment of judges to appellate courts in December 2025[449] and February 2026.[450] Twenty-two judges appointed from among advocates and academics took the oath only in April 2026.[451] Judges appointed later are still awaiting the oath and, accordingly, are unable to administer justice.

The dynamics of changes in the number of judges from September 2025 to July 2026 inclusive are as follows. In local courts, the number of serving judges decreased from 3,619 to 3,356 persons, that is, by 263 judges. Accordingly, the percentage of vacant positions increased from 26.6% to 36.5%.[452] At the same time, as of July 2026, no judges have been appointed in nine local courts (the jurisdiction of four of these courts has been transferred to other courts and one court has ceased operations).[453]

In 35 local courts, only one judge has been appointed (in 12 of these courts, jurisdiction has been transferred to other courts),[454] while in 98 courts — two judges have been appointed (in 17 of these courts, jurisdiction has been transferred to other courts). At the same time, in the previous period (September 2024 – August 2025 inclusive), these figures were lower: in 25 local courts, one judge had been appointed (in 10 of these courts, jurisdiction had been transferred to other courts) and in 80 courts — two judges had been appointed (in 12 of these courts, jurisdiction had been transferred to other courts).[455]

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444 For more details, see the subsection 'High Qualification Commission of Judges of Ukraine'.

445 During 2025, the HCJ decided to submit to the President of Ukraine proposals for the appointment of 161 judges. High Council of Justice, 2026. ↗

446 The data were aggregated based on information of the High Council of Justice published on its official website. For example, The President of Ukraine supported the HCJ's submissions for the appointment of 26 judges. High Council of Justice, 2026. ↗; The President of Ukraine supported the HCJ's submissions for the appointment of six judges. High Council of Justice, 2026. ↗

447 226 judges were dismissed during 2025. High Council of Justice, 2026. ↗

448 105 Judges Dismissed during the First Half of 2026. High Council of Justice. ↗

449 The President of Ukraine supported the HCJ's submissions for the appointment of 78 judges. High Council of Justice, 2026. ↗

450 The President of Ukraine supported the HCJ's submissions for the appointment of 26 judges. High Council of Justice, 2026. ↗

451 22 Judges Took the Oath to the Ukrainian People. High Council of Justice, 2026. ↗

452 Register of judicial positions. High Qualification Commission of Judges of Ukraine. ↗

453 Ibid.

454 Ibid.

455 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's Progress within the 2024 EU Enlargement Package, 2025, p. 76. ↗

A different trend can be observed in appellate courts. Here, the number of judges increased as a result of appointments following the competition — from 571 to 671 persons, that is, by 100 judges. As a result, the percentage of vacant positions decreased from 57.9% to 39.7%.[456] Despite this positive development, the level of unfilled positions remains critically high — approximately 40% of the required number of judges.

Overall, the available data confirm that the staffing shortage in local and appellate courts in Ukraine persists as a systemic problem.[457]

In the selection of judges to local courts,[458] as of 31 July 2026 the assessment of the works of candidates to local general courts and local commercial courts who successfully passed three stages of testing and completed the practical task is ongoing.[459] In the selection for district administrative courts, on 29 July 2026 the ranking of judicial candidates and judges wishing to be transferred to another district administrative court was approved.[460]

A systemic issue remains the **excessive workload of courts and its uneven distribution** both across the country and across regions.[461] This **negatively affects the efficiency of the administration of justice, particularly the timeframes for case consideration**.[462]

In 2025, more than 1.9 million **civil cases and materials** were pending before local general courts. This represents a 25.1% increase compared to 2024. At the same time, the ratio of cases resolved to those received stood at 90%, which is 6% lower than in the previous period (96%). The workload of courts remains significant, as evidenced by the backlog of unresolved cases at the end of 2025 (approximately 25.8% of the total number).[463] The trend continued in 2026: in the first half of the year, approximately 1.45 million civil cases and materials were pending before local general courts, of which 964,800 were received during that period.[464]

Local general courts also had under consideration 232.3 thousand criminal cases, 707.1 thousand materials of criminal proceedings and 803.3 thousand cases on administrative offences.[465] During 2025, 121 thousand criminal cases were received for consideration (111.4 thousand cases were resolved), 690.3 thousand materials of criminal proceedings were received (684 thousand materials were resolved) and 729 thousand

456 Register of judicial positions. High Qualification Commission of Judges of Ukraine. ↗

457 Head of the SC Stanislav Kravchenko on the challenges facing the judiciary. Supreme Court, 2026. ↗

458 On the announcement of selection for the position of a local court judge: Decision of the High Qualification Commission of Judges of Ukraine No. 366/zp-24 of 11.12.2024. ↗

459 Publication by the High Qualification Commission of Judges of Ukraine on the social network Facebook, 2026. ↗

460 For details, see the subsection 'High Qualification Commission of Judges of Ukraine'.

461 Map of local general courts, 2025. Council of Judges of Ukraine, 2026. ↗

462 Judicial statistics for 2025. State Judicial Administration of Ukraine, 2026. ↗

463 Analytical review of the state of civil proceedings in 2025. Supreme Court, 2026. ↗

464 Letter of the State Judicial Administration of Ukraine No. Inf/BP741-26-768/26 of 13.08.2026.

465 Report of courts of first instance on the consideration of materials of criminal proceedings; report of courts of first instance on the consideration of cases of administrative offences. State Judicial Administration of Ukraine, 2026. ↗

cases on administrative offences were received (683.5 thousand cases were resolved).[466] Thus, as of the end of 2025, the backlog amounted to 120.8 thousand criminal cases, 23 thousand materials of criminal proceedings and 81.3 thousand cases on administrative offences.[467]

In the first half of 2026, the number of criminal cases and materials pending before local general courts increased (621,000, of which 466,700 were received during the first half of 2026). A certain increase was likewise observed in administrative offence cases (393,300 pending, of which 321,000 were received from January through July 2026).[468]

In 2025, more than 111 thousand civil cases were pending before appellate general courts, of which 84.6 thousand were received during the year. At the same time, the ratio of resolved cases to those received stood at 93.3%. As of the end of 2025, approximately 29% of cases remained unresolved out of those pending. Overall, similarly to the level of local courts, there is a trend towards an increase in incoming cases alongside relatively stable or somewhat slower rates of their resolution.[469] In the first half of 2026, 80,400 civil cases were pending before appellate general courts, of which 48,000 were received during the first half of 2026.[470] This is slightly more than last year.

Appellate general courts also had under consideration 66.1 thousand appeals in criminal cases and 34.2 thousand appeals in cases on administrative offences.[471] During 2025, 51.9 thousand appeals in criminal cases were received for consideration (50 thousand cases were resolved) and 29.6 thousand cases on administrative offences were received (23.4 thousand cases were resolved).[472] Thus, as of the end of 2025, the backlog amounted to 16 thousand appeals in criminal cases and 6.1 thousand cases on administrative offences.[473] In the first half of 2026, 129,900 criminal cases and materials were pending before appellate general courts, of which 113,700 were received during the first half of 2026,[474] as well as 22,600 administrative offence cases (16,400 received in the first half of 2026).[475] These data indicate an increase in the relevant indicators compared with last year.

In 2025, 581.5 thousand cases and materials were received by **district administrative courts**, which is 14% more than in 2024. Overall, in 2025, 745.6 thousand cases and materials were pending before district administrative courts. For example, the average workload per judge amounted to 1,200 cases by incoming caseload and 1,544

466 Ibid.

467 Ibid.

468 Letter of the State Judicial Administration of Ukraine No. Inf/BP741-26-768/26 of 13.08.2026.

469 Analytical Overview of the State of Civil Justice Administration in 2025 / Supreme Court, 2026, 19 p. ↗

470 Letter of the State Judicial Administration of Ukraine No. Inf/BP741-26-768/26 of 13.08.2026.

471 Report of appellate courts on the consideration of appeals in criminal proceedings; report of appellate courts on the consideration of appeals in cases of administrative offences. State Judicial Administration of Ukraine, 2026. ↗

472 Ibid.

473 Ibid.

474 Letter of the State Judicial Administration of Ukraine No. Inf/BP741-26-768/26 of 13.08.2026.

475 Ibid.

cases by total caseload under consideration, indicating a significant increase in the intensity of work of judges of local administrative courts. The average case resolution rate stood at 89%. As of the end of 2025, approximately 30% of cases remained unresolved.[476] Similar trends continued in 2026. A total of 541,900 cases were pending before local administrative courts, of which 327,800 were received during the first half of 2026.[477]

In 2025, appellate administrative courts received 1.5 times more cases than in 2024 (240.8 thousand compared to 157.1 thousand). The total number of cases and materials under consideration, including the backlog, amounted to 285.7 thousand. The average workload per judge increased to 1,672 cases by incoming caseload and to 1,984 cases by total caseload, indicating a significant increase in the intensity of work at the appellate level. Appellate administrative courts resolved approximately 66% of cases out of the total number (77% in 2024). The average case resolution rate decreased to 79%, indicating a significant accumulation of unresolved cases. As of the end of 2025, 34% of cases and materials remained unresolved, which significantly exceeds the indicators of the previous year.[478] During the first six months of 2026, more administrative cases were pending before appellate administrative courts than during the entire previous year (287,700 cases, of which 190,200 were received in 2026).[479]

In 2025, the activity of **local commercial courts** was characterised by an increase in key quantitative indicators compared to the previous period. Local commercial courts received 197.2 thousand cases and materials (167.6 thousand in 2024). The courts resolved 191.6 thousand submissions, which constitutes 97.1% of those received (in 2024, this figure amounted to 168.4 thousand resolved cases and materials). The backlog at the end of 2025 amounted to 44.4 thousand cases and materials. In 2025, the average workload per judge amounted to 574 submissions. Overall, the data presented confirm a relatively high level of procedural capacity of local commercial courts, even under conditions of increasing workload.[480]

In the first half of 2026, local commercial courts received 109,100 cases, exceeding last year's figure.[481] The total number of cases pending before the courts increased by 14.2%, to 152,700 compared with 133,700 a year earlier. In the first half of 2026, the average workload per judge reached 385 cases, compared with 309 cases in the first half of 2025.[482]

The number of submissions pending before appellate commercial courts in 2025 decreased by 3.1% (42.9 thousand in 2025 compared to 44.9 thousand in 2024). At the same time, approximately 99.5% of submissions were resolved out of those received,

476 Analysis of the administration of justice by administrative courts in 2025. Supreme Court, 2026. ↗

477 Letter of the State Judicial Administration of Ukraine No. Inf/BP741-26-768/26 of 13.08.2026.

478 Report of Courts of Appeal on the Consideration of Appeals in Criminal Proceedings; Report of Courts of Appeal on the Consideration of Appeals in Administrative Offence Cases. State Judicial Administration of Ukraine, 2026. ↗

479 Letter of the State Judicial Administration of Ukraine No. Inf/BP741-26-768/26 of 13.08.2026.

480 Analysis of the administration of justice in commercial cases in 2025. Supreme Court, 2026. ↗

481 Letter of the State Judicial Administration of Ukraine No. Inf/BP741-26-768/26 of 13.08.2026.

482 Analysis of the Administration of Justice in Commercial Cases in the First Half of 2026. Supreme Court, 2026. ↗

which indicates a high level of procedural efficiency. The workload per judge decreased and amounted on average to 424 submissions per judge (compared to 461 in 2024).

Appellate commercial courts maintain a high level of efficiency despite a slight decrease in the volume of incoming and resolved cases.[483] In the first half of 2026, the number of cases pending before appellate commercial courts amounted to 31,600, 0.7% more than in the same period of 2025 (31,500).[484] By contrast, the average workload per judge decreased to 225 cases, compared with 287 in the first half of 2025.[485]

Overall, during 2025, 5.8 million cases were pending before courts of all instances and jurisdictions, of which 4.6 million were resolved, whereas in 2024 these figures amounted to 5.3 million and 4.4 million respectively.[486] In 2025, 4.1 million cases were received by courts of first instance, 716 thousand by appellate courts and 93 thousand cases and materials were submitted for consideration to the SC.[487] Overall, in the first half of 2026, 2.6 million cases were pending before courts of first instance and appeal, of which 2.3 million were considered.[488]

A separate unresolved issue affecting the efficiency of local (district) courts remains the **significantly uneven distribution of workload** in local general courts. Updated data from the interactive court workload map indicate a deep systemic crisis of inefficient use of human and financial resources.[489] Thus, in Ukraine there are more than 30 district courtswhere judges do not have even a minimum level of workload.[490] There are numerous cases where judges consider 150–160 cases per year (that is, three cases per week), while their colleagues consider more than 3 thousand cases per year.[491] Such courts operate in various regions of Ukraine, for example: Kolomatskyi District Court of Kharkiv region — 238 cases per judge per year; Monastyryskyi District Court of Ternopil region — 239; Chornukhynskyi District Court of Poltava region — 221.[492]

Judges in courts with minimal workload have the same number of assistants as their colleagues in courts of million-plus cities, where the workload is dozens of times higher. Ukraine continues to finance court apparatuses that effectively have no workload, while courts with excessive caseloads experience an acute shortage of resources. Despite the evident need for optimisation, the process is hindered by the lack of political will to adopt ‘unpopular’ decisions and to close courts that do not have even a minimum workload (with the subsequent transfer of judges to courts with high workload and changes to territorial jurisdiction of cases). The development of a new court network intended to address these issues has been halted due to the ongoing Russian aggression. At the

483 Ibid.

484 Ibid.

485 Ibid.

486 Opening of the Judicial Year at the Supreme Court: results, achievements and prospects of the national judicial system. Supreme Court, 2026. ↗

487 Ibid.

488 Letter of the State Judicial Administration of Ukraine No. Inf/BP741-26-768/26 of 13.08.2026.

489 Map of local general courts, 2025. Council of Judges of Ukraine, 2026. ↗

490 Optimisation of courts: some are overloaded, others are almost idle. Watchers, 2026. ↗

491 Ibid.

492 Ibid.

same time, delays in the optimisation of the court network lead to further destabilisation of the judicial system.[493]

In June 2026, the CJU adopted a decision to increase the number of assistants in certain courts with excessive workloads[494] — the Shevchenkivskyi District Court of Kyiv, the Kyivskyi District Court of Odesa and the Komunarskyi District Court of Zaporizhzhia. In these courts, each judge will work with two assistants. However, such decisions are individual in nature, do not comprehensively address the problem of uneven workloads, do not redistribute resources within the system and do not reduce the number of assistants in courts with minimal workloads.

At the same time, during the reporting period, the Standards for Staffing, Financial and Logistical support of courts were approved, as well as the Methodology for Calculating the Number of Judges of Courts of First and Appellate Instances and the Methodology for Calculating the Projected Number of Cases of Courts of First and Appellate Instances.[495] According to these documents, the number of judges required to administer justice amounts to 12,267, which is almost three times higher than the number of judges who administered justice in 2025.[496] Not all respondents interviewed during the preparation of this report consider these figures realistic, as even with the current number of judges the judicial system faces a significant funding shortfall each year.[497]

Due to ongoing hostilities, the **territorial jurisdiction** of certain courts has also been changed. In the period from September 2025 to July 2026 inclusive, the territorial jurisdiction of 13 courts was changed, for example, the Pokrovskyi District Court of Dnipropetrovsk region and the Novomykolaivskyi District Court of Zaporizhzhia Region, certain courts in Donetsk and Luhansk regions.[498]

During the reporting period (as in the previous one), no action was taken to establish rules governing changes to the territorial jurisdiction of court cases in regions close to the combat zone or those where hostilities are already ongoing.[499]

No progress has been made in **resolving the issue of temporarily seconded judges (approximately 500 as of 2024) in connection with changes to the territorial jurisdiction of court cases due to the war**.[500] In practice, the only possible way for such judges to obtain a permanent position is to succeed in a competition for vacant judi-

493 Ibid.

494 Decisions of the Council of Judges of Ukraine Nos. 22–24 of 26.06.2026. ↗

495 On Approval of Standards for Staffing, Financial and Material and Technical Support of Courts, as well as the Methodology for Calculating the Number of judges in Courts of First and Appellate Instances and the Methodology for Calculating the Projected Number of Cases in Courts of First and Appellate Instances: Decision of the High Council of Justice No. 2015/0/15-25 of 30.09.2025. ↗

496 Information provided by Respondent 21 during an interview conducted on 16.03.2026.

497 Ibid.

498 Territorial jurisdiction of court cases of the Pokrovsk District Court of Dnipropetrovsk region has been changed. Supreme Court, 2025. ↗; Territorial Jurisdiction of Court Cases of a Number of Courts in Luhansk and Dnipropetrovsk Regions Changed. Supreme Court, 2026. ↗; On the change of territorial jurisdiction of court cases of the Novomykolaivka District Court of Zaporizhzhia region: Decision of the High Council of Justice No. 2814/0/15-25 of 30.12.2025. ↗

499 The problem previously outlined by civil society in the Shadow Report 2025 (p. 79) remains relevant. ↗

500 Ibid.

cial posts in other courts (participation in such competitions takes place on general terms).[501] However, participation in a competition does not guarantee transfer, and therefore most of these judges continue to face uncertainty regarding their future career and permanent place of residence. The failure to resolve the issue of permanent transfers for this category of judges effectively constitutes a disproportionate interference by the state in their private life.

The issue of the functioning of the district administrative court in the city of Kyiv (KCDAC), which was established in 2022 to replace the liquidated District Administrative Court of Kyiv (DACK), also remains unresolved.[502] In practice, filling vacancies in this court is only possible through a competition among candidates for district administrative courts who successfully pass the qualification examination[503] as part of the selection process.[504]

Recommendations

1. In 2026, conduct an audit of courts where the level of judicial workload is lower than or equal to the minimum threshold. Based on the results obtained, resolve the issue of liquidating such courts and transferring judges (and court staff) to more heavily burdened courts within the district or region, for which the necessary legislative amendments should be adopted. In practice, such a project could serve as a pilot within the first wave of court optimisation (consolidation).

2. Review the staffing schedules of court apparatuses in courts whose workload is at or deviates from the defined minimum threshold. Reduce the number of staff positions for judicial assistants and court hearing secretaries in courts with low workload and reallocate them to critically overburdened courts.

3. Recalculate the workload standards per judge to establish objective indicators of staffing needs across the judicial system as a whole and in specific courts.

4. To address the staffing shortage, first and foremost in appellate courts (especially appellate general courts), it is advisable to complete the competition for this jurisdiction as swiftly as possible.

5. In 2026, hold a competition for 51 vacant judicial positions in the KCDAC.

6. Develop amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' to regulate the issue of permanent non-competitive transfers of judges from courts whose territorial jurisdiction has been changed due to the war (that is, all courts except the DACK). Given the significant number of vacancies in the judicial system, it is proposed to allow those judges who have successfully completed the qualification assessment to choose up to five courts for transfer. Where more than one judge applies for a single vacancy, preference should be given to the judge with the higher score obtained following the qualification assessment.

501 On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016. ↗

502 On the Liquidation of the District Administrative Court of Kyiv and the Establishment of the Kyiv City District Administrative Court: Law of Ukraine No. 2825-IX of 13.12.2022. ↗

503 On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016. ↗

504 On the Announcement of Selection for the Position of a Local Court Judge: Decision of the High Qualification Commission of Judges of Ukraine No. 366/zp-24 of 11.12.2024. ↗

7. To balance the workload across courts, it is advisable to consider the possibility of:[505]

- introducing extraterritorial jurisdiction for minor cases and cases examined under written proceedings;
- changing the jurisdiction of certain categories of civil cases and transferring them to commercial courts, including disputes involving individuals in the fields of construction, financial and credit relations, mortgage and consumer protection;
- expanding the categories of cases that may be considered under written proceedings (as a temporary measure).

8. In the medium term, the optimal solution for balancing workload is the simultaneous introduction of remote case adjudication and the general redistribution of cases among courts (to be implemented in parallel with the process of court optimisation (consolidation)). This will require significant technical transformation and the full-scale implementation of digital technologies in court operations. Such an instrument is optimal both for balancing workload across courts and for combating corruption.

9. For the purpose of developing and implementing a new court map, it is advisable to:

- conduct a comprehensive study in the government-controlled territory of Ukraine, taking into account internal migration processes of the population and businesses and develop a new concept for optimising the court network;
- develop a baseline indicator of judicial workload;
- prepare a comprehensive technical assignment for future optimisation, including a map of courts in government-controlled regions and model designs for court premises in districts where such facilities are currently lacking;
- develop an effective methodology for determining a 'hub court';
- after completion of the new court map, begin implementing a pilot project developed using the work of the EU Project 'Pravo-Justice' from previous periods.[506]

Higher Specialised Courts for Cases Involving Central Executive Authorities

Progress and issues

On 16 September 2025, Parliament adopted the Law of Ukraine 'On the Establishment of the Specialised District Administrative Court and the Specialised Administrative Court of Appeal'.[507]

505 Recommendations 7–9 were already provided by civil society in the Shadow Report 2025 (pp. 81–83) and remain relevant. ↗

506 The need to implement the above-mentioned pilot project was outlined by civil society in the Shadow Report 2025 (p. 79) and remains relevant. ↗

507 On the Establishment of the Specialised District Administrative Court and the Specialised Administrative Court of Appeal: Law of Ukraine No. 4602-IX of 16.09.2026. ↗

In September 2025, the HQCJ established an Expert Council[508] which, in accordance with Law No. 4264-IX,[509] assists the HQCJ in assessing the compliance of candidates for the positions of judges of the SDAC and SACA with the criteria of integrity and professional competence for the purposes of qualification assessment. The Council consists of six members: three nominated by the CJU and three nominated by international (foreign) organisations.[510]

On 29 October 2025, the HQCJ announced competitions for 17 vacant judicial positions[511] in the SDAC and 10 vacant judicial positions in the SACA.[512] A total of 356 applications were submitted to the HQCJ for participation in the competitions for both specialised courts, filed by 268 unique candidates, of whom 88 applied simultaneously for participation in both the SDAC and SACA competitions.[513]

A total of 171 candidates were admitted to the qualification assessment in the SDAC competition, including 77 lawyers, 30 judges, 19 academics, and 11 civil servants. A total of 109 candidates were admitted to the qualification assessment in the SACA competition, including 36 judges, 29 lawyers, 10 academics, and 3 civil servants.[514]

On 15 June 2026, the HQCJ approved the coded and decoded results of the practical assignment for the SDAC specialisation: 67 candidates successfully completed it and continue to participate in the competition.[515] Subsequently, the HQCJ approved the coded and decoded results of the practical assignment for the SACA, according to which 23 candidates continue to participate in the competition.[516] Ten candidates are applying for judicial positions in both competitions simultaneously. Given the HQCJ's workload, interviews with candidates are expected to begin in September 2026. Following this, the winners of the competitions will be determined, and recommendations will be submitted for appointment to the positions of judges of the SDAC and SACA.[517]

For the functioning of the SDAC and SACA, the State Budget of Ukraine for 2026 provides for funding in the amount of UAH 34.3 million and UAH 19.99 million respectively.[518]

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508 Expert Council established. High Qualification Commission of Judges of Ukraine, 2025. ↗

509 On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' and Certain Other Legislative Acts of Ukraine regarding the Legal Framework for the Establishment and Functioning of the Specialised District Administrative Court and the Specialised Administrative Court of Appeal: Law of Ukraine No. 4264-IX of 26.02.2025. ↗

510 Expert Council established. High Qualification Commission of Judges of Ukraine, 2025. ↗

511 On 29 October 2025, a competition for vacant positions in the Specialised District Administrative Court was announced. High Qualification Commission of Judges of Ukraine, 2025. ↗

512 On 29 October 2025, a competition for vacant positions in the Specialised Administrative Court of Appeal was announced. High Qualification Commission of Judges of Ukraine, 2025. ↗

513 Publication by the High Qualification Commission of Judges of Ukraine on the social network Facebook, 2026. ↗

514 Competitions for the SDAC and SACA: 280 candidates admitted to qualification assessment. High Qualification Commission of Judges of Ukraine, 2026. ↗

515 Overview of Results of the High Qualification Commission of Judges of Ukraine in June 2026. High Qualification Commission of Judges of Ukraine, 2026. ↗

516 Ibid.

517 Information provided by Respondent 19 during an interview conducted on 10.03.2026.

518 For more details, see the subsection 'Financing of the Judiciary'.

However, despite the ongoing competitions, the following challenges remain:[519]

- The very design of the SDAC and SACA carries risks of these courts being declared unconstitutional and creates elevated risks of the HACC being found unconstitutional, given the constitutional submission of 49 MPs which has been under consideration by the CCU since 2020.[520]
- As the provisions of Law No. 4264-IX[521] expand the list of individuals eligible to apply for judicial positions in the SDAC and SACA, introducing an additional category — persons who have worked for at least seven years (for the SDAC) and nine years (for the SACA) in category 'A' and 'B' public service positions in state authorities whose powers extend across the entire territory of Ukraine — there are well-founded risks that, following the appointment of former civil servants as judges of the SDAC and SACA, 'the state will be judging the state', while vertical power structures and political influence will be strengthened.[522]

Recommendations

To ensure the earliest possible commencement of the SDAC and SACA, the following steps should be taken:

1. The HQCJ and the Expert Council should conduct the competitions within the planned timeframes, paying additional attention to issues of independence and political neutrality of those candidates who, due to their previous professional activities, may have close ties with state authorities or political actors.

2. The HCJ should prioritise consideration of the HQCJ's recommendations regarding the winners of the competitions for the SDAC and SACA, and the President should appoint the judges without delay.

3. During the ongoing competitions, the HCJ and the SJA should assess the condition of the premises intended for the SDAC and SACA and, if necessary, address the Government and Parliament to allocate additional funding for the renovation of court premises and the procurement of the necessary equipment.

4. The CCU should, as a matter of priority, consider the constitutional submission on the constitutionality of the HACC (and, consequently, other higher specialised courts).

519 The issues previously identified by civil society in the 2025 Shadow Report (pp. 83–86) remain relevant. ↗

520 Constitutional submission No. 04-02/6-339 of 22.07.2020 on the compliance of the Law of Ukraine 'On the High Anti-Corruption Court' No. 2447-VIII of 7 June 2018 with the Constitution of Ukraine (constitutionality). ↗

521 On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' and Certain Other Legislative Acts of Ukraine regarding the Legal Framework for the Establishment and Functioning of the Specialised District Administrative Court and the Specialised Administrative Court of Appeal: Law of Ukraine No. 4264-IX of 26.02.2025. ↗

522 DACK-2. What will Ukraine get — an independent High Administrative Court or another pocket-controlled monster? Dzerkalo Tyzhnia, 2025. ↗

High Court on Intellectual Property

Progress and issues

During the reporting period, **no progress has been made** either with regard to the adoption of Draft Law No. 6487,[523] which defines the principles of organisation and operation of the HCIP, or with regard to the continuation of the competitive selection procedures for judges of the HCIP,[524] including its Appeals Chamber[525] (which began as early as 2017–2019). As a result, in the current year (as in previous years), the HCIP, although officially registered as a legal entity, does not exercise the functions of a court.

In 2025, 155 cases concerning the protection of intellectual property rights (IP disputes) were pending before **local commercial courts**, of which 141 were examined[526] (in 2024 — 198 cases, of which 184 were examined[527]). **The appellate instance** considered 97 appeals in 2025[528] (2024 — 137).[529] In **local general courts**, 100 cases were pending in 2025, of which 74 were examined[530] (in 2024, 60 out of 83 cases were examined[531]). A total of 46 appeals were examined **at the appellate level**[532] (in 2024 — 60[533]). Overall, in 2025, a **decrease in the number of IP disputes** pending before the courts of Ukraine can be observed.

This trend can also be observed in the first half of 2026: 34 IP cases were received by local general courts and 69 by local commercial courts. During the same period, 32 and 83 cases, respectively, were considered. At the same time, appellate general courts received 43 IP cases and appellate commercial courts received 39 IP cases, of which 26 and 44 cases, respectively, were considered.[534]

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523 On the High Court on Intellectual Property: Draft Law of Ukraine, registration No. 6487 of 29.12.2021. ↗

524 Competition for 21 vacant positions of judges of the High Court on Intellectual Property (announced on 30.09.2017). High Qualification Commission of Judges of Ukraine. ↗

525 Competition to the Appeals Chamber of the High Court on Intellectual Property announced. High Qualification Commission of Judges of Ukraine, 2018. ↗

526 Report of courts of first instance on the consideration of cases under commercial proceedings. State Judicial Administration of Ukraine, 2026. ↗

527 Report of courts of first instance on the consideration of cases under commercial proceedings. State Judicial Administration of Ukraine, 2025. ↗

528 Report of appellate courts on the consideration of appeals under commercial proceedings. State Judicial Administration of Ukraine, 2026. ↗

529 Report of appellate courts on the consideration of appeals under commercial proceedings. State Judicial Administration of Ukraine, 2025. ↗

530 Report of courts of first instance on the consideration of cases under civil proceedings. State Judicial Administration of Ukraine, 2026. ↗

531 Report of courts of first instance on the consideration of cases under civil proceedings. State Judicial Administration of Ukraine, 2025. ↗

532 Report of appellate courts on the consideration of appeals under civil proceedings. State Judicial Administration of Ukraine, 2026. ↗

533 Report of appellate courts on the consideration of appeals under civil proceedings. State Judicial Administration of Ukraine, 2025. ↗

534 Letter of the State Judicial Administration of Ukraine No. Inf/BP741-26-768/26 of 13.08.2026.

At the same time, all problems related to the consideration of IP disputes described in the 2025 Shadow Report[535] remain relevant, namely:

1. Lack of uniformity of court practice and instability of court decisions, which creates legal uncertainty.

2. Lack of judicial specialisation in local general courts and insufficient number of judges specialising in this category of cases in commercial courts.

3. Protracted timeframes for case consideration.

4. Low effectiveness of consideration of IP disputes at the appellate court level.

5. Shifting responsibility for judicial decisions from judges to experts.

In 2026, the funding of the HCIP has been reduced by half compared to the previous year (from UAH 4.34 million to UAH 2.25 million).[536]

Recommendations

1. In 2026, the issue of the feasibility of the HCIP's functioning in Ukraine, as well as the continuation of the competitive selection procedures for the HCIP and its Appeals Chamber initiated in 2017–2019, should be resolved.

2. In the event that a decision is taken that a separate IP court is not necessary in Ukraine, consideration should be given to establishing a separate chamber within one of thelocal commercial courts (taking into account workload) and within one of the appellate commercial courts, and to assigning such courts exclusive jurisdiction over civil and commercial IP disputes.[537]

State Judicial Administration of Ukraine

Progress and issues

During the reporting period, primarily in the second quarter of 2026, *limited progress was observed on certain issues* concerning the activities of the SJA, although on a significant number of issues *progress* is currently *absent*.

The competition for the position of Head of the SJA was completed in December 2025 with the appointment of Maksym Pampura,[538] who had been acting as Head of the SJA for two years.[539] This appointment is presented by the HCJ and the SJA as progress in fulfilling Ukraine's European integration commitments, despite the fact that

535 The issues previously identified by civil society in the 2025 Shadow Report (pp. 87–89) remain relevant. ↗

536 For more details, see the subsection 'Financing of the Judiciary'.

537 The recommendations set out in the Shadow Report 2025 have been revised in view of the lack of demonstrated interest by state authorities in the functioning of the HCIP during 2019–2025, as well as statistical evidence indicating a decrease in the number of IP disputes submitted for consideration by the courts.

538 On the Appointment of M.V. Pampura as Head of the State Judicial Administration of Ukraine: Decision of the High Council of Justice No. 2778/0/15-25 of 22.12.2025. ↗

539 The HCJ temporarily assigned Maksym Pampura to perform the duties of Head of the SJA of Ukraine. State Judicial Administration of Ukraine, 2023. ↗

it was made without conducting a 'classical' competition and during the period of martial law.[540] Accordingly, after the end of martial law, a competition envisaged by legislation for civil service positions of category 'A' will need to be held.[541]

The appointment of M. Pampura has drawn criticism from civil society and the judicial community. Some CSOs believe[542] that this appointment may undermine Ukraine's anti-corruption achievements. Furthermore, at the XX regular Congress of Judges of Ukraine, the activities of the SJA were assessed as 'unsatisfactory', and it was proposed to express no confidence in the Head of the SJA due to the discrepancy between SJA reports and the actual situation in courts, particularly courts of first instance.[543]

In March 2026, a competition was launched for two deputy Head positions within the SJA.[544] One of them is expected to be responsible for the external and institutional component, while the other will oversee asset management, capital repairs and financial matters.[545] At the end of July 2026, following interviews, a specially established working group on candidate selection identified four candidates whom it recommends to the HCJ for appointment to the two positions of Deputy Head of the SJA.[546]

With the support of the Project 'Supporting Ukraine's EU Accession in the Area of the Rule of Law' (3*E4U), a functional audit of the SJA was launched in June 2026 and will continue until November.[547] The HCJ noted that the functional audit of the SJA and the development of relevant recommendations should be aimed at eliminating overlapping powers and clearly delineating competences between the SJA and the HCJ, optimising the structure of the SJA and its territorial offices and improving procedures for the allocation of budgetary funds.[548]

In November 2025, the Accounting Chamber presented the results of the audit of the SJA for 2023–2024.[549] In particular, the report states that the activities of the SJA, within the scope of its assigned powers and main tasks, failed to ensure the effective functioning of the system of organisational (staffing and logistical) and financial support for local and appellate courts.

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540 Information provided by Respondent 16 during an interview conducted on 04.03.2026.

541 Ibid.

542 'Competition without choice: how the HCJ once again appoints "its own" as Head of the SJA'. Anti-Corruption Action Centre, 2025. ↗; 'A questionable competition and a predictable outcome: Pampura appointed Head of the State Judicial Administration'. DEJURE Foundation, 2025. ↗

543 Pravo TV. 'XX Congress of Judges of Ukraine: text and live broadcast, day three'. YouTube, 2026. ↗

544 The HCJ announced the availability of two vacant positions of Deputy Head of the SJA of Ukraine. State Judicial Administration of Ukraine, 2026. ↗

545 Information provided by Respondent 21 during an interview conducted on 16.03.2026.

546 Interviews Conducted with Candidates for the Positions of Deputy Heads of the State Judicial Administration of Ukraine. High Council of Justice, 2026. ↗

547 Information provided by Respondent 21 during an interview conducted on 03.08.2026.

548 The HCJ Is Interested in Ensuring that the SJA Audit Is Objective and Conducted Primarily by a Professional Team — Hryhorii Usyk. High Council of Justice, 2026. ↗

549 Systemic problems in the financing and organisational support of courts: the Accounting Chamber analysed the activities of the SJA of Ukraine. Accounting Chamber, 2025. ↗

One of the key problems remains the persistent underfunding of judicial authorities. During the reporting period, the full funding needs of the SJA, as the main budget holder for local and appellate courts, were not met at any point.[550] At the same time, systemic shortcomings in the planning and allocation of budgetary resources were identified, which led to a low level of needs coverage, uneven distribution of funding, accumulation of accounts payable and the return of unused funds to the state budget.[551] In 2023–2024, the SJA returned UAH 972 million in unused budget appropriations to the state budget, which could have been allocated to complete the reconstruction or construction of court premises.

According to the Accounting Chamber, the SJA did not possess complete and reliable information on the actual needs of local and appellate courts regarding functional groups of premises, in particular courtrooms, judges' offices, premises for court staff, registries and archives, as well as their condition.[552]

The level of provision of local and appellate courts with IT equipment ranged between 70% and 89%. A significant share of equipment in courts was obsolete: as of the beginning of 2025, approximately 19% of computers, 23% of servers, 17% of office equipment and 30% of recording equipment were subject to decommissioning.[553] This situation was accompanied by an increase in the number of pending court cases and materials by 12%, as well as a rise in the share of proceedings lasting more than one year by 19%.[554]

Most of the problems identified by the Accounting Chamber had already been highlighted by civil society earlier.[555]

For its part, the SJA reported on the allocation and use of funds provided in the general fund of the State Budget of Ukraine (State Budget) for 2025 in the relevant areas.[556] In August 2026, the SJA plans to launch the procurement of 4,000 computers to replace outdated equipment in courts, after which a tender procedure for the procurement of server equipment is expected to begin.[557]

At the same time, the staffing deficit in court administrations reaches 26–29%.[558] This is due both to excessive workload and to the low level of remuneration in previous years.[559] The full-scale war of the Russian Federation against Ukraine is also one of the factors contributing to staff outflow.[560]

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550 Ibid.

551 Ibid.

552 Ibid.

553 Ibid.

554 Ibid.

555 Recommendations previously outlined by civil society in the Shadow Report 2025 (pp. 91–97). ↗

556 Report on the Activities of the State Judicial Administration of Ukraine for 2025 / State Judicial Administration of Ukraine, 2026, 230 p. ↗

557 Information provided by Respondent 21 during an interview conducted on 03.08.2026.

558 Systemic problems in the financing and organisational support of courts: the Accounting Chamber analysed the activities of the SJA of Ukraine. Accounting Chamber, 2025. ↗

559 See subsection 'Financing of the Judiciary'.

560 Information provided by Respondent 21 during an interview conducted on 16.03.2026.

Another systemic problem is the destruction and damage to court buildings as a result of enemy missile and unmanned aerial vehicle attacks. During the war, 183 court premises (170 courts) sustained varying degrees of damage, while 21 premises of 20 courts were completely destroyed.[561] Eleven premises of justice system institutions were also damaged.[562] At the same time, the SJA has been making efforts to address the consequences of the Russian Federation's aggression as promptly as possible. In 2025, damage was repaired at 15 facilities.[563] Information on 55% of the damaged facilities has been entered into the Register of Damage for Ukraine.[564]

One of the most acute problems during the reporting period was prolonged power outages in courts.[565] Approximately 39% of courts faced critical technical and logistical challenges when operating alternative power sources.[566] Judges and court staff were often forced to ensure proper working conditions for the administration of justice at their own expense.[567] Some courts were compelled to receive documents through special drop boxes, as the work of court registries was completely suspended.[568]

Representatives of the judiciary point[569] to a deep infrastructural crisis that directly threatens the continuity of the administration of justice. The combination of critically worn internal power networks, lack of heating and other issues indicates systemic gaps in management and financing.[570] The current practice of using low-capacity generators proved ineffective, as it did not ensure the functioning of judges' offices, most courtrooms and parts of court registries.[571] Judicial staff also noted[572] that the SJA did not respond in a timely manner to the identified problems and some issues remained unresolved for extended periods.

The SJA acknowledges the critical nature of the situation with energy supply, noting that although since 2023 all courts have had a basic alternative power source, its capacity is generally limited to supporting only individual courtrooms and court registries. To address the shortage of alternative power sources and to upgrade power networks, UAH 148 million was allocated at the end of 2025; however, the SJA openly stated that it is impossible to fully meet all system needs under the current conditions.[573] At

561 Information on Premises Damaged as a Result of the Armed Aggression of the Russian Federation and the Status of Their Restoration: Analytical Note. State Judicial Administration of Ukraine, 2026. 77 p. ↗

562 Ibid.

563 20th Congress of Judges of Ukraine: Text and Online Broadcast, Day Two / Pravo TV. YouTube, 2026. ↗

564 Materials provided during an interview with Respondent 21 conducted on 16.03.2026.

565 Judiciary. 'Action plan for ensuring sustainable energy supply to courts'. YouTube, 2026. ↗

566 Provision of courts with alternative power sources: operation, problematic issues and measures taken by the SJA of Ukraine. Territorial Office of the State Judicial Administration of Ukraine in Ternopil region, 2026. ↗

567 Judiciary. 'Action plan for ensuring sustainable energy supply to courts'. YouTube, 2026. ↗

568 Due to an emergency power outage, there is no electricity supply at the Sixth Administrative Court of Appeal. Sixth Administrative Court of Appeal, 2026. ↗; The Pecherskyi District Court of Kyiv informs participants in court proceedings and court visitors. Judiciary of Ukraine. ↗

569 Judiciary. 'Action plan for ensuring sustainable energy supply to courts'. YouTube, 2026. ↗

570 'A report from a court on the left bank of Kyiv operating at the limits of critical conditions'. Watchers Media, 2026. ↗

571 Judiciary. 'Action plan for ensuring sustainable energy supply to courts'. YouTube, 2026. ↗

572 A report from a court on the left bank of Kyiv operating at the limits of critical conditions'. Watchers Media, 2026. ↗

573 Information provided by Respondent 21 during an interview conducted on 16.03.2026.

the same time, according to the SJA, as of July 2026 all Kyiv court premises were equipped with generators of sufficient capacity to ensure their full operation during power outages.[574] As regards the remaining court premises, the SJA continues to take the necessary measures.[575]

In addition to addressing electricity-related issues, the SJA is currently focusing on the provision of alternative heating sources as part of a broader strategy to strengthen the autonomy of judicial infrastructure — heating networks and related equipment that failed last winter are being replaced.[576]

At the same time, in 2025 several large-scale reconstruction and new construction projects were successfully completed, with a total value exceeding UAH 102 million, including in Mykolaiv, Khust, Sharhorod and Kamianets-Podilskyi.[577] This focus on developing court infrastructure continues in 2026: the commissioning of the Dolynskyi District Court of Kirovohrad region, the opening of a court in Smila and the completion of repairs and reopening of the Commercial Court of Chernihiv Region and the Chernihiv Court of Appeal, which were damaged as a result of the Russian Federation's armed aggression, are planned.[578]

During the reporting period, a number of issues remained unresolved, including the duplication of functions by staff of the SJA and its territorial offices, increasing transparency in the activities of territorial offices, provision of newly appointed judges with offices and equipment and the carrying out of office renovations. Challenges also persist with regard to the development and adoption of standards for equipping the workplaces of judges, assistants and secretaries, as well as ensuring uniform approaches to the material and technical support of newly appointed judges regardless of court location.[579] No steps were taken to strengthen the accountability of the SJA to the CJU or to review the model for the collection and systematisation of judicial statistics.[580]

Likewise, model designs for courts of first instance and appellate courts have not been developed, nor have unified approaches been ensured for determining the number of court staff in courts of the same level, specialisation and workload, as well as their salary levels and bonuses.[581] The SJA notes,[582] that an assessment of funding needs for patronage service staff in local and appellate courts is currently underway. It also reports the launch of a pilot project introducing a second judicial assistant position in courts with excessive workloads (currently three courts, one each in Kyiv, Odesa and Zaporizhzhia).[583]

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574 Information provided by Respondent 21 during an interview conducted on 03.08.2026.

575 Ibid.

576 Ibid

577 Information provided by Respondent 21 during an interview conducted on 16.03.2026.

578 Information provided by Respondent 21 during an interview conducted on 03.08.2026.

579 The recommendations previously provided by civil society in the Shadow Report 2025 (pp. 90–96) have not been implemented and the identified problems remain relevant. ↗

580 Ibid.

581 Ibid.

582 Information provided by Respondent 21 during an interview conducted on 03.08.2026.

583 Ibid.

At the same time, certain positive developments can be observed based on the SJA's performance in the previous year. The dynamics of financing the human resources capacity of the judiciary in the period 2024–2026 demonstrate a steady upward trend in the average level of remuneration, which is expected to amount to approximately 30% overall.[584] In particular, the average monthly remuneration, which amounted to UAH 26.23 thousand in 2024, increased by 15.6% in 2025 — to UAH 30.32 thousand and is projected to reach approximately UAH 36 thousand in 2026.[585] A key factor in this positive transformation has been the introduction of additional coefficients to base salaries[586] and a mechanism for differentiated increases in the official salaries of staff of local general court secretariats, taking into account the actual workload in the courts.[587]

During 2025, the level of provision of courts with computer equipment and videoconferencing systems increased (to nearly 90%), supported by substantial funding for the procurement of licensed software and IT services in the amount of over UAH 160 million.[588]

The SJA also demonstrated initiative in collecting data to compile a ranking of the physical condition of court premises, which enabled it to structure modernisation priorities by identifying critical facilities — in particular, courts on the left bank of Kyiv.[589] According to the SJA, the necessary priority repair works at all emergency facilities will be completed before the start of the 2026 heating season.[590] Further repairs are planned to be carried out in stages according to the needs of each premises. In addition, the SJA reports that a number of priority facilities require major repairs and that the necessary work has already begun: three local general courts on the left bank of Kyiv and the Podilskyi and Solomianskyi District Courts of Kyiv.[591] Despite a shift towards more rational and evidence-based expenditure planning, the effectiveness of these measures has been accompanied by public dissatisfaction due to the delayed start of the inventory of power networks and the condition of premises across the country.[592]

Recommendations

1. Develop and implement effective methodologies for ensuring courts are supplied with alternative sources of electricity.

2. Forecast potential adverse scenarios in the provision of material and technical resources, electricity, heating and water supply to courts and establish a system for

584 Information provided by Respondent 21 during an interview conducted on 16.03.2026.

585 Ibid.

586 Pravo TV. 'XX Congress of Judges of Ukraine: text and live broadcast, day two'. YouTube, 2026. ↗; Information provided by Respondent 21 during an interview conducted on 16.03.2026.

587 Government Resolution on Increasing the Salaries of Staff of Court Secretariats with Excessive Workloads Entered into Force. State Judicial Administration of Ukraine, 2026. ↗

588 20th Congress of Judges of Ukraine: Text and Online Broadcast, Day Two / Pravo TV. YouTube, 2026. ↗; Information provided by Respondent 21 during an interview conducted on 16.03.2026.

589 Information provided by Respondent 21 during an interview conducted on 16.03.2026.

590 Information provided by Respondent 21 during an interview conducted on 03.08.2026.

591 Ibid.

592 Judiciary. 'Action plan for ensuring sustainable energy supply to courts'. YouTube, 2026. ↗

prompt response to these challenges to minimise their negative impact on the administration of justice.

3. Ensure systematic and prompt collection of information on the state of court provision, its processing and the adoption of appropriate decisions.

4. Establish an effective system of accountability for the failure or improper performance by officials of the SJA and its territorial offices of their duties related to ensuring the proper condition of courts.

5. Optimise the work of the SJA and its territorial offices and accelerate their interaction and response to requests from courts to avoid situations where problems remain unresolved for extended periods.

6. Review the staffing structure of the SJA and its territorial offices and reduce the number of employees performing overlapping functions or demonstrating low effectiveness.[593]

7. Define the responsibility of heads of SJA territorial offices for delays in repairing premises where judges are located and for failing to provide them with furniture and equipment.

8. Develop standards for equipping the workplaces of judges, assistants and secretaries and ensure uniform approaches to the material and technical support of newly appointed judges regardless of court location.

9. At the legislative level, strengthen the accountability of the SJA to the CJU, through regular reporting on the performance of its mandated functions.

10. Align the collection, verification and consolidation of judicial statistics with the practices of EU countries. Introduce selective parallel data collection and double counting for certain categories of cases to identify problems and discrepancies. Based on the results, develop a model for the collection and systematisation of judicial statistics that prevents errors, duplication and incorrect data presentation.

11. Develop model designs for courts of first instance and appellate courts.

12. Standardise the staffing schedules of courts of the same level, specialisation and workload. Ensure unified approaches to determining the number of court staff in courts of the same level, specialisation and workload, as well as their salary levels and bonuses.

13. Complete in 2026 the functional audit of the SJA and its territorial offices and, based on its results, initiate the updating of the model for the system of support for the functioning of the judiciary. Within this framework, inter alia, plan the reorganisation of the SJA and its territorial offices in 2027. The implementation of all changes should be carried out on the basis of a separate law.

593 Recommendations 6–13 were already provided by civil society in the Shadow Report 2025 (pp. 94–96) and remain relevant. ↗

Judicial Self-Government: Congress of Judges of Ukraine, Council of Judges of Ukraine, Judges' Assemblies

Progress and issues

During the reporting period, no significant changes were made to address the systemic issues concerning the functioning of judicial self-government. No functional audit was conducted of the judicial governance bodies (HCJ, HQCJ) or the self-government bodies (Congress of Judges, CJU).

The issue of secret ballots during judges' assemblies and the Congress of Judges in matters concerning the election of court heads, their deputies, members of the HCJ, the CJU and judges of the CCU remains unresolved.[594]

No progress has been made in regulating the issue of holding the positions of court heads for no more than six years (two terms of three years each). A draft law that could address this issue was being developed by the Verkhovna Rada Committee on Legal Policy; however, due to the lack of consensus among MPs, work on it has effectively been suspended.[595]

In March 2026, the Verkhovna Rada Committee on Ukraine's Integration into the European Union considered several draft laws for their compliance with Ukraine's international legal obligations in the field of European integration and EU acquis.[596] Specifically, the Committee reviewed Draft Law No. 8296,[597] which proposes to regulate the procedures for the election (appointment) of judges to administrative positions and their dismissal from such positions. According to the Committee's conclusion, the draft law does not contradict Ukraine's international legal obligations in the field of European integration; however, it requires substantial revision in light of the comments provided. The Committee reached the same conclusion with regard to the alternative Draft Law No. 8296-1.[598] As of July 2026, both draft laws are being considered by the Verkhovna Rada Committee on Legal Policy.

During the reporting period, in relation to a judge of one of the local commercial courts who acted in a situation of conflict of interest (as established by the CJU[599]), the HCJ adopted a decision to hold the judge disciplinarily liable and to apply a disciplinary sanction in the form of a submission for dismissal from office.[600]

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594 The issues previously identified by civil society in the 2025 Shadow Report (pp. 96–99) remain relevant. ↗

595 Information provided by Respondent 3 during an interview conducted on 18.02.2026.

596 The Committee on Ukraine's Integration into the European Union considered draft laws for their compliance with European Union law. Verkhovna Rada Committee on Ukraine's Integration into the European Union, 2026. ↗

597 On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' regarding the regulation of the procedure for the election (appointment) of judges to administrative positions and their dismissal from such positions: Draft Law of Ukraine, registration No. 8296 of 21.12.2022. ↗

598 On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' regarding the improvement of the procedure for the election of judges to administrative positions and their dismissal from such positions: Draft Law of Ukraine, registration No. 8296-1 of 04.01.2023. ↗

599 Decision of the Council of Judges of Ukraine No. 46 of 09.12.2024. ↗; Decision of the Council of Judges of Ukraine No. 51 of 13.11.2025. ↗

600 On holding judge V. D. Baitaliuk of the Commercial Court of Chernivtsi Region disciplinarily liable: Decision of the High Council of Justice No. 71/1dp/15-26 of 19.01.2026. ↗

On 2 March 2026, the CJU approved a commentary to the Code of Judicial Ethics,[601] the new version of which was adopted on 18 September 2024.[602] The Code of Judicial Ethics also underwent an expert review by the ODIHR.[603]

During the Congress of Judges of Ukraine held on 10–12 March 2026,[604] inter alia, **two members of the HCJ were elected for a four-year term**;[605] a report on the results of the CJU's five-year activity was presented;[606] **a new composition of the CJU was elected** (30 members, which is required for the CJU to operate with full powers[607]); and the work of the SJA was declared unsatisfactory.[608]

This time, the Congress of Judges was not broadcast online, which prompted criticism from judges themselves.[609] In addition, there was no prior nomination of candidates to the CJU, and therefore the list of candidates was formed on the first day of the Congress. At the same time, some judges claimed that certain candidates for CJU membership had been agreed in advance.[610] Both developments do not contribute to openness, transparency, or public oversight of the elections of members of the HCJ and the CJU.

Vitalii Salikhov, a judge of the Kyiv Court of Appeal and former member of the HCJ, whose activities have repeatedly raised concerns among civil society, was **elected as Head of the CJU**.[611]

On 17 March 2026, the newly elected CJU held a meeting concerning an attack on a judge of the Industrial District Court of the city of Dnipro. In this regard, the CJU decided to initiate, before the competent state authorities, consideration of the following issues: restricting access to information on the place of residence of judges and their family members; reviewing the scope of open data on judges contained in public registers; and introducing additional mechanisms for the protection of judges' personal data in cases where its openness may pose a threat to their safety.[612] Such a reaction of the CJU appears excessive.[613]

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601 The Council of Judges of Ukraine approved a commentary to the Code of Judicial Ethics. Council of Judges of Ukraine, 2026. ↗

602 A new version of the Code of Judicial Ethics published. Council of Judges of Ukraine, 2024. ↗

603 Opinion on the Code of Judicial Ethics of Ukraine of 03.03.2026, Opinion No. JUD-UKR/560/2025 [SA]. OSCE Office for Democratic Institutions and Human Rights. Warsaw, 2026, 28 p. ↗

604 The XX regular Congress of Judges of Ukraine resumed its work in Kyiv. Council of Judges of Ukraine, 2026. ↗

605 The Congress of Judges of Ukraine elected members of the HCJ. Council of Judges of Ukraine, 2026. ↗

606 Head of the Council of Judges of Ukraine Bohdan Monich presented a report to the delegates of the Congress of Judges of Ukraine. Council of Judges of Ukraine, 2026. ↗

607 The XX regular Congress of Judges elected the Council of Judges of Ukraine. Council of Judges of Ukraine, 2026. ↗

608 Decision of the XX regular Congress of Judges of Ukraine on the state of judicial independence in the context of the implementation of the Rule of Law Roadmap, the Ukraine Facility Plan, and Ukraine's European integration course, para. 7. Council of Judges of Ukraine, 2026. ↗

609 Publication by judge Khrystyna Hladysheva on the social network Facebook, 2026. ↗

610 Publication by judge Khrystyna Hladysheva on the social network Facebook, 2026. ↗

611 Publication by the DEJURE Foundation on the social network Facebook, 2026. ↗; Publication by Automaidan on the social network Facebook, 2026. ↗

612 A meeting of the Council of Judges of Ukraine held in Kyiv. Council of Judges of Ukraine, 2026. ↗

613 Publication by the DEJURE Foundation on the social network Facebook, 2026. ↗; Publication by the Anti-Corruption Action Center on the social network Facebook, 2026. ↗; Publication by Automaidan on the social network Facebook, 2026. ↗

In April 2026, the new composition of the CJU considered the organisational structure and composition of the CJU committees, updates to the composition of working groups and commissions established by the CJU and other state authorities, and the representation of CJU members authorised to work in the regions, among other matters.[614]

In May 2026, the CJU determined the approach to the continued functioning of the first composition of the AGE and to resolving discrepancies between different appointing entities in their interpretation of the legislative provisions governing the Group's activities.[615] Under previous CJU decisions, one AGE member and their alternate had been appointed to the first composition of the AGE for a three-year term.[616] The CJU has now decided to amend those decisions by deleting the phrase 'for a three-year term'.[617]

At the end of January 2026, the CJU announced the launch of a new competition for two positions of CCU judges,[618] as the previous competition for the position of CCU judge under the quota of the Congress of Judges of Ukraine, announced in June 2025, was terminated due to an insufficient number of candidates to continue the competitive selection for this position.[619] Compliance of persons wishing to hold the position of CCU judge with the requirements established by the Constitution of Ukraine and the Law of Ukraine 'On the Constitutional Court of Ukraine' was established in respect of 18 candidates,[620] in respect of whom, as at July 2026, the AGE is carrying out the required vetting procedures.[621]

During the reporting period, the CJU amended the Regulation on the Judicial Assistant, allowing for the appointment of specialists with a bachelor's degree[622] to the position of judicial assistant in local general and appellate courts. In addition, a judge in courts with excessive workload may be assigned two assistants.[623] Decisions of judges' assemblies of the respective court on increasing the number of assistants must be approved by the CJU in terms of their justification and necessity.[624] Such decisions are adopted by the CJU following consultations with the SJA.

In addition, in June 2026 the CJU **approved criteria for assessing decisions of assemblies of judges on increasing the maximum number of judicial assistants** and also

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614 The First Working Meeting of the Newly Elected Composition of the Council of Judges of Ukraine Was Held in Kyiv. Council of Judges of Ukraine, 2026. ↗

615 Decisions of the Meeting of 22 May 2026 Published on the Website of the Council of Judges of Ukraine. Council of Judges of Ukraine, 2026. ↗

616 Decision of the Council of Judges of Ukraine No. 40 of 18.09.2023. ↗; Decision of the Council of Judges of Ukraine No. 41 of 18.09.2023. ↗

617 Decision of the Council of Judges of Ukraine No. 14 of 22.05.2026. ↗

618 Announcement on the launch of a new competition for two positions of judges of the Constitutional Court of Ukraine. Council of Judges of Ukraine, 2026. ↗

619 For more details, see the subsection 'Constitutional Court of Ukraine: institutional capacity and competitive selection'.

620 List of Candidates for the Position of CCU Judge Published on the Website of the Council of Judges of Ukraine. Council of Judges of Ukraine, 2026. ↗

621 Publication by the Advisory Group of Experts on the social network Facebook, 2026. ↗

622 Decision of the Council of Judges of Ukraine No. 38 of 22.08.2025. ↗

623 Decision of the Council of Judges of Ukraine No. 7 of 12.02.2026. ↗

624 Ibid.

recommended that assemblies of judges of local and appellate courts take these criteria into account when preparing and adopting decisions to request the CJU's approval to increase the maximum number of judicial assistants.[625]

To ensure the proper functioning of the jury institution and regulate the procedure for involving jurors in the administration of justice, in May 2026, pursuant to an Order of the CJU Head, a specialised working group was established to work on **developing a new Regulation on Jurors**.[626] The first inaugural meeting of the members of this working group took place on 1 June 2026.

At the beginning of June 2026, the CJU decided to convene and hold in September 2026 the **21st Extraordinary Congress of Judges of Ukraine**.[627] The agenda of the Congress includes the appointment of CCU judges and the election of eight HCJ members; accordingly, applications from potential candidates for HCJ membership have been opened and will be accepted until 3 August 2026.[628]

Under the Rule of Law Roadmap, a law aimed at introducing the possibility of holding the Congress of Judges online, as an exception where an in-person format is not feasible, was to be developed and adopted no later than the fourth quarter of 2025.[629] However, as of July 2026, this measure remains unimplemented. At the same time, this task is included in the Verkhovna Rada Legislative Work Plan for 2026.[630] Certain SC judges also support changing the format of the Congress of Judges, including the possibility of holding the Congress online.[631]

Instead, the CJU considers that 'in the context of Ukraine, such an innovation requires the mobilisation of significant technical and regulatory resources', including amendments to the Constitution of Ukraine, the laws of Ukraine 'On the Judiciary and the Status of Judges', 'On the Constitutional Court of Ukraine', 'On the High Council of Justice' and other normative legal acts.[632] At the same time, the CJU is not listed among the entities responsible for the implementation of this measure.

Recommendations

Given that most of the recommendations[633] set out in the Shadow Report 2025 remained unaddressed during the reporting period, it is necessary to:

625 Decision of the Council of Judges of Ukraine No. 20 of 05.06.2026. ↗

626 A Step towards Modernising the Jury Institution: First Working Meeting of the Newly Established Working Group Held. Council of Judges of Ukraine, 2026. ↗

627 Decision of the Council of Judges of Ukraine No. 18 of 05.06.2026. ↗

628 Publication by the High Council of Justice on the social network Facebook, 2026. ↗

629 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

630 On the Legislative Work Plan of the Verkhovna Rada of Ukraine for 2026: Resolution of the Verkhovna Rada of Ukraine No. 4774-IX of 11.02.2026. ↗

631 Judicial Self-Governance: Between Expectations and Reality — SC Judges Shared Their Views at a Discussion Club Meeting. Supreme Court, 2026. ↗

632 Congress of Judges online – a matter for consideration? Initiative for the implementation of the Rule of Law Roadmap. Council of Judges of Ukraine, 2026. ↗

633 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine 2024, 2025, pp. 96–99. ↗

1. Conduct a broad professional discussion on the feasibility of maintaining secret ballots in the election of court heads, their deputies, members of the HCJ, the CJU and judges of the CCU, and on finding a balance between transparency, accountability and the independence of the judiciary.

2. Regulate the procedure for conducting judges' assemblies, CJU meetings and the Congress of Judges online, as well as voting during such events through secure electronic services.

3. Review at the legislative level:

- the concept of the 'Congress of Judges' — in the event of introducing online voting, participation in the Congress of Judges could be extended to all judges of Ukraine, rather than delegates selected on a quota basis, as currently regulated;
- the formula for forming the composition of the CJU in terms of ensuring gender balance and equal regional representation;
- the procedure for the prior nomination of CJU candidates and their vetting. The vetting of candidates for CJU membership should be conducted at least until the completion of their qualification assessment and the consideration of any accumulated disciplinary complaints against them.

4. In 2026, develop a draft law regulating the tenure of court heads and their deputies in such a way as to prevent judges from holding these positions for more than six years. A 'cooling-off' period between holding positions of the same level for each judge should be at least one year (except for courts with fewer than three judges).

National School of Judges of Ukraine

Progress and issues

Staffing of the NSJU

Since September 2025, the management of the NSJU has not undergone significant changes.[634] At the same time, in 2025 the NSJU developed **draft amendments to the Statute of the NSJU concerning the introduction of a competitive selection procedure for the senior management and setting fixed terms of office** (five years under contract) and submitted these amendments to the HQCJ for approval.[635] These changes merit support as they aim to introduce a merit-based selection of the NSJU leadership and fixed-terms for key administrative positions. In June 2026, the HQCJ Head announced that this would be implemented in the near future.[636]

In June 2026, a new Procedure for Conducting a Public Competition for the Selection of Candidates for the Vacant Position of Vice-Rector of the NSJU was appro-

634 Scientific and Methodological Council of the National School of Judges of Ukraine. National School of Judges of Ukraine, 2026. ↗

635 Information provided by Respondent 6 during an interview conducted on 20.02.2026.

636 Publication by Andrii Pasichnyk, Head of the High Qualification Commission of Judges of Ukraine, on the social network Facebook, 2026. ↗

ved.[637] The NSJU is currently **forming the Competition Commission** to conduct a public competition for the selection of candidates for the vacant position of NSJU Vice-Rector responsible for training personnel for the justice system, with representatives of civil society, the expert community and judicial governance and self-governance bodies involved in the work of the Commission.[638]

The NSJU has developed a **draft law** on amendments to Article 54 of the Law of Ukraine 'On the Judiciary and the Status of Judges' **regarding the provision of social and labour guarantees for judges elected through competition to the positions of Rector, Vice-Rector and trainer of the NSJU**.[639] The draft law provides for the possibility of seconding sitting judges to work at the NSJU on a permanent basis while retaining the level of judicial remuneration at their main place of work and statutory allowances (for the position of trainer — for a term of up to three years; for the positions of Rector and Vice-Rector — for a term of five years). The draft law has been submitted for consideration to the Verkhovna Rada Committee on Legal Policy and preliminary consultations have been conducted on this matter.[640]

During the reporting period, the **problem** of staff loss due to relocation abroad as a result of the war was **overcome**.[641] At the same time, the NSJU is experiencing a shortage of trainers.[642] This is due to insufficient funding, the lack of regulation of procedures for seconding sitting judges to serve as NSJU trainers and the high workload of judges.[643] Judge-trainers, while agreeing with the identified problems, also point to the low organisational and strategic-intellectual capacity of NSJU staff in the development of training programmes, where the judge-trainer is required to develop everything — from training subtopics, detailed programmes, selection of the regulatory framework and relevant case law and its analysis, to the preparation of presentations.[644] This significantly affects the willingness of judges and retired judges to join the NSJU's pool of trainers.[645]

The level of financial support for NSJU staff does not meet the requirements established by legislation[646] and is approximately 20% lower than that of HQCJ staff,[647] which does not contribute to attracting highly qualified personnel to the NSJU.

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637 New Procedure for Conducting a Public Competition for the Selection of Candidates for the Vacant Position of Vice-Rector of the National School of Judges of Ukraine Approved. National School of Judges of Ukraine, 2026. ↗

638 Ibid.

639 Information provided by Respondent 6 during an interview conducted on 20.02.2026.

640 Letter of the National School of Judges of Ukraine No. 10-01/1950 of 31.07.2026.

641 Information provided by Respondent 6 during an interview conducted on 20.02.2026.

642 Ibid.

643 Ibid.

644 Information provided by Respondent 22 during an interview conducted on 19.03.2026.

645 Ibid.

646 Article 104 of the Law of Ukraine 'On the Judiciary and the Status of Judges' provides that the salaries of NSJU staff may not be lower than the corresponding salaries of HQCJ staff. At the same time, the average difference in salaries between the Secretariat of the HQCJ and the NSJU staff is currently around 20%.

647 Information provided by Respondent 6 during an interview conducted on 20.02.2026.

During the reporting period, the issue of asset and income declarations by the management and staff of the NSJU remains unresolved. At the same time, the NSJU continues to insist that there are no corruption risks in its activities, given that its main function is the training of judges, their assistants and court staff.[648] This position cannot be accepted as long as the Testology Centre operates within the NSJU, as it develops test questions for qualification examinations.

Exercise of NSJU Powers

According to the NSJU, **52,876**[649] **participants took part in its training activities in 2025**:

- 267 events for 11,723 judges;
- 298 events for 8,396 judicial assistants;
- 474 events for 34,955 court staff;
- 22 events for 6,483 employees of the Court Security Service.

During the first half of 2026, the NSJU conducted **430 training events**, attended by **31,174 participants**:

- 194 events for 6,926 judges;
- 129 events for 3,955 judicial assistants;
- 94 events for 16,733 court staff;
- 13 events for 3,560 Court Security Service staff.[650]

In 2025, staff of the EU Law Training Laboratory (Training Laboratory) completed the full cycle of developing, piloting and delivering materials for a training-of-trainers programme on 'Application of European Union acquis and the case law of the Court of Justice'. The aim of this activity is to establish a pool of judge-trainers who will teach EU law standards within judicial training programmes as well as to raise awareness within the judiciary regarding the specifics of applying EU legal acts.[651] In 2025, 3,196 judges, as well as 1,149 judicial assistants and 3,795 court staff, completed advanced training in EU acquis at the NSJU.[652] In addition, the first 25 national trainers in EU acquis were trained in 2025.[653] Overall, EU law training reached 8,140 persons in 2025 and more than 7,000 participants in the first half of 2026, including more than 2,000 judges.[654]

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648 Ibid.

649 Information and Analytical Report on the Activities of the National School of Judges of Ukraine in 2025, pp. 10, 28. National School of Judges of Ukraine, 2026. ↗

650 Letter of the National School of Judges of Ukraine No. 10-01/1950 of 31.07.2026.

651 Information and Analytical Report on the Activities of the National School of Judges of Ukraine in 2025, pp. 43-44. National School of Judges of Ukraine, 2026. ↗

652 Ibid, p. 8.

653 Ibid.

654 Ukraine's EU Membership Will Significantly Expand the Range of Sources of Law for Ukrainian Judges: Results of the EU Project 'Pravo-Justice III'. National School of Judges of Ukraine, 2026. ↗

Within the Training Laboratory, an **Advisory Council of Experts was established** as a permanent collegial body that will provide expert support, strategic planning and development of international cooperation in judicial education on EU law. Establishment of the Council implements the recommendations of the EU expert mission under the TAIEX technical assistance instrument. During the **first meeting of the Advisory Council of Experts**, inter alia: **its Chair was elected** — Olesia Radyshevska, a Supreme Court judge; the report on the activities of the Training Laboratory for the first half of 2026 was considered; and approaches to developing the Strategy for Judicial Education in EU Law for 2027–2030 were discussed.[655]

At the end of 2025, the NSJU **approved the Strategy for the Development of Judicial Education for 2026–2030**.[656] The Strategy is aligned with the European Judicial Training Network (EJTN) Strategy and corresponds to the objectives of the Rule of Law Roadmap.[657] Among the key priorities are practice-oriented training, digitalisation of education, the introduction of a mentorship institution and strengthening judicial integrity and professional ethics.[658]

In 2025, the NSJU continued its work on developing new training courses in line with draft programmes and updating existing courses. For the initial training of judges, a 'Newly Appointed Judge's Handbook'[659] was developed. Last year, an NSJU podcast platform was also created; as of 31 July 2026, 31 podcasts had been published.[660]

In autumn 2025, analytical reports assessing the system for identifying judges' training needs in Ukraine and evaluating the effectiveness of judicial training were published.[661] The reports indicate that the regulatory **prerequisites for an effective system of judicial training and assessment of training needs have already been established**, however practical implementation requires alignment of processes, standardisation of data and institutional coordination between the HQCJ, the NSJU and other judicial governance bodies. Among the main challenges are data fragmentation, insufficient digitalisation of processes, the absence of a mechanism to ensure mandatory training following the identification of gaps and limited involvement of external stakeholders. This points to the **need to establish an integrated system for assessing the training needs of the judiciary**.[662] At the same time, **Ukraine's system for evaluating the effectiveness of judicial training already has a regulatory basis and some successful elements, but its implementation remains far from optimal**.[663]

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655 NSJU Develops a Strategic Vision for Judicial Education in EU Law until 2030. National School of Judges of Ukraine, 2026. ↗

656 The NSJU Summarised the Results of 2025 and Approved the Strategy for the Development of Judicial Education. National School of Judges of Ukraine, 2025. ↗

657 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

658 The NSJU Summarised the Results of 2025 and Approved the Strategy for the Development of Judicial Education for 2026–2030. State Judicial Administration of Ukraine, 2025. ↗

659 Information and Analytical Report on the Activities of the National School of Judges of Ukraine in 2025, p. 40. National School of Judges of Ukraine, 2026. ↗

660 Podcasts. National School of Judges of Ukraine, 2026. ↗

661 Assessment of the System for Identifying Judges' Training Needs in Ukraine. Pravo-Justice, 2025. ↗; Evaluation of the Effectiveness of Judicial Training in Ukraine. Pravo-Justice, 2025. ↗

662 Assessment of the System for Identifying Judges' Training Needs in Ukraine, p. 12. Pravo-Justice, 2025. ↗

663 Evaluation of the Effectiveness of Judicial Training in Ukraine, p. 16. Pravo-Justice, 2025. ↗

During the reporting period, the NSJU took into account the recommendation[664] to create a public list of ITA projects, including information on their involvement in judicial training processes, the training of court staff, the development of tests, practical assignments for competitions within the judiciary and other related processes (the webpage is currently under development[665]).

NSJU Testology Centre and Provision of Tests for Competitions

In 2025, the NSJU Testology Centre prepared 17,866 test items, developed 6 samples of practical assignments to support the qualification examination of candidates for the position of a local court judge and judges seeking transfer to another local court, developed 4 samples of practical assignments for qualification examinations within competitions for candidates for vacant judicial positions at the SDAC and the SACA, developed, reviewed and updated 155 practical assignments and is currently developing 2,000 test items.[666]

During the first half of 2026, the NSJU Testology Centre developed 1,129 test items, reviewed and updated 7,905 test items (including 2,100 test items reviewed three times), developed 30 practical assignments with the involvement of external experts and reviewed and updated 70 practical assignments.[667]

During the reporting period, approximately 82 questions were removed from the sets of test questions used for qualification examinations of candidates for the position of a local court judge and judges seeking transfer to another local court as well as for competitions to the HACC including its Appeals Chamber within the competition announced on 3 June 2025, SDAC and SACA.[668] At the same time, the HQCJ noted that, given the significant volume of testing materials, the possibility of isolated errors in test questions cannot be entirely excluded.[669]

The need to **rethink the operational model of the NSJU Testology Centre remains relevant, as its placement within the NSJU structure entails corruption risks, a potential conflict of interest and assigns functions to the NSJU that are not inherent to its mandate**. However, there is a view[670] that changing the operational model of the Testology Centre during an active phase of competitions may lead to the suspension of such procedures for an unpredictable period.

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664 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's progress under the EU Enlargement Package 2024, 2025, pp. 99–104. ↗

665 International Technical Assistance Projects. National School of Judges of Ukraine. ↗

666 Information and Analytical Report on the Activities of the National School of Judges of Ukraine in 2025, p. 70. National School of Judges of Ukraine, 2026. ↗

667 Letter of the National School of Judges of Ukraine No. 10-01/1950 of 31.07.2026.

668 The data were calculated on the basis of an analysis of the relevant lists published on the website of the High Qualification Commission of Judges of Ukraine.

669 For the attention of candidates for the position of a local court judge and judges seeking transfer to another local court. High Qualification Commission of Judges of Ukraine, 2025. ↗

670 Information provided by Respondent 6 during an interview conducted on 20.02.2026.

TAIEX European Commission Expert Mission Report

In order to assess the NSJU's activities against the requirements and standards of EU judicial training institutions, an expert mission of the European Commission's Technical Assistance and Information Exchange (TAIEX)[671] instrument was conducted in 2025. The mission carried out a comprehensive functional, staffing and financial audit of the NSJU with the participation of international experts,[672] which had been one of the recommendations put forward by civil society in the previous reporting period.[673]

The TAIEX mission prepared a **report**, to which the NSJU submitted its comments and proposals.[674]

The NSJU expressed the strongest criticism regarding the TAIEX mission's recommendations to introduce greater oversight by the HQCJ over the NSJU's activities, arguing that this would lead to a 'loss of institutional autonomy'.[675] At the same time, the TAIEX report identifies the same issues that had previously been highlighted by civil society.[676] The NSJU is currently working on implementing the TAIEX recommendations.[677] Thus, in June 2026, a working meeting was held at the HQCJ on implementing steps under the Rule of Law Roadmap in the context of the NSJU's activities. The discussion focused on implementing the TAIEX recommendations on improving the legal status of the NSJU, including the institutional development models of relevant European institutions, competitive filling of vacant positions and extending anti-corruption legislation requirements to the NSJU leadership.[678]

In this connection, according to the HQCJ Head,[679] the following measures are planned in the near future:

- introduction of a competitive procedure for filling vacant positions of Rector and Vice-Rectors;
- members of the management team will be appointed for five years under contracts and may hold office for no more than two terms;
- introduction of short- and long-term planning, with clear, measurable and relevant indicators for achieving the planned objectives;

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671 Information and Analytical Report on the Activities of the National School of Judges of Ukraine in 2025, p. 40. National School of Judges of Ukraine, 2026. ↗

672 Representatives of the SC participated in discussions within the TAIEX mission on the expert assessment of the activities of the National School of Judges of Ukraine and the Prosecutors' Training Centre. Supreme Court, 2025. ↗

673 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's progress under the EU Enlargement Package 2024, 2025, pp. 99–104. ↗

674 Information provided by Respondent 6 during an interview conducted on 20.02.2026.

675 Ibid.

676 Preliminary report of the TAIEX expert mission provided during an interview with Respondent 6 conducted on 20.02.2026.

677 Information and Analytical Report on the Activities of the National School of Judges of Ukraine in 2025, p. 40. National School of Judges of Ukraine, 2026. ↗

678 The Commission Discussed the Implementation of Individual Steps under International Commitments. High Qualification Commission of Judges of Ukraine, 2026. ↗

679 Publication by Andrii Pasichnyk, Head of the High Qualification Commission of Judges of Ukraine, on the social network Facebook, 2026. ↗

- improvement of the reporting model.

The next step is to review and improve the procedure for seconding judges to the NSJU, improve the system for collecting and processing feedback and respond to current training needs.

Recommendations[680]

1. Conduct a competition for the position of Vice-Rector of the NSJU in accordance with the new procedure and fill all other vacant senior management positions of the NSJU on a competitive basis.

2. Strengthen the NSJU's communication, primarily with judges and court staff, to better identify their training needs and obtain regular high-quality feedback on previously delivered training.

3. Introduce the possibility of regular training for judges and court staff (primarily judicial assistants) through placements in higher-level courts.

4. Ensure transparency of procedures for selecting judges and court staff for EU acquis training in other countries within partnership programmes and/or ITA.

5. Conduct a survey on judges' satisfaction with the level of training provided by the NSJU.

6. Carry out an appraisal of the entire NSJU senior management, including at the regional level.

7. Review the structure (including regional branches) and functions of the NSJU, particularly by removing functions not inherent to judicial training institutions, and transform the NSJU into a modern training centre, based on audit results and taking into account the recommendations of the TAIEX report.

8. Develop and implement transparent rules for seconding judges to the NSJU.

9. Following the functional audit of judicial governance and self-governance bodies, determine the place of the Testology Centre within the structure of the judiciary. If the Testology Centre remains within the NSJU, introduce mandatory asset and income declarations for NSJU management and staff whose functions involve corruption risks. If the Testology Centre is transferred to the HQCJ or its status is otherwise regulated outside the NSJU, the issue of whether NSJU management and staff should submit asset and income declarations should be decided with the involvement of the National Agency on Corruption Prevention (NACP).

680 The recommendations previously provided by civil society in the 2025 Shadow Report (pp. 99–104) remain relevant but have been further revised in light of the progress achieved and new data. ↗

Constitutional Court of Ukraine: Institutional Capacity and Competitive Selection

Progress and issues

Staffing of the CCU

The staffing crisis remains one of the key challenges of the CCU. Despite the appointment during the reporting period of one judge under the President's quota (Yurii Barabash[681]), the CCU continues to operate at the threshold of its competence (13 out of 18 judges).

Five positions of CCU judges remain vacant, including under the following quotas: President (one), Verkhovna Rada (two) and the Congress of Judges of Ukraine (two). In addition, on 21 November 2026, the term of office of Judge Viktor Horodovenko[682] (quota of the Congress of Judges) will expire. At present, the CCU does not have a Head, and the functions of the Head are temporarily performed by one of the judges.[683]

As regards one vacant position under the President's quota, despite assurances by the Deputy Head of the Office of the President, I. Mudra, at the end of October 2025 regarding the prompt announcement of a competition to fill this vacancy,[684] the relevant competitive procedure has not yet been launched.

With regard to the two quotas of the Congress of Judges of Ukraine, on 20 December 2025, the AGE adopted a decision following the assessment of nine candidates for two vacant positions. As a result, only two candidates were found to meet the criterion of high moral qualities. The remaining seven candidates were found not to meet this criterion for the purposes of selection to the position of a CCU judge.[685] Since, in accordance with the law, at least two candidates must compete for one vacant position of a CCU judge, the competition for one vacant position under the quota of the Congress of Judges of Ukraine was discontinued. The two candidates who had received a positive assessment as to compliance with the criterion of high moral qualities and continued to participate in the competition for one vacant position completed the assessment stage but failed to confirm compliance with the criterion of recognised level of competence.[686] Accordingly, the competition under the quota of the Congress of Judges of Ukraine was discontinued due to an insufficient number of candidates to proceed with the competitive selection.

681 On the Appointment of Yu. Barabash as a Judge of the Constitutional Court of Ukraine: Decree of the President of Ukraine No. 687/2025 of 17.09.2025. ↗

682 Viktor Horodovenko took the oath of office as a CCU judge on 21.11.2017.

683 The election of the CCU Head has once again failed: when to expect a new vote. Dzerkalo Tyzhnia, 2025. ↗

684 Mudra on judicial appointments: what fell within the powers of the President was not delayed. Interfax-Ukraine, 2025. ↗

685 Publication by the Advisory Group of Experts on the social network Facebook, 2025. ↗

686 Publication by the Advisory Group of Experts on the social network Facebook, 2026. ↗

On 22 January 2026, the CJU announced a new competition for two positions of CCU judges.[687] Documents were submitted by 18 candidates, all of whom the CJU admitted to the competitive selection.[688] However, five candidates subsequently withdrew from the competition at their own request.[689] Interviews with candidates are scheduled for late July and early August 2026.[690]

To ensure the proper implementation of the selection procedures, the CJU decided to extend the service of its representatives in the current composition of the AGE.[691]

The situation regarding Parliament's failure to fill two vacancies under its quota remains unresolved. In early October 2025, the Verkhovna Rada did not support any of the candidates who had successfully passed the AGE assessment earlier that year.[692] In view of this, a new competition under the parliamentary quota was announced.[693]

On 30 December 2025, the AGE received the documents of all candidates admitted to the competition.[694] In total, 18 candidates applied for two vacant positions of CCU judges, three of whom subsequently withdrew from the competition of their own accord.[695] On 27–29 March 2026, the AGE conducted interviews with 15 candidates under the Verkhovna Rada quota.[696] Following the assessment of candidates' compliance with the criterion of high moral qualities and assessment of their level of competence in the field of law, the AGE formed a ranking list of nine candidates and submitted it to the Verkhovna Rada Committee on Legal Policy on 9 July 2026.[697] The Committee must then conduct interviews and recommend candidates for a vote in Parliament. At present, the Committee has not issued the relevant recommendations.

The conflict that emerged in the previous reporting period between the Verkhovna Rada Committee on Legal Policy and the AGE[698] remains unresolved and has taken a new form. On 24 October 2025, Members of Parliament who are members of this Committee submitted Draft Law No. 14149 to Parliament.[699] The need for its adoption is justi-

687 Announcement on the launch of a new competition for two positions of judge of the Constitutional Court of Ukraine. Council of Judges of Ukraine, 2026. ↗

688 Publication by the Advisory Group of Experts on the social network Facebook, 2026. ↗

689 Candidates for the Position of CCU Judge Admitted to the Competitive Selection under the Quota of the Council of Judges of Ukraine Announced on 26.01.2026. Constitutional Court of Ukraine, 2026. ↗

690 Publication by the Advisory Group of Experts on the social network Facebook, 2026. ↗

691 Previously, the Council of Judges of Ukraine delegated its representatives to the Advisory Group of Experts for a three-year term (Decisions Nos. 40 and 41 of 18.09.2023). However, on 22.05.2026, by Decision No. 14, the Council amended the relevant decisions and deleted the phrase 'for a three-year term'. ↗

692 The Verkhovna Rada failed to appoint two CCU judges under its quota. Ukrinform, 2025. ↗

693 Announcement on the launch of a new competitive selection for two vacant positions of judge of the Constitutional Court of Ukraine. Verkhovna Rada of Ukraine, 2025. ↗

694 Publication by the Advisory Group of Experts on the social network Facebook, 2026. ↗

695 Candidates for the position of CCU judge admitted to the competitive selection under the quota of the Verkhovna Rada of Ukraine, announced on 14.10.2025. Constitutional Court of Ukraine, 2025. ↗

696 Publication by the Advisory Group of Experts on the social network Facebook, 2026. ↗

697 Publication by the Advisory Group of Experts on the social network Facebook, 2026. ↗

698 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine for 2024, 2025, p. 106. ↗

699 On Amendments to Certain Legislative Acts of Ukraine on Improving the Competitive Selection for the Position of Judge of the Constitutional Court of Ukraine: Draft Law of Ukraine, registration No. 14149 of 24.10.2025. ↗

fied by the existence of certain legislative gaps and inconsistencies,[700] specifically with regard to the protection of personal data of candidates and third parties. The draft law proposes that the Secretariat of the CCU ensure document management related to the activities of the AGE, as well as the protection of personal data and other confidential information obtained by the AGE in the course of performing its functions. In addition, it specifies the status of the AGE as an auxiliary body in the competitive procedure, which entails an obligation for the AGE to respond to requests and recommendations from appointing authorities. Interviews with candidates are to be conducted after the relevant committee of the Verkhovna Rada has received from the AGE copies of all documents and information concerning the assessed candidates.[701]

At the same time, an alternative Draft Law, No. 14149-1,[702] has been registered in Parliament. Unlike the main draft law, it proposes that, upon completion of the competition, all documents and information be transferred for storage to the appointing authorities of CCU judges.

The AGE responded to these legislative initiatives by requesting an urgent opinion from the Venice Commission on the draft laws.[703] On 16 December 2025, the Venice Commission issued its opinion,[704] recommending that amendments should not be introduced into Ukrainian legislation that would designate the AGE as an 'auxiliary' body, as such an interpretation would risk undermining its independence. The Venice Commission also emphasised the need to establish in law clear criteria for determining which categories of information the AGE may lawfully withhold from disclosure. It further noted that core secretarial and administrative functions (document management, correspondence and personal data management) should remain with the AGE, while additional safeguards in the field of personal data protection should be introduced through clearly defined legislative obligations.[705] At the same time, this approach of the Venice Commission raises certain concerns regarding the adequate protection of personal data of candidates and third parties, as well as the avoidance of conflicts of interest among staff performing the functions of the AGE secretariat.

At the same time, these draft laws propose important changes that may have a positive impact on the speed of competitive selection procedures. It is envisaged that the appointing authority would have the possibility not to announce an additional competition in the event of an insufficient number of candidates,[706] but instead to consider the number of candidates available following the assessment. The mandatory announce

700 Explanatory Note to the Draft Law of Ukraine 'On Amendments to Certain Legislative Acts of Ukraine on Improving the Competitive Selection for the Position of Judge of the Constitutional Court of Ukraine'. ↗

701 Ibid.

702 On Amendments to Certain Legislative Acts of Ukraine on Improving the Competitive Selection for the Position of Judge of the Constitutional Court of Ukraine: Draft Law of Ukraine, registration No. 14149-1 of 27.10.2025. ↗

703 Publication by the Advisory Group of Experts on the social network Facebook, 2025. ↗

704 Ukraine - Opinion on draft amendments to certain legislatives acts regarding the improvement of the competitive selection process for the position of judge of the Constitutional Court. Venice Commission of the Council of Europe 12-13 December 2025. ↗

705 Ibid.

706 The Law of Ukraine 'On the Constitutional Court of Ukraine' (Part 4 Article 10^{8}) provides that, if, following the assessment by the AGE, fewer than two persons meeting the criterion of high moral qualities are identified for one vacant position of CCU judge, a new competitive selection shall be announced by the appointing authority. ↗

ment of an additional competition under such circumstances is inappropriate.[707] Representatives of civil society have already emphasised the need to address this issue in the Shadow Report 2025.[708]

At present, Draft Laws No. 14149 and No. 14149-1 are under consideration in Parliament.

A general problem affecting procedures related to the selection of CCU judges remains the delay by appointing authorities in taking decisions after the AGE has provided its assessment of candidates. For instance, under the President's quota, one judge was appointed almost seven months after the completion of the assessment. As regards the positions of CCU judges under the parliamentary quota, the vote on candidates already assessed by the AGE in the previous selection procedure took place eight months later.

During the reporting period, a higher level of activity has been observed among individuals wishing to participate in competitions (under the quotas of Parliament and the Congress of Judges of Ukraine) compared to previous periods. This creates a significant workload for the AGE. At the same time, the sequence of the competition procedure itself,[709] which has remained unchanged, may once again negatively affect the overall duration of the selection process.

Institutional Capacity of the CCU

Despite the existence of a formal quorum at the level of the senates and the plenary composition of the CCU, plenary sessions of the Grand Chamber of the CCU operate at the limits of their quorum. Certain issues falling within the competence of the Grand Chamber cannot be considered due to recusals or self-recusal of judges, which results in the CCU lacking quorum in specific cases.[710]

Given the complexity and contentious nature of the issues under consideration by the CCU, in many cases[711] it is effectively impossible to adopt decisions due to the lack of sufficient votes of CCU judges (at least ten judges must vote in favour for a decision to be adopted[712]). This negatively affects the duration of constitutional proceedings and hampers the adoption of procedural and organisational decisions by the plenary composition of the CCU.[713]

Thus, the issue of filling all vacancies of CCU judges remains critically important.

The work of the senates of the CCU, even with the current number of judges, is more effective than that of the Grand Chamber. The First Senate currently operates with

707 Explanatory Note to the Draft Law of Ukraine 'On Amendments to Certain Legislative Acts of Ukraine on Improving the Competitive Selection for the Position of Judge of the Constitutional Court of Ukraine'. ↗

708 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine for 2024, 2025, p. 108. ↗

709 Ibid.

710 According to Article 10 of the Law of Ukraine 'On the Constitutional Court of Ukraine', the Court is authorised to administer constitutional proceedings if at least 12 CCU judges vested with powers are in office. ↗

711 Information provided by Respondent 8 during an interview conducted on 24.02.2026.

712 On the Constitutional Court of Ukraine: Law of Ukraine No. 2136-VIII of 13.07.2017, Part 11 Article 66. ↗

713 Information provided by Respondent 8 during an interview conducted on 24.02.2026.

seven judges,[714] while the Second Senate operates with six judges.[715] At the same time, a decision of the CCU in a case based on a constitutional complaint is considered adopted if supported by at least two-thirds of the judges considering the case in the senate.[716]

A statistical analysis of data on the activities of the CCU[717] since the beginning of the full-scale invasion demonstrates the inefficiency of the Grand Chamber. In 2022–2025, between 43 and 50 constitutional submissions were pending before the CCU in different years.[718] As of the end of 2025, **48** constitutional submissions remained under consideration, of which 32 had been submitted before 2022.[719]

During 2022–2025, **19** constitutional submissions were filed with the CCU (3 submissions in 2023 and 8 submissions in each of 2024 and 2025). In the same period, the consideration of **17** submissions was completed: decisions were adopted in respect of 6 constitutional submissions, while in 11 cases rulings were issued to close constitutional proceedings.[720] Of the submissions considered, only 3 were filed during this period, whereas the remaining 14 had been submitted in 2015–2020.[721] For example, a ruling to close one of the proceedings initiated in 2015 was issued only in 2022.[722]

Since the introduction of the constitutional complaint mechanism in Ukraine (30 September 2016), subjects entitled to lodge a constitutional complaint have submitted 4,464 complaints to the CCU.[723] The highest number of constitutional complaints was recorded in 2018 (690), while the lowest was in 2022 (248), which is evidently a consequence of the full-scale invasion.[724] Although the allocation of constitutional complaints among judges began in 2016, the CCU started adopting decisions on their merits only in 2019. In total, the CCU has adopted **67** such decisions:[725] the highest number was adopted in 2024 (12) and the lowest in 2021 and 2025 (7 each).

Of the total number of constitutional complaints submitted to the CCU since 2016, only 1,950 complaints (43.7%) were allocated among CCU judges.[726] More than half of the complaints are returned by the Secretariat of the CCU to applicants due to non-compliance with formal requirements.[727] As a result of the consideration of constitutional

714 Composition of the First Senate of the Constitutional Court of Ukraine. Constitutional Court of Ukraine, 2026. ↗

715 Composition of the Second Senate of the Constitutional Court of Ukraine. Constitutional Court of Ukraine, 2026. ↗

716 On the Constitutional Court of Ukraine: Law of Ukraine No. 2136-VIII of 13.07.2017, Part 11 Article 67. ↗

717 Materials provided by Respondent 8 during an interview conducted on 24.02.2026.

718 Ibid.

719 Ibid.

720 Ibid.

721 Ibid.

722 Ibid.

723 Ibid.

724 Ibid.

725 Ibid.

726 Ibid.

727 The return of a constitutional complaint does not preclude resubmission to the CCU in compliance with the requirements of the law.

complaints, the CCU issued 1,665 rulings: 1,618 on refusal to open constitutional proceedings, 46 on closure and 1 on termination of constitutional proceedings.[728]

In 2025, 624 constitutional complaints were pending before the CCU[729] (including 124 carried over from previous years), of which 178 remained under consideration as of the end of the year.

The duration of proceedings before the CCU is negatively affected by **several factors**,[730] namely:

1) the absence of a unified analytical centre (service) within the CCU that would ensure a consistent approach to the preparation of draft decisions, systematic analysis of case law and doctrinal coherence of reasoning. Close interaction between analysts and judge-rapporteurs, as well as panels, combined with their professional support, would allow for the unification of the CCU's approaches both in terms of structure and reasoning of its decisions. Such a model would support an effective workflow between panel, senate and plenary sittings and would contribute to the development of consistent CCU case law regardless of changes in the composition of judges;

2) the lack of unified standards for the structure and drafting of decisions, which leads to inconsistency in style, length and reasoning and complicates the achievement of consensus among judges;

3) the absence of a secure electronic system for the exchange of draft decisions and case materials between judges, which slows down internal communication and coordination of texts and negatively affects the organisation of collegial sittings. Improving the material and technical capacity of the CCU and introducing procedural communication tools between judges, for example through a personal electronic cabinet, should be among the priority tasks;

4) excessive formalisation of constitutional proceedings procedures;

5) insufficient digitalisation of internal processes (case management), including the absence of an integrated case management system and automated document workflow. In particular, the lack of an automated allocation system for constitutional submissions and complaints (which are assigned to a judge-rapporteur through a mechanical process), combined with the unlimited procedural discretion of the judge-rapporteur — who cannot be replaced even if proceedings remain without consideration for a prolonged period — renders the CCU vulnerable to external influence. These shortcomings perpetuate long-standing concerns repeatedly raised by civil society,[731] including delays in the consideration of complex cases and the adoption of politically motivated decisions. In addition, this situation negatively affects public trust in the CCU;

728 Materials provided by Respondent 8 during an interview conducted on 24.02.2026.

729 Ibid.

730 Information provided by Respondent 8 during an interview conducted on 24.02.2026.

731 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine for 2024, 2025, p. 110. ↗

6) complex and lengthy procedures for agreeing the texts of decisions within a collegial body, in the absence of clearly defined timeframes for individual stages of preparation;

7) a high quorum and voting threshold for the adoption of decisions, which, under conditions of an incomplete composition of the CCU, complicates decision-making;

8) uneven distribution of workload among judges and the absence of flexible mechanisms for the redistribution of cases, which affects the speed of preparation of individual proceedings;

9) insufficient development of internal case-law management tools, which complicates the rapid formation of consistent legal positions;

10) the significant complexity and sensitivity of the cases considered by the CCU, which objectively requires prolonged alignment of positions within the Court.

The issue of compliance with the admissibility requirements for constitutional complaints and submissions also remains unresolved. At the same time, filtering criteria[732] are applied by judges in a fragmented manner.[733]

The blocking of proceedings due to judges' self-recusals also remains a problematic issue.[734] The Rules of Professional Ethics of a CCU Judge adopted in 2025 introduce new provisions in this regard. In particular, where there is a risk of the absence of a quorum required for the adoption of CCU acts, a judge should take into account that the need for the Court to consider a case may take precedence over the grounds for self-recusal (provided that such grounds are not substantial and do not affect the judge's impartiality).[735]

At the same time, the standards and regulation of recusals and self-recusals of CCU judges have been analysed by the OSCE ODIHR in the context of the review of the Court's Rules of Procedure[736] and the improvement of internal processes. ODIHR, inter alia, confirmed the possibility, in exceptional circumstances, of applying the 'doctrine of necessity' to preserve the functioning of the institution (such situations are specific but typical for institutions with a limited composition).[737]

All recommendations and conclusions set out in the ODIHR document should be substantively addressed in the process of preparing amendments to the Rules of Procedure of the CCU.[738] The issue of amending the Rules of Procedure of the CCU and

732 On the Constitutional Court of Ukraine: Law of Ukraine No. 2136-VIII of 13.07.2017, Article 62. ↗

733 Information provided by Respondent 8 during an interview conducted on 24.02.2026.

734 Ibid.

735 Rules of Professional Ethics of a Judge of the Constitutional Court of Ukraine: Resolution of the Constitutional Court of Ukraine No. 21-p/2025 of 22.07.2025, para. 4 Section I. ↗

736 Rules of Procedure of the Constitutional Court of Ukraine: Decision of the Constitutional Court of Ukraine of 05.03.1997 (as amended by the Decision of the Constitutional Court of Ukraine No. 34-r/2008 of 14.10.2008). ↗

737 OSCE Office for Democratic Institutions and Human Rights. Comparative Note on the Applicable Standards and Regulation of Recusals and Self-recusals of Judges. Ukraine. 15.12.2025. Opinion-Nr.: JUD-UKR/554/2025 [NR]. P. 41. ↗

738 Standards of recusals and self-recusals of judges: expert document of the OSCE ODIHR. Constitutional Court of Ukraine, 2026. ↗

developing a dedicated regulation on recusals and self-recusals should be among the priority tasks for the CCU in 2026.[739]

ODIHR also issued an opinion on the Rules of Professional Ethics of CCU judges.[740] An important recommendation for the CCU is the establishment of an independent, confidential and non-binding advisory body on ethics, separate from the body performing disciplinary functions.[741] The experts emphasised the need to clearly distinguish between ethical standards and disciplinary offences. A breach of ethical rules should not automatically constitute grounds for holding a judge disciplinarily liable.[742]

The implementation of these recommendations is one of the priority tasks for the CCU in 2026.[743] Within the framework of developing a mechanism of disciplinary liability for CCU judges, the CCU has requested ODIHR to develop and provide possible models of such a mechanism that could be applied in Ukraine.[744]

In December 2025, two draft laws (No. 14321[745] and the alternative No. 14321-1[746]) were registered in the Verkhovna Rada, proposing amendments to the Law of Ukraine 'On the Constitutional Court of Ukraine'. These draft laws are aimed at regulating the disciplinary liability of CCU judges, defining offences and sanctions, introducing disciplinary proceedings within the Court, strengthening transparency and integrity mechanisms and modernising procedural aspects of its functioning. Overall, these objectives correspond to the need to strengthen accountability and public trust in the CCU, particularly in the context of Ukraine's European integration process.

At the same time, the proposed amendments raise several structural, constitutional and legal concerns that may affect the independence and effective functioning of the CCU. For example, the list of disciplinary offences proposed in the draft laws lacks internal consistency and includes several evaluative and open-ended concepts, such as 'dishonourable conduct', 'breach of the oath' or 'improper performance of duties', which may be interpreted excessively broadly, thereby creating risks of arbitrary application of disciplinary mechanisms. In addition, the draft laws do not provide for an adequate admissibility filter for complaints, which may lead to abuse of disciplinary proceedings.

Draft Law No. 4533,[747] which has been pending second reading in the Parliament since April 2021, is aimed at addressing some of the above-mentioned issues related to the procedural and operational functioning of the CCU.

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739 Information provided by Respondent 8 during an interview conducted on 24.02.2026.

740 Ibid.

741 Publication by the Constitutional Court of Ukraine on the social network Facebook, 2026. ↗

742 Ibid.

743 Information provided by Respondent 8 during an interview conducted on 24.02.2026.

744 Ibid.

745 On Amendments to the Law of Ukraine 'On the Constitutional Court of Ukraine' Regarding the Improvement of the Legislative Regulation of Certain Provisions of the Functioning of the Constitutional Court of Ukraine and the Establishment of Disciplinary Liability of Judges of the Constitutional Court of Ukraine: Draft Law of Ukraine, registration No. 14321 of 19.12.2025. ↗

746 On Amendments to the Law of Ukraine 'On the Constitutional Court of Ukraine' regarding the improvement of the functioning of the Constitutional Court of Ukraine: Draft Law of Ukraine, registration No. 14321-1 of 23.12.2025. ↗

747 On Constitutional Procedure: Draft Law of Ukraine, registration No. 4533 of 21.12.2020. ↗

During the reporting period, two audits of the CCU's activities were launched: a general functional audit and an audit of the CCU Secretariat,[748] the results of which will be published in 2027.

The problem of clearly delineating the procedural mechanisms for the exercise of powers between the CCU and the SC also remains unresolved, as does the need to strengthen the institutional capacity of the Secretariat of the CCU.[749]

A separate issue concerns the implementation of CCU decisions by the Parliament, particularly with regard to the timeliness of introducing the necessary legislative amendments, as well as the substantive adequacy of such implementation. This includes avoiding the recurrence of the same or similar issues that have already been addressed in CCU decisions (for example, the reduction or abolition of social guarantees, or encroachments on the independence of the judiciary).

Recommendations

1. Appointing authorities should respond without delay to the need to fill vacant positions of CCU judges under their quotas and announce the relevant competition procedures as promptly as possible.

2. The Verkhovna Rada Committee on Legal Policy should conduct interviews with candidates for the position of CCU judge as soon as possible. Further communication between the AGE and the appointing authority should take place in a cooperative format.

3. Draft Law No. 14149 should be revised and adopted, excluding provisions on the auxiliary status of the AGE. At the same time, the following provisions merit support: the right of the appointing authority not to announce an additional competition in the event of an insufficient number of candidates, but to consider the available candidates; and assigning to the Secretariat of the CCU the authority to store and maintain records of documents collected and received by the AGE at the stage of candidate assessment.

4. Automated distribution of constitutional complaints and submissions among CCU judges should be introduced.

5. Draft laws No. 14321 and No. 14321-1 on improving the legislative regulation of certain provisions of the functioning of the CCU and establishing disciplinary liability of CCU judges should be submitted to the Venice Commission for an expert opinion on their compliance with European standards. Following receipt of such an opinion, the Parliament should revise one of the draft laws, ensuring proper involvement of the CCU, legal professionals and civil society in this process and adopt the revised draft law by the end of 2026.

6. The Law of Ukraine 'On the Constitutional Court of Ukraine' and the Rules of Procedure of the CCU should be amended with regard to recusals and self-recusals of

748 Information provided by a representative of the Constitutional Court of Ukraine at working level.

749 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine for 2024, 2025, p. 111. ↗

CCU judges, as well as the time limits for the consideration of constitutional submissions. Specifically, a mechanism should be developed to prevent delays in proceedings by the judge-rapporteur and the possibility of transferring a constitutional submission to another judge-rapporteur to expedite proceedings should be provided.

7. The institution of the constitutional complaint should be improved, in particular with regard to the time limits for their consideration.

8. An audit of existing processes within the CCU, including administrative, financial, material and technical and procedural components of its functioning, should be conducted, followed by the initiation of relevant discussions and procedures for legislative amendments. In this context, Draft Law No. 4533 should be revised, taking into account previously provided recommendations of civil society.[750]

9. In light of the needs identified as a result of the audit, the issue of material and technical support of the CCU should be addressed, in particular with regard to the introduction of an internal electronic document management system and ensuring conditions for communication between judges in electronic format in the exercise of their powers.

10. An audit of the implementation by the Parliament of CCU decisions should be conducted. Based on its results, legislative amendments should be introduced and effective oversight of the implementation of CCU decisions should be ensured.

11. Transparency and communication of the CCU with society should be ensured, particularly in sensitive political matters, in order to reduce pressure and prevent speculation. The position of a judge-speaker should be introduced and through this role regular communication should be provided on cases pending before the Court and on decisions adopted by the CCU.[751]

12. It is advisable to ensure, at the legislative level, a clear delineation of the procedural mechanisms for the exercise of powers of the CCU and the SC, taking into account that the powers of the CCU are defined directly by the Constitution of Ukraine, with a view to preventing practices whereby the constitutional complaint is effectively used as an instrument for reviewing court decisions on the merits ('fourth instance').[752]

Alternative Dispute Resolution

Progress and issues

As of July 2026, three key initiatives shape the state policy of Ukraine in the field of the development of various forms of alternative dispute resolution:[753]

750 The recommendation previously provided by civil society in the Shadow Report 2025 (p. 111) remains relevant. ↗

751 Ibid.

752 Ibid.

753 Ukraine's Prospects as a Place of Arbitration Were Discussed at the 12th International Arbitration Readings in Memory of Academician I.H. Pobirchenko. International Commercial Arbitration Court at the Ukrainian Chamber of Commerce and Industry, 2025. ↗

- the functioning of the Interagency Coordination Council on the Development of Alternative Dispute Resolution (ADR) under the leadership of the Ministry of Justice of Ukraine (MoJ);
- the development and implementation of measures to expand the use of arbitration, in particular with regard to the resolution of investment disputes;
- the development and adoption of the Strategy for the Development of the Justice System and Constitutional Court Proceedings for 2026–2030, the draft of which contains provisions on the development of arbitration in Ukraine (as of July 2026, not approved).

On 20 August 2025, the Cabinet of Ministers of Ukraine adopted Resolution No. 1022[754] on the establishment of the **Interagency Coordination Council on the Development of ADR**, which is a temporary advisory body of the Cabinet of Ministers of Ukraine established to introduce an interinstitutional platform for the systematic discussion and resolution of problematic issues in the development of alternative dispute resolution.[755] On 17 October 2025, the Cabinet of Ministers of Ukraine approved its composition.

On 1 December 2025, the first meeting of the Interagency Coordination Council on the Development of ADR was held at the MoJ. During the meeting, its working groups were presented, which will focus on the development of various ADR mechanisms, including mediation, arbitration and arbitration tribunals. It was also noted that, as a priority, the Council will consider topics included in the Rule of Law Roadmap.[756]

Settlement of Disputes with the Participation of a Judge and Mediation

In 2025, courts of first instance issued 63 rulings on the settlement of disputes with the participation of a judge and 54 rulings on the termination of such procedures (in 2024, these figures were 41 and 36 respectively). Of these, **settlements between the parties were reached in 11 cases** (in 2024 – 6), while 17 cases were referred to another judge (in 2024 – 17).[757]

In 2025, around 1.4 million explanations concerning mediation were provided in civil proceedings. A similar situation occurred in commercial proceedings: during 2025, first-instance courts asked the parties more than 204,000 times whether they wished to settle the dispute through mediation, yet this mechanism was actually used only once.[758]

754 On the Establishment of the Interagency Coordination Council on the Development of Alternative Dispute Resolution: Resolution of the Cabinet of Ministers of Ukraine No. 1022 of 20.08.2025. ↗

755 Ibid.

756 Ibid.

757 Analytical Overview of the State of Civil Justice Administration in 2025. Supreme Court. P. 7. ↗

758 Deputy President of the Supreme Court Oleksandr Mamalui Participated in the 10th International Forum 'Mediation and Law – 2026'. Supreme Court, 2026. ↗

At the end of November 2024, the SJA adopted Orders No. 526[759] and No. 528,[760] which **improved statistical reporting in the courts of Ukraine**, by introducing the obligation to collect data on settlement agreements concluded **as a result of mediation**. These orders entered into force starting from the reporting period for 2025.

Thus, in 2025, courts of first instance issued 15 rulings on the suspension of proceedings for the duration of **mediation** and 12 rulings on the resumption of proceedings. **In one case, a settlement between the parties was reached** (commercial proceedings), while in 11 cases judicial consideration continued.[761]

Judicial statistics for 2025 on the number of cases and materials related to settlement of disputes with the participation of a judge and through mediation indicate a **low level of use of ADR instruments**. **Court proceedings remain the most common dispute resolution mechanism**, while other institutions are not widely used. This is despite the legislative introduction of the settlement of disputes with the participation of a judge in 2017 and mediation in 2021.[762]

The reasons for this situation may include:[763]

- the inefficiency of procedures and their mutual competition;
- shortcomings in the legal and institutional framework of existing models;
- lack of awareness among users of legal services;
- lack of interest among judges and advocates;
- the quality of mediation services;
- lack of societal readiness.

In addition, throughout 2025, online training courses on mediation and settlement of disputes with the participation of a judge were conducted for judges.[764] In June 2026, a new training programme for judges of local general and appellate courts was presented: 'Mediation for Judges: Principles, Mediability of Disputes and Neutral Information for Parties'.[765] The programme is aimed at developing judges' basic specialised competence in mediation.[766]

At the same time, **mediation offices** (established in 2018) continue to operate **within the premises of pilot courts of various jurisdictions and instances**, including the

759 On Amendments to Order of the SJA of Ukraine No. 172 of 21.12.2012 (as amended): Order of the State Judicial Administration of Ukraine No. 526 of 29.11.2024. ↗

760 On Amendments to Order of the SJA of Ukraine No. 325 of 23.06.2018: Order of the State Judicial Administration of Ukraine No. 528 of 29.11.2024. ↗

761 Judicial Statistics. 2025. Judiciary of Ukraine. ↗

762 Consistency of Practice, Mediation, War Crimes and AI: Supreme Court Judges Spoke at the 8th Judicial Forum of the AAU. Supreme Court, 2026. ↗

763 Ibid.

764 Information and Analytical Report on the Activities of the National School of Judges of Ukraine in 2025. National School of Judges of Ukraine, 2026, p. 23. ↗

765 Mediation Instead of Conflict: New Training Programme Presented to Ukrainian Judges. National School of Judges of Ukraine, 2026. ↗

766 Ibid.

Commercial Court of Odesa Region, the South-Western Commercial Court of Appeal, the Prymorskyi District Court of Odesa, the Kyiv District Court of Odesa, the Odesa Circuit Administrative Court and the Fifth Administrative Court of Appeal. At these courts, citizens can receive not only comprehensive information about mediation, its advantages and features, but also free access to mediation services.[767]

In 2025, judges of the SC developed a specialised guide for judges entitled **'The Role of a Judge in the Development and Promotion of Mediation'**, aimed at encouraging judges and court staff to actively inform participants in judicial proceedings about alternative dispute resolution mechanisms.[768]

In May 2026, **a new guide, 'Alternative Dispute Resolution: Practice & Governance for States', was presented**,[769] summarising practical approaches to alternative dispute resolution for policymakers and participants in dispute resolution proceedings. The guide contains best practices for each stage of both mediation and arbitration, as well as recommendations for improving the legal regulation of alternative dispute resolution.

The issue of **introducing mediation as a mandatory procedure for certain categories of disputes (following the examples of other countries)** remains relevant.[770]

In January 2026, during a meeting of the working group on the development and promotion of mediation, **the results of a survey on the introduction of mandatory meetings with a mediator in Ukraine** were presented, along with the position of the MoJ on the proposed options for the further development of mediation.[771] According to the results of this survey, in which most respondents were **representatives of the free legal aid (FLA) system and advocates/legal professionals**, it is considered **appropriate to introduce mandatory mediation and information and assessment meetings (MIAM) indispute involving children.** The results of an additional survey, in which most respondents were **mediators, indicate support for the introduction of a mandatory pre-trial dispute resolution procedure, including mediation, in cases of divorce upon application of spouses who have children**.

At the same time, 52% of respondents noted that prior to introducing a mandatory pretrial dispute resolution procedure, including mediation, it is necessary to develop the appropriate infrastructure to ensure the accessibility of mediation services.[772] The judicial community also emphasises[773] that, in order to develop mediation in the context of ensuring access to justice, it is **advisable to introduce MIAMs with each party to the conflict to properly inform them about the mediation procedure**.

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767 Study 'State Incentives for the Use of Mediation Between Parties to a Conflict'. Ministry of Justice of Ukraine. P. 8. ↗

768 The Role of a Judge in the Development of Mediation: SC Judges Prepared a Guide for Judges. Supreme Court, 2025. ↗

769 Alternative Dispute Resolution: Practice & Governance for States / International Commercial Arbitration Court, 2026, p. 215. ↗

770 Study 'State Incentives for the Use of Mediation Between Parties to a Conflict'. P. 8. Ministry of Justice of Ukraine. ↗

771 The Ministry of Justice Discussed Mechanisms for the Development of Mediation in Ukraine with Stakeholders. Ministry of Justice of Ukraine, 2026. ↗

772 Study 'State Incentives for the Use of Mediation Between Parties to a Conflict'. Ministry of Justice of Ukraine. P. 33. ↗

773 Representatives of the SC Participated in the Discussion on the Introduction of Mandatory Information and Assessment Meetings with a Mediator. Supreme Court, 2026. ↗

At the same time, the introduction of MIAMs cannot be ensured solely through legislative regulation; **it is also essential to guarantee accessibility (for vulnerable groups), awareness and the quality of mediation services.**[774]

In March 2026, the MoJ summarised and analysed proposals regarding the introduction of MIAMs.[775]

During the discussions of the working group on the development and promotion of mediation, **two conceptual approaches** were outlined: maintaining the current model of mediation development based on voluntariness and the independent development of the professional community; and establishing a model of professional self-governance of mediators as an institutional basis for standardising approaches, ensuring service quality, increasing public trust and enabling effective interaction with the state.[776]

In May 2026, the Interagency Coordination Council on the Development of Alternative Dispute Resolution took as a basis the **draft Concept for introducing a pilot project on mandatory information and assessment meetings with a mediator (MIAMs)**, developed by the MoJ, and decided that it should be finalised taking into account proposals and recommendations received from the mediation community, the Coordination Centre for Legal Aid Provision and SC judges, with a view to subsequent management decisions.[777]

At present, there are differing views on the risks to the mediation market arising in the context of the draft Concept and recommendations for its revision.[778] A number of organisations providing mediation services also joined forces to hold a professional discussion of draft documents on introducing a pilot MIAM project in Ukraine (the Pilot Project Concept, Memorandum of Cooperation between state bodies and institutions and Information Note for Parties to Court Cases) and to conduct a survey on those draft documents.[779]

To ensure the implementation of the pilot project 'Restorative Justice Programme Involving Juveniles Who Are Suspects or Accused of Committing a Criminal Offence' (the Programme)[780] across the entire territory of Ukraine, the Coordination Centre for Legal Aid Provision in June 2026 announced a new competitive selection of mediators engaged by FLA centres, which will continue until 11 August.[781] As of July 2026, a total of

774 Information obtained as a result of interviews conducted with a representative of the Ministry of Justice of Ukraine on 02.03.2026 and a representative of Yaroslav Mudryi National Law University on 27.02.2026.

775 Information obtained as a result of an interview conducted with a representative of the Ministry of Justice of Ukraine on 02.03.2026.

776 The Notarial Chamber of Ukraine Joins the Development of Mediation in Ukraine. Notarial Chamber of Ukraine, 2026. ↗

777 Another Meeting of the Interagency Coordination Council on the Development of Alternative Dispute Resolution Held at the Ministry of Justice. Ministry of Justice of Ukraine, 2026. ↗

778 MIAMs in Court Proceedings: What the Pilot Project Offers and What Risks It Creates for the Mediation Market. Institute of Mediation and Facilitation of Ukraine, 2026. ↗

779 Publication by the Ukrainian Academy on the social network Facebook, 2026. ↗

780 On the Implementation of the Pilot Project 'Restorative Justice Programme Involving Juveniles Who Are Suspects or Accused of Committing a Criminal Offence': Order of the Ministry of Justice of Ukraine, the Ministry of Internal Affairs of Ukraine and the Prosecutor General's Office No. 2176/5/501/176 of 22.07.2024. ↗

781 Competitive Selection of Mediators Engaged by Free Legal Aid Centres Announced. Free Legal Aid System, 2026. ↗

219 mediators operating across Ukraine were included in the Register of Mediators Engaged by FLA centres.[782]

In 2025, mediators were issued 267 assignments within 217 cases in which consent to participate in the Programme had been received. Mediation was conducted by 42 mediators. Of the total number of cases received in 2025, mediation was conducted in 70% of cases (151). In 16% of cases (34), victims refused to participate in the Programme or subsequently withdrew from mediation. Juvenile suspects (accused persons) and/or their legal representatives refused to participate in 9% of cases (20). As of 31 December 2025, a total of 140 agreements had been concluded between victims and juvenile suspects (accused persons) following mediation within the Programme. In 20 cases, preparatory measures for mediation or the mediation procedure itself were ongoing at the end of 2025.[783]

In the first half of 2026, the FLA system received 89 consents to participate in the Programme. As a result of mediation, 81 agreements were concluded (this figure also includes agreements concluded in 2026 under referrals issued at the end of 2025). A total of 312 persons participated in the Programme, including 94 juveniles suspected or accused of committing criminal offences, 100 victims (22 of whom were juveniles) and 118 legal representatives of juveniles and victims. Sixty-five mediators were engaged to implement the Programme. In the first half of 2026, 58 mediations were conducted.[784]

Overall, since the launch of the Programme and as of June 2026, the FLA system had received 854 consents to participate in the Programme from juveniles and victims. As a result of mediation, the parties concluded 623 agreements.[785]

In early March 2026, the UNBA delineated areas of responsibility within alternative dispute resolution: **mediation issues will be handled by a separate advisory body**, while, following reorganisation, the Committee on Alternative Dispute Resolution will focus on other pre-trial and out-of-court mechanisms.[786]

The UNBA also presented[787] the **Strategy for the Development of Mediation among UNBA Attorneys until 2030**,[788] which defines the main directions for the development of mediation in Ukraine within the Bar community as a distinct area of activity involving advocates.

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782 Register of Mediators Engaged by Free Legal Aid Centres. ↗

783 Annual Report of the Free Legal Aid System for 2025. Free Legal Aid System, 2026. Pp. 62–63. ↗

784 Restorative Justice Involving Juveniles: 81 Agreements Concluded through Mediation in Six Months. Ministry of Justice of Ukraine, 2026. ↗

785 The MoJ Prepares Amendments to Harmonise the Protection of Children's Rights with European Standards. Ministry of Justice of Ukraine, 2026. ↗

786 The UNBA Divided ADR: Mediation Is Now Handled by a Separate Committee. Ukrainian National Bar Association, 2026. ↗

787 Strategy for the Development of Mediation among Advocates of the UNBA until 2030. Ukrainian National Bar Association, 2026. ↗

788 Strategy for the Development of Mediation among Advocates of the Ukrainian National Bar Association until 2030. Ukrainian National Bar Association. ↗

According to the study 'State Incentives for the Use of Mediation Between Parties to a Conflict',[789] **one of the key obstacles to the development of mediation in Ukraine is the insufficient awareness of the population about mediation and the lack of trust in it**. The study also notes, inter alia, the insufficiently proactive role of judges in informing parties about and proposing mediation, as 'facilitating reconciliation between the parties' should not be limited to merely clarifying at the preparatory hearing whether the parties wish to pursue out-of-court settlement through mediation, without informing them about the possibilities and advantages of this procedure.[790]

Moreover, despite the legislative regulation of mediation and settlement of disputes with the participation of a judge, the **following issues** identified in the Shadow Report 2025[791] remain relevant:

- low level of use of mediation procedures and settlement of disputes with the participation of a judge;
- fragmentation of efforts to raise awareness about mediation;
- absence of a culture of resolving disputes and conflicts through reconciliation and agreement;
- lack of comprehensive statistical information on the number of recourses to mediation, the number of mediators and the geographical scope of their practice, as well as fragmentation of such data;
- heavy workload of judges and insufficient knowledge and skills in the field of judicial mediation.

Arbitration

The permanent and independent arbitration institutions in Ukraine are the **International Commercial Arbitration Court (ICAC) and the Maritime Arbitration Commission (MAC)**, which resolve international commercial disputes.

As of July 2026, the ICAC recommended list includes 114 arbitrators from 38 countries, 61% of whom are foreign arbitrators,[792] while the MAC recommended list includes 30 arbitrators.[793]

In 2025, the ICAC **registered 304 cases** and completed the consideration of 296 cases. A total of **73 cases (24% of the total number of cases) involved claims ranging from USD 1 million to USD 50 million**. Despite a decrease in the number of cases compared to 2024, **the amount of arbitration fees collected in 2025 increased**.[794]

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789 Study 'State Incentives for the Use of Mediation Between Parties to a Conflict'. Ministry of Justice of Ukraine, 2025. P. 33. ↗

790 Ibid, p. 8.

791 The issues previously identified by civil society in the Shadow Report 2025 (pp. 116, 276) remain relevant, but have been further clarified during interviews with a representative of the Ministry of Justice on 02.03.2026 and representatives of Yaroslav Mudryi National Law University and the State University of Trade and Economics on 27.02.2026. ↗

792 List of Arbitrators. International Commercial Arbitration Court. ↗

793 List of Arbitrators. Maritime Arbitration Commission. ↗

794 Report of the International Commercial Arbitration Court for 2025. International Commercial Arbitration Court at the Ukrainian Chamber of Commerce and Industry. ↗

In 2025, **90.5% of cases (268 cases) were resolved within a period not exceeding six months**[795] (1.3% of cases (4 cases) — expedited proceedings; 53.4% of cases (158 cases) — within up to three months; 35.8% of cases (106 cases) — within three to six months; 6.1% of cases (18 cases) — within six to nine months).[796] In addition, two mediation cases were accepted and completed.[797]

At the same time, the **number of applications to set aside**[798] ICAC awards in 2025 amounted to 39 (with 296 cases considered). By comparison, in 2024 there were 26 such applications (with 440 cases considered). The rate of **recognition and enforcement of arbitral awards in Ukraine exceeds 90%**. The average duration of proceedings (from the opening of proceedings to the adoption of the final award, including appeal) was **6.5 months**.[799]

The sectors that most actively used arbitration as a dispute resolution mechanism in 2025 included the food industry, the agro-industrial sector, metallurgy and the defence industry (a similar trend was observed in 2024).[800]

The ICAC identified the following three **strategic priorities for 2026**:[801]

1. The creation and launch of a secure ICAC electronic platform to enable full electronic case administration, online submission of procedural documents, centralised and secure exchange of materials between parties, arbitrators and the Secretariat, integration with videoconferencing tools and automated notifications. In 2025, the ICAC effectively commenced the implementation of this strategic objective, having identified a platform developer and initiated work on the technical specifications.[802]

2. The implementation of legislative amendments and the development of investment arbitration. Following the adoption of Law No. 4856-IX,[803] consideration is being given to further modernising the ICAC Rules and introducing new approaches to their institutional and procedural components. The prospects for further developing ICAC procedures for investment disputes are also being considered, including the possibility of preparing separate investment rules or special procedural provisions.[804]

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795 Ibid.

796 Statistics of the International Commercial Arbitration Court for 2025. International Commercial Arbitration Court at the Ukrainian Chamber of Commerce and Industry. ↗

797 Statistics of the International Commercial Arbitration Court for 2025. International Commercial Arbitration Court at the Ukrainian Chamber of Commerce and Industry. ↗

798 Statistics of the International Commercial Arbitration Court for 2025. International Commercial Arbitration Court at the Ukrainian Chamber of Commerce and Industry. ↗

799 Ibid.

800 Ibid.

801 ICAC Presented the 2025 Annual Report. International Commercial Arbitration Court at the Ukrainian Chamber of Commerce and Industry, 2026. ↗

802 Report of the International Commercial Arbitration Court for 2025. International Commercial Arbitration Court at the Ukrainian Chamber of Commerce and Industry. ↗

803 On Amendments to Certain Laws of Ukraine Regarding the Expansion of the Competence of International Arbitration: Law of Ukraine No. 4856-IX of 28.04.2026. ↗

804 Exclusive Interview with ICAC President Mykola Selivon for Yurydychna Gazeta. International Commercial Arbitration Court, 2026. ↗

3. The update of the ICAC website to ensure its functional integration with the electronic platform for arbitration case administration.

The case law of the SC has continued in recent years to shape a pro-arbitration environment in Ukraine.[805] Recent decisions of the SC have addressed, inter alia, the following issues: the jurisdiction of the ICAC in cases of conflicting contractual provisions; ICAC awards and sanctioned creditors; deferral of enforcement of ICAC awards and related court decisions; setting aside ICAC awards; and the issuance of duplicates of writs of execution attached to criminal case materials for the enforcement of ICAC awards.

In January 2026, the Civil Cassation Court within the SC, when reviewing on appeal a decision of a court of appeal adopted as a court of first instance, concluded[806] that the use of international commercial arbitration to circumvent sanctions restrictions violates the public policy of Ukraine. The court is required to assess ex officio the possibility of such a violation, regardless of whether the arbitral award is challenged and irrespective of the arguments of the parties.[807]

In May 2026 **Law No. 4856-IX**[808] **entered into force**, which is aimed at expanding the use of international commercial arbitration and creating favourable conditions for attracting foreign investment. It broadens the concept of an international dispute and **allows investment disputes to be considered in Ukraine**, with a view to making the country more attractive to international business.

Law No. 4856-IX effectively directs the state towards three areas:[809]

- developing a state policy to promote Ukraine as a seat of arbitration;
- promoting the use of arbitration by the public sector of the economy;
- supporting the activities of Ukraine's permanent arbitration institutions.

Following the entry into force of the Law, the **ICAC is developing a package of measures for its implementation**.[810]

At the same time, a **draft law (not yet submitted to Parliament)**, prepared by members of the Ukrainian Arbitration Association, **is expected to undergo further public discussion**. It aims to align Ukrainian arbitration legislation with the 2006 version of the UNCITRAL Model Law and to comprehensively modernise the regulation of matters related to international arbitration in Ukraine.[811]

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805 Conclusions of the Supreme Court as Factors Shaping a Pro-Arbitration Environment. Judiciary of Ukraine. ↗

806 Ruling of the Supreme Court Composed of the Panel of Judges of the Third Judicial Chamber of the Civil Cassation Court of 15.01.2026 in Case No. 824/157/23. ↗

807 Recognition of an Arbitral Award Concerning Assets of Persons Linked to the Aggressor State Contradicts the Public Policy of Ukraine – Civil Cassation Court of the SC. Supreme Court, 2026. ↗

808 On Amendments to Certain Laws of Ukraine Regarding the Expansion of the Competence of International Arbitration: Law of Ukraine No. 4856-IX of 28.04.2026. ↗

809 ICAC Vice-President Inna Yemelianova Participated in the XIV International Judicial and Legal Forum. International Commercial Arbitration Court, 2026. ↗

810 Law of Ukraine on Amendments to Certain Laws of Ukraine Regarding the Expansion of the Competence of International Arbitration Entered into Force. International Commercial Arbitration Court, 2026. ↗

811 International Arbitration: What Happened in 2025 and What to Expect. Yurydychna Gazeta, 2026. ↗

The ICAC identifies the following components as essential for the sustainable development of arbitration in Ukraine:[812]

- consistent pro-arbitration case law of the SC;
- effective recognition and enforcement of arbitral awards;
- digitalisation of arbitration processes and a high level of service;
- development of expertise and human capital;
- state policy aimed at supporting alternative dispute resolution, involving the public sector in the use of arbitration, supporting national arbitration institutions and promoting Ukraine as a seat of international arbitration.

Arbitration Courts

The issue that the mechanism of arbitration tribunal dispute resolution in Ukraine remains in a state of stagnation and is, in practice, largely absent continues to be relevant.[813] This is due to low public awareness of the possibilities for protecting rights through such proceedings, the ineffective functioning of arbitration tribunals and the lack of transparency and openness in the outcomes of their activities.

Draft Law No. 3411,[814] which could partially address these issues, has been pending second reading since 2021, for which a **revised version** must be prepared.[815]

Recommendations[816]

1. Conduct a broad information campaign and ensure proper awareness among participants in judicial proceedings regarding the procedure for settlement of disputes with the participation of a judge.

2. Approve a methodology for conducting the procedure for settlement of disputes with the participation of a judge.

3. Continue to organise training for judges on the procedure for settlement of disputes with the participation of a judge at the NSJU.

4. Establish clear boundaries between permissible clarification by a judge of key aspects of a dispute and the provision of legal advice by a judge.

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812 ICAC Vice-President Participated in the XIII Western Ukrainian Legal Forum of the UBA. International Commercial Arbitration Court, 2026. ↗

813 The issues previously identified by civil society in the Shadow Report 2025 (pp. 120–121) remain relevant. ↗

814 On Amendments to Certain Laws of Ukraine on Improving the Procedure for the Establishment and Functioning of Arbitration Tribunals with the Aim of Restoring Trust in Arbitration Proceedings: Draft Law of Ukraine, registration No. 3411 of 29.04.2020. ↗

815 Publication by R. Babii, Head of the Subcommittee on Execution of Judgments of the European Court of Human Rights and Alternative Dispute Resolution of the Committee of the Verkhovna Rada of Ukraine on Legal Policy, on the social network Facebook, 2025. ↗

816 The recommendations previously provided by civil society in the Shadow Report 2025 (pp. 121-122, 275) remain relevant, with further clarifications. ↗

5. Consider introducing and legislatively establishing a mandatory procedure for settlement of disputes with the participation of a judge in family disputes in order to increase the efficiency of judicial proceedings.

6. In the event of introducing elements of mandatory mediation for certain categories of cases, provide mechanisms to ensure control, quality and accessibility of such services.

7. Conduct a national information campaign on mediation services, as well as on the pilot project 'Restorative Justice Programme Involving Juveniles Who Are Suspects or Accused of Committing a Criminal Offence'.

8. Conduct systematic training, for judges, on the specific features and advantages of mediation, as well as on informing citizens about access to this procedure and determining the mediability of disputes.

9. Amend Article 26 of the Law of Ukraine 'On the Regime of Foreign Investment' to allow the ICAC to resolve investment disputes.

10. Conduct a study on the activities of arbitration tribunals and based on its results, initiate a broad public discussion on the necessity of their functioning in Ukraine. Considering the findings, determine whether it is appropriate to adopt Draft Law No. 3411 and promote the use of arbitration tribunals for dispute resolution, or to abandon this form of ADR as one that is not inherent to the Ukrainian legal tradition.

State of Judicial Independence

Progress and issues

During 2025, the HCJ received **242 notifications** of interference in judges' professional activities in the administration of justice, as well as actions that violate guarantees of judicial independence or undermine the authority of justice as well as 5 requests from the HQCJ, 3 requests from HCJ members and 2 requests from the CJU.[817] Taking into account notifications submitted in previous periods, in 2025 the HCJ considered, inter alia, 237 notifications from judges (taking into account all requests received from the HQCJ, the CJU and HCJ members).[818]

Following the consideration of 111 notifications of interference, the HCJ adopted 91 decisions[819] on taking measures of response (requests for information on the detection, investigation and outcomes of court consideration of criminal proceedings, requests to the PGO to verify reports of interference for indications of a criminal offence, requests to verify an online-media entity, requests to verify information on journalists' compliance with professional ethical standards, requests concerning advocates' actions and so on).[820]

817 Annual Report for 2025 on the State of Judicial Independence in Ukraine. High Council of Justice, 2026. ↗

818 Ibid.

819 Ibid.

820 Ibid.

Having considered 125 notifications from judges, the HCJ adopted 50 decisions approving 114 conclusions of HCJ members on the absence of grounds for taking measures to ensure judicial independence and the authority of justice. One decision was also adopted to leave a notification without consideration and return it to the applicants.[821]

In addition, the HCJ adopted 8 decisions on taking measures to ensure judicial independence and the authority of justice on its own initiative, 2 decisions following submissions by the HQCJ and the Deputy Head of the HQCJ, 2 decisions following submissions by the CJU and a further 2 decisions concerned requests from an HCJ member.[822]

Between January and July 2026, the HCJ received **75 reports** of interference with judges' professional activities. The HCJ considered 80 such reports (including those received in previous periods) and adopted 26 decisions to take response measures and 16 decisions finding no grounds for such measures. Five reports were left without consideration. In addition, during this period, on its own initiative, the HCJ adopted 8 decisions to take measures to safeguard judicial independence and the authority of justice.[823]

During 2025, the HCJ received information on **59 investigations** initiated following judges' complaints of interference in their activities.[824] One pre-trial investigation in criminal proceedings was completed, and an indictment was submitted to the court.[825] In some cases, higher prosecution authorities responded to prolonged or ineffective investigations based on judges' complaints and required proper investigations or initiated internal investigations.[826] Judges' complaints that led to pre-trial investigations were related, inter alia, to the detection of technical devices that may constitute means of covert information gathering; receipt of threats (via telephone, social media, official court email or directly during court hearings); issuance of powers of attorney in the name of a judge for the use of a vehicle; and top-ups of judges' mobile phone accounts.[827] One pre-trial investigation concerned the detection of a judicial decision that had not in fact been issued by the judge.[828]

The grounds for the HCJ taking measures to safeguard judicial independence and the authority of justice included, inter alia, reports of bomb threats against court buildings, damage to case files, threats against judges both in person and on social media, attempts

821 Ibid.

822 Ibid.

823 The HCJ Considered 80 Reports of Interference with Judges' Professional Activities during January–May 2026. High Council of Justice, 2026. ↗; Register of Judges' Reports of Interference with Their Activities (information for the period from 01.01.2026 to 31.07.2026). High Council of Justice, 2026. ↗

824 Register of judges' notifications of interference in their activities (information for the period from 01.01.2025 to 31.12.2025). High Council of Justice. ↗

825 Decision of the High Council of Justice No. 1344/0/15-25 of 24.06.2025. ↗

826 Register of judges' notifications of interference in their activities (information for the period from 01.01.2025 to 31.12.2025). High Council of Justice. ↗

827 Ibid.

828 Letter of the Mykolaiv Regional Prosecutor's Office in response to the letter of the High Council of Justice of 24.07.2025 No. 15459/0/9-25. High Council of Justice. ↗

at communication outside procedural channels and statements by public officials that could undermine judicial independence.[829]

Decisions finding no grounds for the HCJ to take measures to safeguard judicial independence and the authority of justice were adopted in cases involving a motion for recusal of a judge, submission of a disciplinary complaint against a judge, applications by parties to court cases to law enforcement agencies or stated intentions to submit such applications concerning a judge's actions, communication outside procedural channels, dissemination of various information concerning judges on social media and the internet, disruption of order during court hearings and so on.[830]

In 2025, Court Security Service staff prevented more than 9,700 weapons and 67,000 knives from being brought into court premises. Seven grenades were prevented from being brought into certain courts.[831]

Between January and July 2026, the HCJ received information on **21 investigations** into possible interference with judges' activities.[832] One investigation concerns online articles about a judge, two concern the possible forgery of judicial decisions and another two investigate threats against judges.[833]

In March 2026, an attack was carried out against a judge of the Industrial District Court of the city of Dnipro, as a result of which the judge was hospitalised.[834] The CJU and the HCJ issued statements on the protection of judicial independence and the need to strengthen guarantees of judicial independence and judges' personal security.[835] These statements received some criticism from civil society.[836]

At the same time, the Temporary Investigative Commission of the Verkhovna Rada (TIC) continues to exercise its powers to verify information on possible corruption or corruption-related offences in the activities of, inter alia, courts of all instances, judicial governance bodies (primarily the HQCJ) and the public oversight body (PIC), as well as to prepare proposals for relevant legislative amendments. The establishment of the TIC was driven by the intention of Members of Parliament to investigate alleged abuses during the competition for positions of appellate court judges.[837] In this context, the TIC summoned certain members and the Head of the HQCJ to its meetings to provide explanations and requested documents from the HQCJ related to the evaluation procedure.

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829 Annual Report for 2025 on the State of Judicial Independence in Ukraine / High Council of Justice, 2026, 58 p. ↗

830 Ibid.

831 Ibid.

832 Register of Judges' Reports of Interference with Their Activities (information for the period from 01.01.2026 to 31.07.2026). High Council of Justice, 2026. ↗

833 Ibid.

834 A meeting of the Council of Judges of Ukraine was held in Kyiv. Council of Judges of Ukraine, 2026. ↗

835 The High Council of Justice adopted a public statement on safeguarding judicial independence in connection with the attack on a judge in the city of Dnipro. High Council of Justice, 2026. ↗

836 For more details, see the subsection 'Judicial Self-Governance: Congress of Judges of Ukraine, Council of Judges of Ukraine, meetings of judges'.

837 Within this selection procedure, the HQCJ submitted recommendations to the HCJ at the end of October 2025 for the appointment of 130 candidates to judicial positions.

The HQCJ considers such actions by MPs to be an attempt to interfere in its activities.[838] Following a submission by the HQCJ, the HCJ established that the TIC had effectively assumed the functions of law enforcement and judicial authorities, and that the activities of its members pose a threat to judicial independence.[839] At present, decisions of the HQCJ resulting from the conducted competition procedures regarding certain candidates for appellate courts are under judicial review and no final decisions have been adopted on the candidates' complaints. However, members of the TIC continued to exert pressure and issued summonses to four members of the HCJ to appear before the TIC in order to provide explanations regarding the HCJ decision adopted following the HQCJ's submission.[840] The HCJ established that such summonses of its members are incompatible with the constitutional principle of separation of powers, constitute interference in the activities of the HCJ and pose a threat to the independence and authority of justice.[841] In addition, the TIC extended its pressure to the civil society sector. Following the summoning of members of the HQCJ and the HCJ as witnesses, members of the PIC were also summoned for questioning.[842]

A separate problem is the absence of statutory guarantees of independence for HQCJ members who are not judges. Under Law No. 400-IX, judges' participation in meetings of temporary investigative commissions is voluntary, whereas HQCJ members who are not judges do not have such a guarantee and may be questioned about their activities as ordinary citizens.[843]

On 26 March 2026, the HCJ adopted a decision on taking measures to ensure the independence of HCJ member Roman Maselko in connection with actions of Bar self-governance bodies that may indicate interference in his activities in the exercise of his constitutional powers.[844] Roman Maselko informed the HCJ that, during the consideration of the issue of submitting a proposal to the President for the appointment of a candidate to the position of judge of the Commercial Court of Zaporizhzhia region, he had carried out a verification of the candidate, sent relevant requests and collected information from open sources and state registers.[845] As a result of this verification, the HCJ refused to submit a proposal for the appointment of this candidate to the judicial position.[846] Following this, the BCU alleged that the HCJ member had interfered in the practice of law.[847] At the same time, the Qualification and Disciplinary Commission of the Bar

838 Decision of the High Qualification Commission of Judges of Ukraine No. 192/zp-25 of 27.10.2025. ↗

839 Decision of the High Council of Justice No. 2583/0/15-25 of 02.12.2025. ↗

840 Decision of the High Council of Justice No. 2619/0/15-25 of 09.12.2025. ↗

841 Ibid.

842 Publication by DEJURE Foundation on the social network Facebook, 2025. ↗

843 On Temporary Investigative Commissions and Temporary Special Commissions of the Verkhovna Rada of Ukraine: Law of Ukraine No. 400-IX of 19.12.2019. ↗

844 The HCJ adopted a decision on taking measures to safeguard the independence of a member of the High Council of Justice, Roman Maselko, in connection with actions of bodies of bar self-governance. High Council of Justice, 2026. ↗

845 Ibid.

846 On the refusal to submit to the President of Ukraine a motion for the appointment of O. Vikhrov to the position of judge of the Commercial Court of Zaporizhzhia Region: Decision of the High Council of Justice No. 1178/0/15-25 of 03.06.2025. ↗

847 The BCU stated that a member of the HCJ interfered in practice of law and submitted official appeals. Ukrainian National Bar Association, 2025. ↗

of Zakarpattia region adopted a decision to bring advocate Roman Maselko[848] to disciplinary liability and imposed a disciplinary sanction in the form of a warning.[849]

For its part, the HCJ took a number of measures, in particular instructing the Head of the HCJ to inform the Council of Europe, the European Commission, the International Bar Association, the Council of Bars and Law Societies of Europe and the European Network of Councils for the Judiciary about the adopted decision and the situation concerning the safeguarding of the independence of HCJ members and also submitted a motion to the UNBA to identify and hold accountable those persons whose actions or omissions violate the guarantees of independence of HCJ members and undermine the authority of justice.[850]

In April 2025, criminal proceedings were initiated against HQCJ member Luhanskyi V. concerning the receipt, during his tenure as a judge, of salary supplements on the basis of an invalid diploma conferring an academic degree.[851] Within these proceedings, the National Anti-Corruption Bureau of Ukraine (NABU) and the Specialised Anti-Corruption Prosecutor's Office (SAPO) notified him of suspicion and the HACC imposed a preventive measure. At the same time, Luhanskyi V. remains a member of the HQCJ and continues to perform his official duties. No decision on his dismissal or suspension from the performance of his duties has been adopted.

On its own initiative, the HCJ adopted a decision to take measures to safeguard the administration of justice. The decision was prompted by the discovery in a local court of a scheme involving judicial decisions determining a child's place of residence with the father. The purpose of such judicial decisions was to remove obstacles to crossing the state border in the absence of lawful grounds or to obtain a deferment from conscription for military service during mobilisation.[852] At the same time, the HCJ decided to take comprehensive measures to uphold the authority of justice in relation to the situation arising from the increase in the number of cases in which courts issue decisions that provide grounds for deferment from conscription for military service during mobilisation.[853]

During the reporting period, HCJ did not systematise its practice regarding issues related to taking response measures to judges' notifications of interference in their activities. The absence of such systematisation and of an explanatory campaign leads to misinterpretation by judges of certain situations, primarily related to their reaction to publications on the Internet and Telegram channels, as well as to submissions of disciplinary complaints against them.[854] At the same time, the HCJ annual report contains

848 According to information from the Unified Register of Advocates of Ukraine, R. Maselko suspended his right to practise law on 18 August 2022.

849 Publication by Roman Maselko on the social network Facebook, 2026. ↗

850 The HCJ adopted a decision to take measures to safeguard the independence of its member, Roman Maselko, in connection with actions taken by bodies of bar self-governance. High Council of Justice, 2026. ↗

851 The court has extended the investigation in a case concerning an HQCJ member suspected of receiving payments on the basis of a Doctor of Philosophy in Law qualification. Watchers, 2025. ↗

852 Decision of the High Council of Justice No. 1814/0/15-25 of 28.08.2025 ↗

853 Annual Report for 2025 on the State of Judicial Independence in Ukraine / High Council of Justice, 2026, 58 p. ↗

854 Letter of the Prosecutor General's Office No. 031/2/2-95563VYH-25 of 10.10.2025. ↗; Opinion of a member of the High Council of Justice, R. Maselko, of 05.12.2025 finding no grounds to take measures to safeguard judicial independence and the authority of justice. ↗

general information on some such cases and does not fully disclose the specific features of HCJ practice.[855]

Draft Law No. 15374[856] provides for changes to the mechanism for judges to report interference with their administration of justice: where the circumstances indicate that a crime has been committed against a judge, the judge must report interference with the administration of justice to the relevant law enforcement agency, while where the interference is committed by another judge and has indications of a disciplinary offence, the report must be submitted to the HCJ. At the same time, this legislative initiative does not in any way address the need to strengthen mechanisms for protecting judges against unlawful interference with their professional activities. On the contrary, shifting from the HCJ to the judge the function of deciding whether particular circumstances constitute interference with judicial activities would only worsen the situation. In addition, the proposed amendments would remove the HCJ from monitoring the progress of proceedings based on judges' complaints submitted to law enforcement agencies, which would not have a positive impact on ensuring constitutional guarantees for judges.

During the reporting period, Parliament adopted Law No. 4905-IX[857] (Draft Law No. 13165-2), which, among other things, regulates the amount of judicial remuneration.[858] Accordingly, the Law of Ukraine 'On the Judiciary and the Status of Judges' establishes a single monetary value for determining the basic official salary of a judge: the subsistence minimum for able-bodied persons[859] in the amount established by the State Budget Law for the relevant year. As of 1 January 2026, the subsistence minimum for able-bodied persons was UAH 3,328. Regional coefficients are applied to the basic salary, and additional allowances and supplements are also granted.[860]

Law No. 4905-IX entered into force on 25 June 2026, but the financial resources currently allocated to the judiciary under the State Budget are insufficient to cover all expenditures related to judicial remuneration and remuneration of members of judicial governance bodies.[861] An additional UAH 2,561,925.6 thousand is required to implement the provisions of the Law in 2026.[862] The HCJ appealed to the President and the Government to enable the SJA and the SC to increase appropriations under two special State Budget funds for the relevant budget programmes.[863] The HCJ also proposed increa-

855 Annual Report for 2025 on the State of Judicial Independence in Ukraine / High Council of Justice, 2026, 58 p. ↗

856 On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' and Certain Legislative Acts of Ukraine Regarding Improvement of Disciplinary Procedures and the Exercise of Other Powers by the High Council of Justice: Draft Law of Ukraine, registration No. 15374 of 02.07.2026. ↗

857 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report within the European Union Enlargement Package in 2024 / Agency for Legislative Initiatives [et al.]. Kyiv, 2025, pp. 51–52. ↗

858 On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' and the Law of Ukraine 'On the High Council of Justice' Regarding Improvement of Judicial Integrity Declarations and Declarations of Family Ties: Law of Ukraine No. 4905-IX of 09.06.2026. ↗

859 A monetary value, the determination of which is governed by the Law of Ukraine 'On the Subsistence Minimum'.

860 On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016, Article 135. ↗

861 Information provided by Respondent 21 during an interview conducted on 03.08.2026.

862 The HCJ Appealed to the President of Ukraine and the Cabinet of Ministers of Ukraine on the Need to Comply with the Constitution of Ukraine and the Law of Ukraine 'On the Judiciary and the Status of Judges' Regarding Adequate Funding of Courts. ↗

863 Ibid.

sing appropriations using above-plan revenues to these two special funds from court fees. For budget administrators that do not have a special fund, the HCJ proposed addressing the funding shortfall by amending the 2026 State Budget to allocate additional budget funds.

The Ministry of Finance of Ukraine stated that it plans to consider the relevant possibilities only when preparing the draft State Budget for 2027.[864] This position is based on the fact that the legislative amendments were adopted by Parliament in the middle of the financial year, which required simultaneous amendments to the State Budget Law for the current year. However, no such amendments were developed or adopted.

At the same time, prompt implementation of the solutions proposed by the HCJ appears to be a quick and effective way to address the funding shortfall arising from the entry into force of Law No. 4905-IX and to ensure compliance with one of the constitutional guarantees of judicial independence.

The CJU responded to the passive position of the Ministry of Finance of Ukraine by appealing to the President and the Cabinet of Ministers of Ukraine.[865] Like the HCJ, the CJU proposed addressing the funding shortfall arising after Law No. 4905-IX entered into force using above-plan court-fee revenues, taking into account balances accumulated as of 1 January 2025. The CJU emphasised the effectiveness of this funding arrangement, which had previously been used to pay judicial remuneration to newly appointed judges. At the same time, this option is regarded as an emergency response mechanism. Instead, the CJU proposes a general transition to a different model for covering judicial remuneration expenditure: planning such expenditure on the basis of the authorised number of judges rather than their actual number (as is the case with HACC funding). According to the SJA,[866] covering these expenditures in 2026 from funds available in the special funds will not reduce expenditure from those funds on other planned needs, namely payments of additional coefficients to the official salaries of staff of local general court secretariats and payments related to the introduction of a differentiated mechanism for increasing the official salaries of staff of those courts, taking into account the actual judicial workload.

Separately, consideration should be given to implementing the provisions of Law No. 4905-IX concerning remuneration of those HCJ and HQCJ members who are seconded judges by directing funds from the two relevant special funds to remunerate such HCJ and HQCJ members. Introducing this method of remuneration for a certain number of HCJ and HQCJ members would reduce the amount of additional State Budget funding required for the current year and accelerate the adoption of the relevant budget amendments. Prompt resolution of the funding shortfall would prevent a significant accumulation of future court cases concerning compensation for judicial remuneration not received.

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864 The Ministry of Finance of Ukraine Provided Clarification on the Implementation of Article 135 of the Law of Ukraine 'On the Judiciary and the Status of Judges'. State Judicial Administration of Ukraine, 2026. ↗

865 The Council of Judges of Ukraine Adopted an Appeal to the President of Ukraine and the Cabinet of Ministers of Ukraine. Council of Judges of Ukraine, 2026. ↗

866 Information provided by Respondent 21 during an interview conducted on 03.08.2026.

Current legislation[867] continues to establish a significant disparity in remuneration between judges of first instance and appellate courts. However, differences in court instance should not justify an excessive gap in judicial remuneration. Moreover, courts of first instance remain the most understaffed in Ukraine and therefore establishing an unfair and uncompetitive level of remuneration for judges at this level may have a demotivating effect both on sitting judges and on potential candidates for vacant positions.

During the reporting period, the SC sought to address the issue of determining the level of judicial remuneration. In September 2025, the SC Plenum submitted a constitutional petition to the CCU, noting that the Law 'On the State Budget of Ukraine' for 2025 establishes a reduced subsistence minimum (UAH 2,102) used for calculating judicial remuneration.[868] Proceedings before the CCU in this matter are currently ongoing.[869] At the same time, in January 2026, the SC submitted a comprehensive constitutional petition concerning the use of the subsistence minimum of UAH 2,102 for calculating judicial remuneration in 2022–2025.[870]

The prolonged problem of determining the amount of judicial remuneration has resulted in inconsistent case law on this issue. Previously, the GC SC established that the subsistence minimum for able-bodied persons in the amount of UAH 2,102, used for calculating judicial remuneration, does not constitute a violation of guarantees of judicial independence.[871] This legal position was subsequently applied by courts of first instance, which rejected judges' claims seeking the application of an alternative calculation basis — namely, the subsistence minimum for able-bodied persons as defined in the laws on the State Budget of Ukraine for the respective year as of 1 January of the current year.[872]

At the same time, during the reporting period, the ACC SC adopted a decision stating that, for the purpose of determining the basic judicial salary used in calculating the monthly lifetime remuneration of a retired judge, the latest calculation value should be applied.[873] Such a position primarily created a conflict of legal conclusions within the SC

867 The basic official salary of a local court judge amounts to 30 subsistence minimums, that of an appellate court judge to 50 subsistence minimums and that of a Supreme Court judge to 75 subsistence minimums. On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016, p. 135. ↗

868 Constitutional petition regarding the compliance with the Constitution of Ukraine (constitutionality) of paragraph five of part one of Article 7 of the Law of Ukraine No. 4059-IX of 19 November 2024 'On the State Budget of Ukraine for 2025', which establishes the subsistence minimum in the amount of UAH 2,102 for determining the basic judicial salary. ↗

869 The Court is considering a case concerning the constitutionality of provisions of the Law of Ukraine 'On the State Budget of Ukraine for 2025'. Constitutional Court of Ukraine, 2025. ↗

870 Constitutional petition regarding the compliance with the Constitution of Ukraine (constitutionality) of paragraph five of part one of Article 7 of the Law of Ukraine No. 1928-IX of 02 December 2021 'On the State Budget of Ukraine for 2022', paragraph five of part one of Article 7 of the Law of Ukraine No. 2710-IX of 03 November 2022 'On the State Budget of Ukraine for 2023', paragraph five of part one of Article 7 of the Law of Ukraine No. 3460-IX of 09 November 2023 'On the State Budget of Ukraine for 2024' and paragraph five of part one of Article 7 of the Law of Ukraine No. 4059-IX of 19 November 2024 'On the State Budget of Ukraine for 2025', which establish, as of 1 January of the respective calendar year, the subsistence minimum for able-bodied persons applied for determining the basic judicial salary in the amount of UAH 2,102. ↗

871 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report within the European Union Enlargement Package in 2024 / Agency for Legislative Initiatives [et al.]. Kyiv, 2025, p. 126. ↗

872 Decision of the Kyiv District Administrative Court of 05.08.2025 in case No. 320/21182/25. ↗

873 Judgment of the Supreme Court, sitting as the chamber for the consideration of cases on the protection of social rights of the Administrative Cassation Court, of 17.02.2026 in case No. 200/2309/25. ↗

and therefore should be resolved by a decision at the level of the GC SC. It also meant that, before Law No. 4905-IX entered into force, sitting judges were placed in an unfair position compared with retired judges. The application of different approaches to calculating judicial remuneration for these two categories of judges undermined legal certainty.

The issue of compensation for judicial remuneration not received during the period of restrictions related to the introduction of quarantine measures to prevent the spread of the acute respiratory disease COVID-19 caused by the SARS-CoV-2 coronavirus in Ukraine remains unresolved.[874]

Recommendations[875]

1. The HCJ should define the concept and categories of 'interference with the administration of justice'. The practice of the HCJ in reviewing notifications of interference with the administration of justice should be regularly analysed, systematised and published in order to prevent misinterpretation by judges of the subject matter of such notifications. Appropriate training should be provided to judges. Without defining the key concepts and categories and in the absence of relevant guidance and training from the HCJ, the amendments proposed in Draft Law No. 15374 cannot be implemented.

2. The mechanisms for responding to interference in judicial activity should be improved through the development of a respective draft law. Members of the HQCJ (and the HCJ) who are not judges should be afforded the same guarantees of independence as members drawn from among judges. To this end, the relevant amendments should be introduced to the laws of Ukraine 'On the Judiciary and the Status of Judges' and 'On the High Council of Justice'. An effective practice of responding to the disregard of HCJ submissions or delays by competent authorities in taking measures based on such submissions should be established. In view of this, Draft Law No. 15374 should be revised, primarily as regards imposing on a judge the obligation — which is excessive — to determine whether interference with the judge's administration of justice has occurred.

3. The HCJ should take measures to enhance its information policy. In particular, the HCJ's budget for the relevant year should provide for funding of activities related to informing the public and civil society about judicial decisions, judicial reform processes and the HCJ's activities aimed at upholding the authority of justice.

4. The Parliament should consider the issue of dissolving the TIC and initiate the introduction of relevant amendments to the legislation to regulate the cases, scope and procedure for MPs to request explanations, clarifications or comments from judicial governance bodies regarding ongoing judicial selection procedures. Oversight of HQCJ decisions in the course of the Commission's activities should remain

874 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report within the European Union Enlargement Package in 2024 / Agency for Legislative Initiatives [et al.]. Kyiv, 2025, p. 126. ↗

875 During the reporting period, the recommendations set out in the Shadow Report 2025 (p. 128) remained unimplemented and continue to be relevant. In addition, the list has been supplemented with new recommendations addressing issues identified during the reporting period.

exclusively within the jurisdiction of the courts. The issue of interference by MPs in the functioning of the judiciary through the establishment and operation of a parliamentary temporary investigative commission should become the subject of a broad professional discussion.

5. The HQCJ should consider the continued membership of Mr Luhanskyi in the Commission and adopt an appropriate decision.

6. The Cabinet of Ministers of Ukraine should identify ways to implement the provisions of Law No. 4905-IX concerning the amount of judicial remuneration from the date the Law entered into force. In this context, consideration should be given to the solutions proposed by the HCJ and the CJU to address the funding shortfall, taking into account information from budget administrators on whether the special funds are sufficient to cover judicial remuneration and other planned needs through the end of 2026. The issue of remunerating HCJ and HQCJ members who are judges from special-fund resources should also be regulated.

7. To avoid delays in financing individual needs of the judiciary in the future, relevant legislative amendments should be introduced to empower budget administrators to independently reallocate resources within the special fund, including to meet unplanned needs arising during the current budget year.

8. Establish new balanced coefficients for calculating judicial remuneration and define them by law as follows: the basic official salary of a local court judge should amount to 50 subsistence minimums, that of an appellate court judge to 60 and that of an SC judge to 75.

9. The necessary expenditures related to the payment of judicial remuneration not received by judges should be provided for in the State Budget of Ukraine. The State should abandon the practice of limiting judicial remuneration, as the accumulation of unpaid amounts will lead to an excessive financial burden in the future due to the obligation to pay such amounts pursuant to court decisions or in accordance with the law.

Financing of the Judiciary

Progress and issues

During the reporting period, no substantial progress was made in ensuring adequate financing of the judiciary overall, although, owing to the efforts of all political and judicial actors,[876] it was possible to improve the level of financial support for staff of local and appellate courts.[877] Prior to this, their salary levels had been critically low.[878]

The Law of Ukraine 'On the State Budget of Ukraine for 2026'[879] demonstrates a slight increase in funding for certain judicial authorities compared to the 2025 figures. At that

876 Plenary session of the Supreme Court of 13.02.2026. YouTube channel of the Supreme Court, 2026. ↗

877 Information provided by Respondent 21 during an interview conducted on 16.03.2026.

878 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's progress under the European Union Enlargement Package 2024, 2025, pp. 129–133. ↗

879 On the State Budget of Ukraine for 2026: Law of Ukraine No. 4695-IX of 03.12.2025. ↗

time, the financial support of most institutions remained almost unchanged, while some of them even received less funding than in 2024.[880]

Despite some increase in funding, certain judicial authorities continue to report underfunding and point to the potential occurrence of adverse consequences if the situation is not remedied.[881]

Funding under the SJA budget[882] for the operation of local and appellate courts, as well as certain bodies and institutions of the justice system, in 2026 amounts to UAH 18.505 billion under the general fund of the State Budget and UAH 4.2 billion under the special fund of the State Budget.[883] Thus, the total planned funding amounts to UAH 22.7 billion, which only marginally exceeds the 2025 figures (+UAH 0.61 billion or 2.76% overall). At the same time, the needs of the SJA are estimated at UAH 38.21 billion,[884] resulting in a deficit of UAH 15.51 billion (40.59%). Such a gap between needs and expenditures may negatively affect the provision of access to justice for citizens.

Funding of the **SC** (an independent budget holder) in 2026 under the general fund of the State Budget remains at the 2025 level and amounts to UAH 1.948 billion,[885] compared to a need of UAH 2.393 billion.[886] At the same time, expenditures of UAH 665 million are envisaged under the special fund of the State Budget, bringing the total funding to UAH 2.613 billion. Thus, the current level of funding is sufficient, although 25% of it is ensured through revenues from court fees.

Funding of the **HCJ** (an independent budget holder) in 2026 amounts to UAH 434.448 million[887] (+UAH 62.601 million or 16.83% compared to 2025), while its needs are estimated at UAH 494.518 million,[888] resulting in a deficit of UAH 60 million (12.13%).

Funding of the **HQCJ** (covered from the SJA budget) in 2026 amounts to UAH 262.511 million under the general fund of the State Budget,[889] and UAH 277.666 million in total including the special fund (+10% compared to 2025). At the same time, the needs of

880 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's progress under the European Union Enlargement Package 2024, 2025. Pp. 129–133). ↗

881 The HCJ appealed to the CMU and the MoF regarding adequate funding and conditions for the functioning of courts, bodies and institutions of the justice system in 2026. High Council of Justice, 2025. ↗; Letter of the Constitutional Court of Ukraine to the Head of the Committee of the Verkhovna Rada of Ukraine on Legal Policy of 24.09.2025 No. 001-019-02/3124. ↗; Letter of the HQCJ to the Committee of the Verkhovna Rada of Ukraine on Legal Policy of 24.09.2025 No. 19-8306/25. ↗

882 On the State Budget of Ukraine for 2026: Law of Ukraine No. 4695-IX of 03.12.2025. ↗

883 Report on the Activities of the State Judicial Administration of Ukraine for 2025 / State Judicial Administration of Ukraine, 2026. ↗

884 Ibid.

885 On the State Budget of Ukraine for 2026: Law of Ukraine No. 4695-IX of 03.12.2025. ↗

886 The HCJ appealed to the CMU and the Ministry of Finance regarding adequate funding and conditions for the functioning of courts, bodies and institutions of the justice system in 2026. High Council of Justice, 2025. ↗

887 On the State Budget of Ukraine for 2026: Law of Ukraine No. 4695-IX of 03.12.2025. ↗

888 The HCJ appealed to the CMU and the MoF regarding adequate funding and conditions for the functioning of courts, bodies and institutions of the justice system in 2026. High Council of Justice, 2025. ↗

889 On the State Budget of Ukraine for 2026: Law of Ukraine No. 4695-IX of 03.12.2025. ↗

the HQCJ are estimated at UAH 299.64 million,[890] resulting in a deficit of UAH 37.129 million (12.39%).

Despite the positive dynamics, both judicial governance bodies remain underfunded, which may affect the effectiveness of procedures for the selection and evaluation of judges, as well as for holding judges disciplinarily liable.

Funding of the **NSJU** (covered from the SJA budget) in 2026 increased to UAH 92.748 million under the general fund of the State Budget,[891] and to UAH 98.29 million in total including the special fund (+19.01% compared to the 2025 budget, respectively).

Funding of the **Court Security Service** (financed from the SJA budget) in 2026 increased to UAH 1.326 billion[892] (approximately +0.7% compared to the previous year's budget).

Funding of the **HACC** (an independent budget holder) in 2026 increased to UAH 510.551 million (+UAH 53.135 million or 11.61% compared to the 2025 budget), which generally covers the current needs of the HACC (until the HACC is provided with the necessary premises).

For the functioning of the **SDAC** and the **SACA** (independent budget holders), the State Budget for 2026 provides UAH 34.3 million[893] and UAH 19.99 million[894] respectively. If judges of these courts are appointed in the fourth quarter of 2026, such funding may be insufficient to ensure the start of operations of both courts.

In 2026, expenditures for the HCIP (an independent budget holder) were reduced from UAH 4.34 million to UAH 2.25 million,[895] which constitutes further evidence of the lack of state interest in the functioning of this court.

Attention should be paid to the funding of the **CCU** (an independent budget holder), which in 2026 amounts to UAH 344.6 million[896] (+UAH 11.833 million or 3.55% compared to the 2025 budget), while its needs are estimated at UAH 515.697 million,[897] resulting in a deficit of UAH 171.097 million (33.17%). This indicates significant underfunding of the CCU, which may negatively affect its institutional capacity.

At the same time, particular attention should be given to the issue of adequate remuneration of judges and staff of the first instance and appellate courts.

The average salary of a judge of a local general court in 2025–2026 is approximately UAH 107,000.[898] Judges in local commercial courts and district administrative courts

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890 Letter of the High Qualification Commission of Judges of Ukraine to the Committee of the Verkhovna Rada of Ukraine on Legal Policy of 24.09.2025 No. 19-8306/25. ↗

891 On the State Budget of Ukraine for 2026: Law of Ukraine No. 4695-IX of 03.12.2025. ↗

892 Ibid.

893 Ibid.

894 Ibid.

895 Ibid.

896 Ibid.

897 Letter of the Constitutional Court of Ukraine to the Head of the Committee of the Verkhovna Rada of Ukraine on Legal Policy of 24.09.2025 No. 001-019-02/3124. ↗

898 Materials provided by Respondent No. 21 during an interview conducted on 16.03.2026.

receive slightly higher remuneration on average — approximately UAH 125,000[899] and UAH 121,000[900] respectively.

Judges of appellate courts receive significantly higher remuneration compared to those at the first instance level. The average monthly remuneration of an appellate court judge amounts to UAH 230,000–232,000.[901]

The statutory provisions establishing increased judicial remuneration entered into force on 25 June 2026. However, although Parliament eliminated the inconsistency concerning the value used as the basis for calculating a judge's official salary,[902] the practical implementation of these legislative provisions remains impossible. In 2026, the additional funding requirement is UAH 2,561,925.6 thousand,[903] while the Ministry of Finance of Ukraine has not initiated the relevant amendments to the State Budget for the current year and plans to provide the necessary judicial remuneration expenditure only in the 2027 State Budget.[904] The Ministry of Finance of Ukraine has also not yet responded to the proposals of the HCJ and the CJU to cover part of these needs from the SJA special fund. According to the SJA, the revenue plan for court-fee receipts (a source of the State Budget special fund) has been fulfilled at 159%.[905]

On 1 September 2025, the Government approved resolutions initiated and developed by the SJA concerning an increase in the official salaries of civil servants working in court apparatuses.[906] These resolutions provide for the introduction of an additional coefficient to the official salaries of civil servants in the apparatuses (secretariats) of courts, other bodies and institutions of the justice system, as well as amendments to the remuneration conditions of patronage service staff in state bodies.[907]

Public SJA reports demonstrate a gradual increase in the salaries of court apparatus staff.[908] While in 2024 the average salary of a court apparatus employee amounted to UAH 26,230, in 2025 such employees received approximately UAH 30,320.[909] Following the application of the envisaged coefficients, by the end of 2025 salaries of staff of commercial and administrative court apparatuses reached the level of the average salary

899 Ibid.

900 Ibid.

901 Ibid.

902 The relevant legislative amendments establishing the value used as the basis for calculating a judge's official salary at UAH 3,328 (instead of UAH 2,102) entered into force on 25 June 2026.

903 The HCJ Appealed to the President of Ukraine and the Cabinet of Ministers of Ukraine on the Need to Comply with the Constitution of Ukraine and the Law of Ukraine 'On the Judiciary and the Status of Judges' Regarding Adequate Funding of Courts. High Council of Justice, 2026. ↗

904 The Ministry of Finance of Ukraine Provided Clarification on the Implementation of Article 135 of the Law of Ukraine 'On the Judiciary and the Status of Judges'. State Judicial Administration of Ukraine, 2026. ↗

905 Report on the Activities of the State Judicial Administration of Ukraine for 2025 / State Judicial Administration of Ukraine, 2026. ↗

906 The CMU adopted resolutions developed by the SJA of Ukraine regarding an increase in salaries of staff of court apparatuses. High Council of Justice, 2025. ↗

907 Ibid.

908 CJU Press Service. 20th regular Congress of Judges of Ukraine, 11.03.2026 (day two). YouTube, 2026. ↗

909 Ibid.

in Ukraine.[910] This trend is expected to continue in the current year, with the average monthly remuneration projected to increase to UAH 36,000.[911]

During the reporting period, the Government also supported[912] the SJA's proposal to introduce a differentiated mechanism for increasing the official salaries of civil servants in local general court secretariats depending on the actual workload of the court. This approach is to apply when the workload exceeds 50%. Accordingly, the Cabinet of Ministers of Ukraine established salary-increase coefficients (1.2, 1.3 and 1.4) where the workload exceeds 50%, 100% and 200%, respectively. Lists of courts and positions with such workloads will be approved quarterly. The payments are planned to be financed from the State Budget special fund allocated to the SJA from court-fee receipts and forfeited bail.

However, despite important legislative amendments demonstrating significant progress in securing funding for the judiciary, the failure of the competent authorities to take measures to implement those amendments in practice is inconsistent with international standards and Ukraine's commitments under judicial reform on its path towards EU integration and adversely affects citizens' access to justice. The two main levels — local and appellate courts — remain particularly vulnerable to underfunding.

Recommendations

1. Take measures to increase funding for the judiciary to a level that ensures its proper functioning. Amend the State Budget for the current year to enable implementation of the legislative amendments adopted in June 2026 to increase judicial remuneration.

2. Take into account the views of representatives of the judiciary regarding the financial needs of the relevant judicial institutions, particularly where failure to do so may lead to critical consequences.

3. Review the internal allocation of funding within the judiciary to provide additional resources to those institutions experiencing the greatest deficit (local and appellate courts).

4. Provide for additional funding of the judicial system to ensure its functioning in the event of prolonged disruptions to electricity, heating, water supply, etc.

5. Engage international support to ensure stable funding of the judiciary in light of the ongoing war and Ukraine's commitments within the EU integration process.

Digitalisation of Justice

Progress and issues

During the reporting period, *moderate progress* was observed in the development of certain digital court services and in attracting ITA for the implementation of justice digi-

910 Ibid.

911 Information and necessary materials provided by Respondent No. 21 during an interview conducted on 16.03.2026.

912 On Establishing the Coefficients for Increasing the Official Salaries of Civil Servants of Local General Court Secretariats: Resolution of the Cabinet of Ministers of Ukraine No. 911 of 01.07.2026. ↗

talisation projects. At the same time, most recommendations of the Shadow Report 2025[913] have been implemented only partially or not implemented at all.

The UJICS until 2030, approved by an order of the SJA in 2025[914] (the 'Concept'), remains the foundation of the digital transformation of the judicial system. It introduces the principles of modularity and interoperability, which are critical for integrating the judicial system with other state registers. It is on the basis of the Concept that the gradual full-scale rollout of the UJICS commenced during the reporting period.[915] According to the Deputy Head of the SJA, Leonid Sapelnikov,[916] this is expected to enable Ukraine to reach a rule of law index of 0.78 and to establish one of the fastest procedures in Europe for the adjudication of minor cases (within 48 hours).

An important area of justice digitalisation that is gaining increasing prominence at the international level[917] is the use of artificial intelligence (AI). International organisations emphasise the need for cautious and ethical deployment of AI in the field of justice.[918] In December 2025, recommendations on the use of AI in courts were published, including the Guidelines for the Use of Artificial Intelligence in Courts and Tribunals,[919] developed with the participation of UNESCO. This document provides for adherence to the principles of transparency, accountability, non-discrimination, personal data protection and the preservation of the decisive role of humans in judicial decision-making ('human-in-the-loop').

The Ministry of Digital Transformation of Ukraine (MDT) developed the Roadmap for AI Regulation in Ukraine in 2023,[920] which provides for a two-stage introduction of legal regulation and sets out the basic principles for the responsible use of AI. At the same time, there is no specific regulatory framework governing the use of AI in judicial proceedings, and its application remains limited to general approaches based on the principles of transparency, accountability and human oversight.[921]

In 2025, the SC presented approaches to the responsible use of AI in the administration of justice,[922] which envisage the application of principles such as mandatory human oversight of AI-generated outputs, verification of the reliability and accuracy of generated information and the use of AI exclusively as an auxiliary tool in judicial activities.

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913 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the European Union Enlargement Package for 2024, 2025, pp. 140–141. ↗

914 Concept of the Unified Judicial Information and Communication System (UJICS): Order of the State Judicial Administration of Ukraine No. 178 of 30.04.2025. ↗

915 Presentation by Leonid Sapelnikov, Deputy Head of the State Judicial Administration of Ukraine, at the XIV Judicial Forum, 2025. ↗

916 Ibid.

917 OECD. Governing with Artificial Intelligence: The State of Play and Way Forward in Core Government Functions. Paris: OECD Publishing, 2025. ↗

918 UNESCO. Guidelines for the Use of AI Systems in Courts and Tribunals. 2025. ↗

919 Ibid.

920 Roadmap for the Regulation of Artificial Intelligence in Ukraine. Ministry of Digital Transformation of Ukraine. ↗

921 White Paper on the Regulation of Artificial Intelligence in Ukraine. Ministry of Digital Transformation of Ukraine, 2024. ↗

922 Principles for the Responsible Use of AI according to the MDT recommendations: from the personal practice of a judge to oversight of participants in proceedings (presentation materials by Supreme Court judge Y. Vernaziuk). Supreme Court. 2025. ↗

Particular emphasis is placed on the risks associated with the use of AI, including the possibility of errors or inaccurate conclusions, which requires judges to critically assess its outputs. In addition, the Regulation on the Use of Artificial Intelligence Technologies by the Office of the SC was approved,[923] establishing general principles and rules for the use of AI technologies by the Office of the SC in order to ensure compliance with the principles of the civil service, in particular professionalism, efficiency and integrity.

At the First Annual Conference on Court Administration (CourtUP), AI was identified as one of the key trends and solutions for optimising court operations, albeit with significant reservations regarding security.[924] The Deputy Head of the SJA, Leonid Sapelnikov,[925] announced a joint project with the MDT — the development of an AI assistant to support the preparation of draft court decisions in standard cases concerning administrative offences (under Articles 124 and 130 of the Code of Ukraine on Administrative Offences (CUAO)).

For this reason, during the reporting period, training for representatives of justice-sector and prosecution bodies on the use of AI technologies also intensified. In particular, in April 2026, as part of the training of SC judges at the NSJU, a training module was conducted,[926] covering the opportunities and risks of using AI in judicial activities, verification of the reliability of outputs, ethical aspects of using generative AI and the need to preserve the judge's decisive role in decision-making. In addition, in June 2026, the Council of Europe HELP distance-learning course 'Artificial Intelligence and Human Rights' was completed,[927] with prosecutors, judges and other representatives of the justice system among its participants. The course was aimed at developing practical skills in applying European standards governing the use of AI systems, taking into account human rights protection and rule-of-law requirements. These activities demonstrate a gradual transition from discussing principles for the use of AI to systematic training of professionals for its responsible use in the work of justice-sector bodies.

A positive development in the regulatory framework for the digitalisation of justice was HCJ Decision No. 26/0/15-26[928] of 13 January 2026, which introduced amendments to the Regulation on the Functioning of Certain Subsystems of the Unified Judicial Information and Telecommunication System (UJITS).[929] These amendments enabled the regulation of access to the Electronic Cabinet for entities that lack standard identification data or are not registered as legal persons, including certain state authorities,

923 Regulation on the Use of Artificial Intelligence Technologies in the Office of the Supreme Court: Order of the Supreme Court No. 117 of 08.12.2025. ↗

924 CourtUP. First Annual Conference on Court Administration (video recording). 2025. ↗

925 Presentation by Leonid Sapelnikov, Deputy Head of the State Judicial Administration of Ukraine, at the XIV Judicial Forum. ↗

926 Supreme Court. Current Issues concerning the Use of Artificial Intelligence in Courts Discussed at the NSJU. Judiciary of Ukraine, 2026. ↗

927 Council of Europe HELP Distance-Learning Course 'Artificial Intelligence and Human Rights' Completed. Prosecutors' Training Centre of Ukraine, 2026. ↗

928 On Approval of Amendments to the Regulation on the Procedure for the Functioning of Certain Subsystems (Modules) of the UJITS: Decision of the High Council of Justice No. 26/0/15-26 of 13.01.2026. ↗

929 On Approval of the Regulation on the Procedure for the Functioning of Certain Subsystems of the Unified Judicial Information and Telecommunication System: Decision of the High Council of Justice No. 1845/0/15-21 of 17.08.2021. ↗

public associations without legal entity status, competition and ethics councils and foreign entities. This decision is a targeted yet practically significant improvement, as it removes one of the barriers to digital access to justice.

At the beginning of April 2026, the Verkhovna Rada adopted Law No. 4833-IX[930] on improving the procedure for enforcing court decisions and decisions of other bodies and digitalising individual stages of enforcement proceedings. The Law provides for expanded functionality of the Automated Enforcement Proceedings System (AEPS) and its interaction with state bodies, banks and other financial institutions, automation of certain actions following fulfilment of obligations by a debtor, introduction of a mechanism for reinstating returned enforcement proceedings without opening new proceedings and clarification of procedures for recovery of funds and sale of property. Its adoption creates a legal framework for shortening timeframes, reducing administrative burdens and increasing the transparency of enforcement proceedings. At the same time, achieving a practical effect will depend on the timely technical upgrading of the relevant information systems, ensuring their interoperability and proper implementation of the automated procedures provided for by the Law.

Separately, during the reporting period, the regulatory framework for automated court document management was improved. On 22 May 2026, by Decision No. 11, the CJU[931] approved draft amendments to the General Classifier of Judicial Specialisations and Case Categories aimed at updating the classification in line with legislative amendments and the needs of the automated court document management system. On the same day by Decision No. 12[932] the CJU amended the Regulation on the Automated Court Document Management System, regulating the procedure for official publication on the Judiciary of Ukraine web portal of rulings, announcements and notices in certain categories of commercial cases.

In June–July 2026, two draft laws concerning remote participation in court hearings were registered in Parliament. Draft Law No. 15355[933] proposes to regulate the examination of evidence by videoconference, including cases where written, physical or electronic evidence is submitted or examined remotely by participants in proceedings. Draft Law No. 15446[934] is aimed at clarifying the general procedure for holding court hearings by videoconference, including rules for participation by parties from outside court premises. As of 31 July 2026, both draft laws are being considered by the Verkhovna Rada Committee on Legal Policy.

930 On Amendments to Certain Legislative Acts of Ukraine on Improving the Procedure for Enforcing Court Decisions and Decisions of Other Bodies and Digitalising Individual Stages of Enforcement Proceedings: Law of Ukraine No. 4833-IX of 07.04.2026. ↗

931 On Amendments to the Regulation on the Automated Court Document Management System: Decision of the Council of Judges of Ukraine No. 11 of 22.05.2026. ↗

932 On Amendments to the Regulation on the Automated Court Document Management System: Decision of the Council of Judges of Ukraine No. 12 of 22.05.2026. ↗

933 On Amendments to Certain Legislative Acts of Ukraine on the Examination of Evidence during a Court Hearing by Videoconference: Draft Law of Ukraine, registration No. 15355 of 26.06.2026. ↗

934 On Amendments to Certain Legislative Acts of Ukraine on Holding Court Hearings by Videoconference: Draft Law of Ukraine, registration No. 15446 of 27.07.2026. ↗

Draft Law No. 15447 is also under consideration by Parliament,[935] which proposes to align the wording of Part 1 Article 376[1] of the CC of Ukraine with the current name of the UJICS and extend criminal-law protection to its individual subsystems (modules).

At the same time, during the reporting period, the problem of extending the 'Electronic Court' subsystem to proceedings concerning administrative offences remained unresolved, as the CUAO[936] does not provide for the use of tools of the 'Electronic Court' subsystem.[937]

An important element of international support for the digitalisation of justice remains Ukraine's cooperation with the Council of Europe within the framework of the CEPEJ. In March 2026, CEPEJ held an online working meeting[938] with the HCJ and pilot courts in Ukraine, during which the results of the assessment of the efficiency of the judicial system and areas for further support were discussed. Emphasis was placed on the development of court data management tools, the reduction of procedural workload, the introduction of alternative dispute resolution mechanisms, as well as on issues of judges' well-being and the ethical use of digital technologies, including AI. In addition, at the 46th CEPEJ plenary meeting,[939] digitalisation, automation of judicial processes and the use of AI were identified among the institution's key areas of work. This support is in line with CEPEJ's strategic approaches aimed at improving the efficiency and quality of justice through digitalisation.

A separate area of justice digitalisation that remains systemically problematic is the enforcement stage of court decisions. Therefore, the adoption by Parliament of Draft Law No. 14005,[940] aimed at the digitalisation of enforcement proceedings and enhancing their efficiency, is one of the key preconditions for further progress in this area.[941]

The UJICS as One of the Key Instruments for the Digitalisation of Justice in Ukraine

The current stage of development of the UJICS (2025–2026) is characterised by the parallel implementation of several digitalisation tracks involving various judicial governance bodies and executive authorities. In particular, the SJA is focused on the technical implementation of UJICS subsystems, including the development of the electronic document management subsystem and the maintenance of the existing 'Electronic Court' subsystem.[942] The HCJ, through its standing commission, exercises institutional

935 On Amendments to Article 376-1 of the Criminal Code of Ukraine Regarding the Unified Judicial Information and Communication System and Its Individual Subsystems (Modules): Draft Law of Ukraine, registration No. 15447 of 27.07.2026. ↗

936 Code of Ukraine on Administrative Offences No. 8073-X of 07.12.1984. ↗

937 The problem identified in the Shadow Report 2025 (pp. 138–139) remains relevant. ↗

938 CEPEJ holds a working meeting with the High Council of Justice of Ukraine and the pilot courts to discuss areas of future cooperation. Council of Europe, 2026. ↗

939 Supreme Court Judge Oleksandra Yanovska spoke at the 46th plenary meeting of the European Commission for the Efficiency of Justice (CEPEJ). Supreme Court, 2026. ↗

940 On Amendments to Certain Laws of Ukraine on Simplifying Enforcement Proceedings through Digitalisation: Draft Law of Ukraine, registration No. 14005 of 04.09.2025. ↗

941 For more details, see the section 'Enforcement of Court Decisions'.

942 Presentation by Leonid Sapelnikov, Deputy Head of the State Judicial Administration of Ukraine, at the XIV Judicial Forum. ↗

oversight and responds to issues related to the functioning of the system, in particular technical failures and compliance with implementation timelines.[943] The MoJ, the MDT and other executive authorities are involved in the integration of related systems, including in the area of enforcement proceedings, user electronic cabinets and the development of services via the 'Diia' application.[944]

This stage represents a logical continuation of reforms initiated in 2023–2024,[945] however it has been marked by significant adjustments to timelines due to changes in external funding following the termination of full financial and expert support from United States Agency for International Development at the end of 2024 — beginning of 2025.

The implementation of measures envisaged by the Rule of Law Roadmap[946] in the area of justice digitalisation was constrained at the beginning of the reporting period due to a lack of funding. In its address to the Government and the Ministry of Finance of Ukraine,[947] the HCJ emphasised that the level of budgetary allocations was insufficient to ensure the full functioning and development of the UJITS, as well as the implementation of relevant digitalisation reforms. According to the SJA,[948] the level of funding coverage for this area amounted to only around 19%, which significantly limited the capacity to introduce new IT solutions and modernise the system.

However, in October 2025, with the support of the Agency for Legislative Initiatives, a Memorandum of Intent was signed with the HCJ, the HQCJ, the SC and the CCU, and a justice digitalisation project was launched, funded by the Swedish International Development Cooperation Agency (SIDA).[949] The project will run until the end of 2027[950] and is intended to ensure the further development of the UJICS.

The restoration of funding through SIDA not only enabled the continuation of the development of the UJICS but also facilitated the expansion of digitalisation across all key judicial governance institutions, including constitutional justice, which is in line with Ukraine's EU integration commitments set out in the Rule of Law Roadmap.

It was also noted at a meeting of the relevant HCJ commission in December 2025 that the suspension of previous funding had led to a halt in the development and modernisation of the system, while the engagement of a new donor made it possible to resume this work.

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943 Standing Commission of the High Council of Justice on the Unified Judicial Information and Telecommunication System. High Council of Justice. ↗

944 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

945 On Amendments to Certain Legislative Acts of Ukraine on Mandatory Registration and Use of Electronic Cabinets in the UJITS or its Separate Subsystem (Module) Ensuring Document Exchange: Law of Ukraine No. 3200-IX of 29.06.2023. ↗

946 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

947 The HCJ addressed the CMU and the MoF regarding adequate funding and conditions for the functioning of courts, bodies and institutions of the justice system in 2026. Judiciary of Ukraine, 2025. ↗

948 Ibid.

949 Digitalisation of the judiciary: the HCJ discussed a new stage of UJICS development. High Council of Justice, 2025. ↗

950 The same timeframe for implementing measures in the area of judicial digitalisation is also defined in the Ukraine Facility Plan.

A strategic priority for the digitalisation of justice is ensuring the compatibility of national digital solutions with European interoperability standards.[951] In accordance with the technical requirements for new components,[952] all developments must comply with international standards for data exchange and software interoperability, in particular ISO 8601 (date and time formats) and RFC 8259 (JSON). The use of standardised protocols (REST API, SOAP) is aimed at overcoming the fragmentation of information systems and ensuring their integration both between national registers and with European digital infrastructures.

Within the broader objective of building inclusive justice, digitalisation is not merely a technical upgrade but a fundamental instrument for ensuring equal access to justice for vulnerable groups.[953] The creation of a digitally accessible, barrier-free environment is therefore of critical importance.[954] To fully realise this potential and address existing functional limitations, it is necessary to ensure strict compliance of all UJICS modules with international accessibility standards, in particular WCAG.[955]

During the reporting period, interaction between the UJITS and related state information systems also continued to develop. On 31 May 2026, the functionality for information exchange between the AEPS and the UJITS was expanded.[956] Decisions on attachment of a debtor's salary, pension, scholarship and other income can now be sent to the electronic cabinets of enterprises, institutions and organisations in the UJITS, which should help shorten document-processing times, reduce paper-based document flow and improve the effectiveness of enforcement of court decisions.

Functioning of Key Digital Services

According to the SJA,[957] the number of registered users of the current 'Electronic Court' subsystem as of the end of 2025 reached 170,469. In 2025, a total of 1,950,460 applications were submitted via the Electronic Cabinet service.[958] These figures indicate a tangible increase in demand for digital interaction with courts and the gradual consolidation of electronic services as a standard tool for access to justice.

A similar trend can be observed in the functioning of the 'Video Conferencing' subsystem. According to the SJA,[959] the number of registered users increased from 33,877

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951 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

952 Technical Requirements for the Development of Software for the 'Judicial Career Cabinet' Subsystem. Agency for Legislative Initiatives, 2025. ↗

953 United Nations Development Programme (UNDP). Digitalisation and E-Justice. ↗

954 Inclusion and accessibility of courts. Support service for vulnerable court users. Territorial Administration of the State Judicial Administration of Ukraine in Kyiv region, 2026. ↗

955 Certain Issues of Accessibility of Information and Communication Systems and Documents in Electronic Form: Resolution of the Cabinet of Ministers of Ukraine No. 757 of 21.07.2023. ↗

956 The functionality for information exchange between the Automated Enforcement Proceedings System (AEPS) and the Unified Judicial Information and Communication System (UJICS) has been expanded. State Enterprise 'National Information Systems', 2026. ↗

957 Speech by the Head of the SJA of Ukraine Maksym Pampura at the XX Regular Congress of Judges of Ukraine. YouTube, 2026. ↗

958 Ibid.

959 Ibid.

in 2023 to 38,413 in 2024 (+13%) and reached 59,303 in 2025, representing a sharp increase of 54% compared to the previous year. A comparable trend is observed in the number of online court hearings conducted: from 904,752 in 2023 to 1,194,987 in 2024 (+32%) and to 1,447,055 in 2025 (+21%).

At the same time, the growing number of users of the 'Video Conferencing' subsystem demonstrates the gradual entrenchment of remote participation formats in court hearings as an integral component of the functioning of the judicial system, particularly under martial law and in the context of restricted access to physical infrastructure. However, the increasing number of users, combined with the technical limitations of the current UJITS, has led to disruptions in the operation of the 'Video Conferencing' subsystem, which were recorded on several occasions in 2025 — early 2026.[960]

As regards the development of subsystems of the new UJICS, during the reporting period the preparatory stage was completed for some of its components and procurement procedures were launched. On 30 June 2026, under the Sida project, a competition was announced for the development of the 'Access Management' component, basic services and UJICS infrastructure.[961] A separate competition was announced for comprehensive expert support for the development of basic components and the subsystems 'Electronic Court Document Management', 'Unified State Register of Enforcement Documents', 'Judicial Dossier' and 'Human Resources Management', as well as UJICS information-security measures. The deadline for submission of bids in both competitions was set for 14 August 2026. For the other subsystems, technical requirements continue to be developed with the stakeholders involved.

At the same time, the digitalisation of processes within the HQCJ is ongoing. In 2025, the implementation of the 'Judicial Career Cabinet'[962] project was launched.[963] By the end of 2026, the introduction and deployment of the 'Examinations'[964] module is planned. In parallel, a new HQCJ website is under development, with its release scheduled for the second to third quarter of 2026.[965] The website will function as a modern set of services for candidates, enabling intuitive interaction with the HQCJ.

On 15 July 2026, the HQCJ expanded the open dataset on the automated allocation of cases and documents among Commission members by adding reports for 2017–2026 and updating the CSV data as of 10 July 2026.[966] This creates opportunities for systematic analysis of case allocation, identification of possible deviations or workload imbalances and public oversight of compliance with the principle of automated allocation.

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960 Information provided by Respondent 5 during an interview conducted on 19.02.2026.

961 Publication by the NGO 'Agency for Legislative Initiatives' on the social network Facebook, 2026. ↗

962 Technical Requirements for the Development of Software for the 'Judicial Career Cabinet' Subsystem. Agency for Legislative Initiatives, 2025. ↗

963 Digitalisation of the High Qualification Commission of Judges: a team has been selected to implement the project. Agency for Legislative Initiatives, 2025. ↗

964 Information provided by Respondent 29 during an interview conducted on 31.03.2026.

965 Presentation by Roman Sabodash, member of the High Qualification Commission of Judges of Ukraine, at the XIV Judicial Forum. YouTube, 2025. ↗

966 The HQCJ Expanded the Open Dataset on Automated Case Allocation. High Qualification Commission of Judges of Ukraine, 2026. ↗

Digital Infrastructure and Technical Capacity

During 2025, significant gaps emerged between legislative requirements and the technical capacity of the judiciary and enforcement authorities. In its separate ruling of 30 July 2025, the Civil Cassation Court of the SC[967] drew attention to the fact that, under procedural law, enforcement officers are required to register individual electronic cabinets within the UJITS. At the same time, this requirement had not been implemented in practice: the current instructions for the use of the 'Electronic Cabinet' subsystem did not provide for the creation of such accounts for enforcement officers. In response, the MoJ informed the SC that proposals were being prepared to upgrade the system's functionality in cooperation with the SJA and the administrators of the UJITS. This situation illustrates a systemic problem of justice digitalisation — the adoption of regulatory decisions without adequate technical support for their implementation.

At the same time, there is a lack of state funding for the proper renewal of the hardware infrastructure of courts.[968]

On 11 November 2025, the Accounting Chamber approved the Report on the results of the performance audit entitled 'Organisational Support for the Functioning of Judicial Authorities'.[969] In particular, the audit recorded a critical level of infrastructure deterioration: as of the beginning of 2025, approximately 19.3% of computers, 22.6% of servers and nearly 30% of audio and video recording equipment used in court proceedings were subject to mandatory decommissioning.

According to the SJA,[970] the level of provision of courts with IT equipment reached 87% in 2025, including 89% for personal computers, 81% for server equipment, 99% for office equipment and 80% for audio and video recording and videoconferencing equipment. In 2025, 5,021 units of IT equipment were procured, however as of 1 January 2026 the overall demand of courts amounted to 15,551 units. The overall level of provision of local and appellate courts with IT equipment ranges between 70% and 89%.[971] These data indicate that digital services are developing against the backdrop of physically outdated equipment, which directly affects their stability.

The issue of energy supply during electricity outages became critical for the functioning of the judicial system of Ukraine during the reporting period and directly affects the ability to implement justice digitalisation projects.[972] According to SJA monitoring,[973] out of 583 local general and appellate courts, nearly 40% of institutions face serious challen-

967 Each state enforcement officer will have a personal electronic cabinet in the UJITS — response to a separate ruling of the Civil Cassation Court of the SC. Supreme Observer, 2026. ↗

968 The HCJ addressed the CMU and the Ministry of Finance regarding adequate funding and conditions for the functioning of courts, bodies and institutions of the justice system in 2026. Judiciary of Ukraine, 2025. ↗

969 Report on the Results of the Performance Audit entitled 'Organisational Support for the Functioning of Judicial Authorities': Decision of the Accounting Chamber No. 27-2 of 11.11.2025. ↗

970 Speech by the Head of the SJA of Ukraine Maksym Pampura at the XX Regular Congress of Judges of Ukraine. YouTube, 2026. ↗

971 Report on the Results of the Performance Audit entitled 'Organisational Support for the Functioning of Judicial Authorities': Decision of the Accounting Chamber No. 27-2 of 11.11.2025, p. 4. ↗

972 For more details, see the subsections 'State Judicial Administration of Ukraine' and 'Local and Appellate Courts'.

973 Provision of courts with alternative power sources: operation, challenges and measures taken by the SJA of Ukraine. State Judicial Administration of Ukraine, 2026. ↗

ges in using alternative power sources: only 307 courts operate without disruption, while 229 reported critical deficiencies in backup power systems. The most common problems include insufficient generator capacity (81 courts), the need for additional charging stations or solar panels (31 courts), as well as the need to upgrade inverters and battery systems (44 courts), the lifespan of which is limited.

In response to these challenges, in November 2025 the SJA took emergency measures[974] to ensure the continuity of court operations, by initiating the procurement of high-capacity uninterruptible power supply units and the deployment of a satellite communication network (Starlink) to maintain internet access in the event of infrastructure damage. At the same time, such measures are temporary in nature and do not address systemic problems related to the obsolescence of the technical infrastructure and insufficient funding for its renewal.

At the same time, the growing use of electronic tools within the judicial system has not been matched by adequate technical stability. Throughout 2025 – the first half of 2026, numerous technical failures were recorded, primarily in the functioning of the videoconferencing subsystem, leading to disruptions of court hearings as well as meetings of judicial governance bodies. In December 2025, the HCJ[975] examined this issue and characterised the situation as concerning, instructing the SJA and the state enterprise 'Information Judicial Systems' to provide a concrete plan to address the shortcomings within a specified timeframe. The main causes of the technical failures were identified as system overload, outdated hardware and software and the fragmentation of the IT infrastructure.[976] However, in 2026 the State Enterprise 'Information Judicial Systems' repeatedly reported emergency and scheduled technical works, temporary unavailability of individual UJITS services and disruptions in the videoconferencing subsystem and other electronic services.[977]

An additional challenge for the digitalisation of justice during the reporting period was ensuring cybersecurity and the continuity of digital services. In the context of the full-scale war, information systems of state authorities, including the judiciary, remain subject to constant cyberattacks.

According to the state enterprise 'Information Judicial Systems',[978] between 21 and 31 October 2025 the 'Electronic Court' subsystem was subjected to a large-scale DDoS attack, which led to temporary disruptions in the operation of certain services. Similar reports were also issued regarding cyberattacks on judicial information resources, including indications of an impact on services used by the SC.[979] This demonstrates that such incidents are not isolated but systemic in nature. Despite the prompt restoration of the system's operation, these incidents reveal existing vulnerabilities in the digital infra-

974 Ibid.

975 Digitalisation of the judiciary: the HCJ discussed a new stage of UJICS development. High Council of Justice, 2025. ↗

976 Ibid.

977 Technical Failure. State Enterprise 'Information Judicial Systems', 2026. ↗

978 Notice to users: a large-scale DDoS attack on the 'Electronic Court' subsystem was carried out. State Enterprise 'Information Judicial Systems', 2025. ↗

979 Temporary suspension of electronic services and automated systems of the Supreme Court. Supreme Court, 2025. ↗

structure of the judiciary. In the context of further digitalisation, this creates risks for access to justice, the protection of personal data and trust in electronic services.

In a broader context, international recommendations, within the framework of the European Commission's Digital Justice 2030[980] approach and UNESCO principles on the use of AI in courts, emphasise the need to ensure the reliability, security and interoperability of judicial IT systems. Accordingly, the immediate priorities at the current stage remain the modernisation of infrastructure, ensuring the stable functioning of UJITS subsystems pending the deployment of the new UJICS and the introduction of systematic IT governance in line with European standards.

A separate issue concerns the systematic training of users of judicial services, as the digitalisation of justice cannot deliver sustainable results without institutional capacity to use new tools effectively. For Ukraine, this entails the need for comprehensive training not only in the technical use of services, but also in understanding and the ethical and responsible use of AI tools, as well as training in digital ethics, cyber hygiene, data management and procedural safeguards in the digital environment.

Recommendations

1. Ensure the full development, integration and interoperability of key UJICS subsystems to establish a seamless process, including automated data exchange and access to state registers.

2. Ensure the implementation of justice digitalisation as part of Ukraine's commitments under Cluster 1 'Fundamentals of the Accession Process', including in accordance with the Rule of Law Roadmap, the Ukraine Facility Plan and the interim benchmarks under Chapters 23 and 24, with clear performance indicators and monitoring mechanisms.

3. Complete the regulatory framework for digital judicial procedures by adopting legislative amendments on remote participation in court hearings, examination of evidence by videoconference, use of electronic services by all categories of participants in proceedings and extension of the full functionality of the 'Electronic Court' subsystem to proceedings concerning administrative offences.

4. Ensure interoperability of the UJICS with state registers, the AEPS, other information systems of justice-sector bodies and future European digital infrastructures in accordance with international data-exchange standards.

5. Modernise the digital infrastructure and technical capacity of courts, in particular server equipment, videoconferencing tools and court recording systems and ensure an adequate level of energy autonomy (generators, uninterruptible power supply units, alternative power sources), as well as the introduction of backup communication channels and business continuity arrangements (including in the event of power outages or cyberattacks).

6. Expand the functionality of electronic services for users, including for vulnerable groups.

980 European Judicial Training Strategy 2025-2030 of 20.11.2025. ↗

7. Consider international standards (Digital Justice 2030, CEPEJ recommendations, UNESCO principles on AI) when shaping state policy in the field of justice digitalisation.

8. Introduce comprehensive information security systems for all UJICS subsystems. Strengthen cyber resilience and ensure the continuity of the digital infrastructure of justice in wartime. Further development should include data backup, effective incident prevention and response mechanisms, secure interagency communication channels and regular testing of business continuity scenarios.

9. Continue the implementation of previous recommendations regarding the mandatory use of the UJITS by state authorities, the unification of rules for remote judicial proceedings and the integration of information systems of the judiciary and law enforcement authorities and ensure systematic monitoring of their implementation and their reflection in strategic documents.[981]

10. Ensure adequate funding from the State Budget of Ukraine for the renewal and development of the hardware component and physical IT infrastructure of the judiciary not covered by international technical assistance projects.

11. Ensure the sustainability of digital reform, relevant institutions (NSJU, UNBA, Prosecutors' Training Centre) together with the MDT and the SJA should introduce systematic training programmes for judges, court staff, advocates and prosecutors.

12. For each digital or AI-based solution used in the justice system, define its purpose, the responsible authority, data sources, scope of application, risks of errors, verification procedures, mechanisms for challenging outcomes and regular independent audit, with a Fundamental Rights Impact Assessment (similar to the HUDERIA model) for high-risk AI systems.

Fighting Corruption in the Judiciary

Progress and issues

Ukraine received above-average scores among countries of the Organisation for Economic Co-operation and Development (OECD) in the 2026 Anti-Corruption and Integrity Outlook.[982] At the same time, Ukraine complies with 97% of the criteria concerning the regulatory framework in the area of judicial integrity and 92% concerning practice, compared to the OECD averages of 66% and 45% respectively. This demonstrates the country's firm commitment to restoring trust in the judicial system, undermined by corruption at the highest levels of power and to implementing international recommendations on integrity safeguards.[983]

Despite these high scores, during the reporting period, the NABU and the SAPO continued to expose first instance judges accepting unlawful benefits. Thus, in November 2025, in Odesa, a group of individuals was exposed for inciting the provision of an unlaw-

981 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the European Union Enlargement Package for 2024, 2025, pp. 136–141. ↗

982 Anti-Corruption and Integrity Outlook 2026: Ukraine. Organisation for Economic Co-operation and Development, 2026. ↗

983 Ibid.

ful benefit in exchange for a court decision in favour of a PARTY to the proceedings.[984] According to the investigation, a judge and a defence counsel suggested that a defendant in a civil case reach an agreement with a judge of one of the district courts of Odesa. The arrangement concerned a ruling in his favour for USD 10,000. In July 2026, the indictment in this case was referred to court.[985] During the same period, the investigation was completed in respect of a judge of the Reni District Court of Odesa Region who offered a defendant in a case pending before him to issue a decision returning property in exchange for remuneration.[986]

In December 2025, a judge of the Volovets District Court of Zakarpattia region was detained while receiving an unlawful benefit in the amount of USD 1,300.[987] The suspect offered to lift the seizure of 20 cubic metres of timber and advised on how and when to file a motion to avoid its allocation to another investigating judge. In this case, the investigation was already completed in January 2026.[988]

In March 2026, a judge of a district court in Kirovohrad region and his accomplice — the deputy Head of a united territorial community — were exposed for receiving an unlawful benefit.[989] The judge, at the request of the accomplice, assisted in tampering with evidence in a case he was adjudicating, which would have enabled the case to be closed.

Also in March 2026, a judge from Luhansk region, seconded to one of the courts of Chernivtsi Region, was exposed for incitement to provide an unlawful benefit.[990] The suspect, who at the time was participating in a competition for a position as a judge of the HACC, persuaded a defence counsel to provide USD 30,000 to a judge of the Solomianskyi District Court of Kyiv for the latter to deliver an acquittal.

Two judges were exposed for illicit enrichment/false declaration[991] and abuse of influence/false declaration.[992] In respect of one judge, the SAPO filed a civil claim for the recognition of assets as unjustified (civil forfeiture).[993]

In July 2026, the NABU and SAPO referred to court the case against former heads of a commercial court in one region and a former judge of an appellate commercial court, who are accused of demanding USD 1 million from an entrepreneur in exchange for

984 USD 10,000 for a 'desired' court decision: a group of individuals exposed. National Anti-Corruption Bureau of Ukraine, 2025. ↗

985 USD 10,000 for a Court Decision: Case Referred to Court. National Anti-Corruption Bureau of Ukraine, 2026. ↗

986 Bribe for Returning Property: Investigation into Judge from Odesa Region Completed. National Anti-Corruption Bureau of Ukraine, 2026. ↗

987 Bribe for a 'desired' decision: judge suspected. National Anti-Corruption Bureau of Ukraine, 2025. ↗

988 Bribe for a 'desired' decision: investigation completed. National Anti-Corruption Bureau of Ukraine, 2026. ↗

989 Bribe for closing a case: judge in Kirovohrad region exposed. National Anti-Corruption Bureau of Ukraine, 2026. ↗

990 Incitement to bribery of USD 30,000: judge from Luhansk region exposed. National Anti-Corruption Bureau of Ukraine, 2026. ↗

991 Judge in Kyiv to stand trial for illicit enrichment and false declaration. National Anti-Corruption Bureau of Ukraine, 2026. ↗

992 Judge in Lviv to stand trial for abuse of influence and false declaration. National Anti-Corruption Bureau of Ukraine, 2026. ↗

993 Publication by the Specialised Anti-Corruption Prosecutor's Office on the social network Facebook, 2025. ↗

'desired' decisions. The NABU and SAPO documented the transfer of part of the money to the judge.[994]

New notices of suspicion were issued in the case of former SC President Vsevolod Kniaziev[995] and the investigation was completed in respect of the owner of the 'Finance and Credit' group and an accomplice.[996] During the HACC hearing, the former SC President pleaded guilty and entered into a plea agreement. He was sentenced to five years' imprisonment with confiscation of property and funds.[997] At the same time, the NABU and SAPO expanded the circle of suspects in the large-scale corruption case: three sitting SC judges and one retired SC judge, who at the relevant time were members of the GC SC, are alleged by the investigation to have been involved in receiving an undue advantage in the interests of the owner of the 'Finance and Credit' group.[998] All judges are currently subject to preventive measures in the form of bail with procedural obligations, while the sitting judges have been suspended from the administration of justice.[999]

During the reporting period, the HACC delivered guilty verdicts — concerning a former judge of the Druzhkivka City Court and a defence counsel,[1000] a judge of the Kropyvnytskyi Court of Appeal[1001] and a judge of one of the district courts of Odesa,[1002] the former Head of a district court in Kirovohrad region,[1003] a former judge of the Kolomyia City District Court of Ivano-Frankivsk Region,[1004] a former judge of the Kyiv Administrative Court of Appeal,[1005] a judge of a district court in Lviv Region.[1006] The AC HACC upheld the sentence imposed on the former Head of the Druzhkivka City Court and a former prosecutor of a local prosecutor's office.[1007]

The former Head of the SJA was sentenced to three years' imprisonment.[1008] The HACC found him guilty of receiving an unlawful benefit for influencing decisions of SC judges

994 Extortion of More Than USD 1 Million: Former Court Presidents and Commercial Court Judge to Stand Trial. National Anti-Corruption Bureau of Ukraine, 2026. ↗

995 Case of Former Supreme Court President: New Notice of Suspicion. National Anti-Corruption Bureau of Ukraine, 2026. ↗

996 Corruption in the Supreme Court: Investigation into Owner of the 'Finance and Credit' Group and Accomplice Completed. National Anti-Corruption Bureau of Ukraine, 2026. ↗

997 HACC Delivered Judgment against Former Supreme Court President. High Anti-Corruption Court, 2026. ↗

998 Corruption in the Supreme Court: New Notices of Suspicion. National Anti-Corruption Bureau of Ukraine, 2026. ↗

999 HCJ Extended the Temporary Suspension from the Administration of Justice of Three Supreme Court Judges. High Council of Justice, 2026. ↗

1000 Publication by the Specialised Anti-Corruption Prosecutor's Office on the social network Facebook, 2025. ↗

1001 Publication by the Specialised Anti-Corruption Prosecutor's Office on the social network Facebook, 2026. ↗

1002 Publication by the Specialised Anti-Corruption Prosecutor's Office on the social network Facebook, 2026. ↗

1003 Former President of a District Court in Kirovohrad Region Sentenced. High Anti-Corruption Court, 2026. ↗

1004 HACC Delivered Judgment against Former Judge of the Kolomyia City District Court of Ivano-Frankivsk Region. High Anti-Corruption Court, 2026. ↗

1005 HACC Delivered Judgment against Former Judge of the Kyiv Administrative Court of Appeal. High Anti-Corruption Court, 2026. ↗

1006 HACC Delivered Judgment against a Judge from Lviv Region. High Anti-Corruption Court, 2026. ↗

1007 Publication by the Specialised Anti-Corruption Prosecutor's Office on the social network Facebook, 2026. ↗

1008 Report of the National Anti-Corruption Bureau of Ukraine for the second half of 2025. National Anti-Corruption Bureau of Ukraine, 2026. P. 18. ↗

in favour of a commercial enterprise. The appellate instance upheld the verdict, and it entered into force. During the same period, the NABU and the SAPO completed the investigation in the case of the Head of a district court in Volyn region and his accomplice, who were exposed for receiving an unlawful benefit,[1009] as well as a judge of a city district court in Dnipropetrovsk region.[1010]

The NABU and the SAPO also referred to court the case of the former Deputy Head of the Office of the President of Ukraine (2019–2024), Andrii Smyrnov, who was responsible for judicial reform.[1011] He is accused of illicit enrichment, laundering of illicitly obtained funds and accepting an offer of an unlawful benefit on an especially large scale.

The case of Pavlo Vovk and other judges of the liquidated DACK continues to be examined by the HACC with the evidentiary stage still ongoing.[1012] At the same time, the HACC partially granted a motion of one of the defendants and closed the criminal proceedings against him under Part 1 Article 255 of the CC of Ukraine.[1013] At the same time, the GC SC upheld the HCJ decision to dismiss Pavlo Vovk from judicial office following consideration of the disciplinary complaint against him.[1014]

Since June 2025, the NABU has been conducting an investigation concerning a sitting judge of the SC, Serhii Zhukov.[1015] At the same time, there is no information regarding the verification by NACP of the Head of the ACC SC, Ihor Dashutin, which was initiated following a journalistic investigation into the use of high-end property that is difficult to reconcile with official income.[1016] Similarly, no information is available regarding the journalistic investigation into Oleh Proskurniak.[1017]

Fighting corruption within the judiciary is carried out, inter alia, through the dismissal of judges who have committed corruption offences. Thus, during the reporting period, for example, judges of the Bilhorod-Dnistrovskyi City District Court of Odesa Region — Illia Lonskyy[1018] and Serhii Savytskyy[1019] — were dismissed for committing corruption offences. They were held disciplinarily liable for adopting fictitious decisions on 'sole upbringing of a child by the father' (the unlawful benefit for such decisions reached up to USD 3,500). Another judge (the president of a district court in Poltava) was dismissed following consideration of a disciplinary complaint submitted by the NABU and SAPO, which, during a pre-trial investigation concerning other persons, identified facts of communication outside procedural channels between the judge, an advocate and appellate court jud-

1009 Investigation concerning the Head of a court in Volyn region completed. National Anti-Corruption Bureau of Ukraine, 2026. ↗

1010 Bribe for an acquittal: judge in Dnipropetrovsk region to stand trial. National Anti-Corruption Bureau of Ukraine, 2026. ↗

1011 Former Deputy Head of the Office of the President to stand trial. National Anti-Corruption Bureau of Ukraine, 2026. ↗

1012 The HACC closed part of the charges against a judge of the liquidated Kyiv administrative court. Slovo i Dilo, 2025. ↗

1013 Establishment, leadership of a criminal community or criminal organisation, as well as participation therein.

1014 For details, see the subsection 'Disciplinary Liability of Judges'.

1015 The NABU investigates alleged illicit enrichment of Judge Zhukov following a Bihus.Info investigation. Bihus.Info, 2025. ↗

1016 NACP verifies the lifestyle of Judge Dashutin following a Bihus.Info report. Bihus.Info, 2024. ↗

1017 'Penniless on paper': Chernivtsi judge accused of false declarations and hidden luxury assets. 5 Channel (YouTube), 2025. ↗

1018 Decision of the High Council of Justice No. 5/0/15-26 of 08.01.2026. ↗

1019 Decision of the High Council of Justice No. 2653/0/15-25 of 11.12.2025. ↗

ges concerning the adoption of 'desired' decisions in a civil case and an administrative offence case.[1020]

The HCJ also initiated a number of disciplinary proceedings, including against Ivan Silich, who, according to the investigation, incited the provision of an unlawful benefit for delivering a 'desired' decision,[1021] as well as against Yurii Bilous, who allegedly promised, in exchange for money, to arrange with officials of a Territorial Centre for Recruitment and Social Support for the exemption of his relative from mobilisation.[1022]

During the reporting period, the HACC continued to demonstrate a lack of unified and consistent approaches to determining the amount of bail and to substantiating its subsequent reduction.[1023] Likewise, no measures were taken to suspend the payment of judicial remuneration following decisions of the HCJ to remove judges suspected of corruption offences from administering justice or to grant consent for their detention in connection with such offences.[1024] At the same time, the inconsistent practice of the SAPO and the PGO in addressing the HCJ persists: in some cases, the prosecution simultaneously submits motions for both the removal of a judge from administering justice and their detention, while in others — only for detention.[1025]

During the reporting period, the issue of asset and income declaration by patronage service staff remained unresolved.[1026] Similarly, the shortcomings at the level of the SJA identified by the NACP following a scheduled inspection have not been addressed.[1027]

With regard to the implementation of the State Anti-Corruption Programme[1028] under the area 'Fair Judiciary, Prosecutor's Office and Law Enforcement Agencies', as of July 2026, the average result achievement rate stands at 71.6%.[1029] This is significantly higher than a year earlier (24.4%).[1030] At the same time, a high level of implementation has been demonstrated in only nine measures.[1031]

During the reporting period, the NACP conducted a study aimed at identifying and analysing key corruption risks that undermine the effectiveness of the judicial system.[1032]

1020 Decision of the High Council of Justice No. 1073/0/15-26 of 02.06.2026. ↗

1021 Decision of the Second Disciplinary Chamber of the High Council of Justice No. 2035/2dp/15-25 of 01.10.2025. ↗

1022 Decision of the First Disciplinary Chamber of the High Council of Justice No. 2756/1dp/15-25 of 19.12.2025. ↗

1023 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report within the 2024 EU Enlargement Package, 2025. P. 144. ↗

1024 Ibid.

1025 The HCJ granted consent to the detention of a judge of the Reni District Court of Odesa Region. High Council of Justice, 2026. ↗

1026 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report within the 2024 EU Enlargement Package, 2025. P. 146. ↗

1027 Ibid.

1028 On Approval of the State Anti-Corruption Programme for 2023–2025: Resolution of the Cabinet of Ministers of Ukraine No. 220 of 04.03.2023. ↗

1029 Information System for Monitoring the State Anti-Corruption Programme. ↗

1030 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report within the 2024 EU Enlargement Package, 2025. Pp. 145–146. ↗

1031 Ibid.

1032 Corruption Risks in the Judiciary. National Agency on Corruption Prevention, 2025. ↗

According to the NACP, the main issues within the judiciary that entail corruption risks include:

- imperfections in the legal regulation of bringing judges to disciplinary liability upon their resignation;
- the resignation of judges who were required to undergo qualification assessment but failed to complete it. The lack of clear regulation of these issues in legislation grants broad discretionary powers to the HCJ, which may be subject to abuse;
- discretion in the secondment of judges. The absence of transparent selection criteria, proper reasoning of decisions and clear rules on reimbursement of expenses creates preconditions for non-transparent decision-making by the HQCJ, the HCJ and, in certain cases, the NSJU;
- unjustified remuneration for 'short-term' secondment of a judge who is in fact seconded for a long-term period. The lack of clarity in the legal regulation of compensation for judicial secondment leads to payments intended for short-term secondments being applied to situations that are effectively long-term, thereby creating potential corruption risks;
- flaws in the regulation of the procedure for electing court presidents, whereby judges' assemblies circumvent the nominal limitation of holding office for no more than two consecutive terms through the formal short-term termination of powers. This rule exists to prevent corruption from 'taking root' through stable informal networks;
- the absence of restrictions on the repeated re-election of investigating judges and on the duration of their tenure in this position. In practice, due to various reasons, a significant number of judges remain in the status of investigating judge for excessively long periods, which may also give rise to corruption risks;
- flaws in the legislative regulation of recusal and self-recusal, which create situations where a judge may withdraw from hearing 'undesirable' cases or adjudicate cases where a conflict of interest exists;
- the lack of clarity in the distribution of powers between the CJU and the NACP with regard to the settlement of conflicts of interest;
- the lack of transparency at certain stages of the selection and qualification assessment of judges. The discretion afforded to members of the HQCJ during qualification assessment enables them to grant subjective and unsubstantiated advantages to some candidates while placing others at a disadvantage;
- the low level of funding of the judicial system.

Based on this study, a new draft Anti-Corruption Strategy for 2026–2030 was developed. Following public discussions and several controversies surrounding drafts of the Anti-Corruption Strategy for 2026–2030, consideration by key parliamentary committees and receipt of comments from state institutions, members of Parliament registered a revised draft of the relevant Anti-Corruption Strategy.[1033] With regard to the judiciary, it provides for the implementation of a number of measures.

1033 On Approval of the Anti-Corruption Strategy for 2026–2030: Draft Law of Ukraine, registration No. 15230-d of 27.07.2026. ↗

For the HACC, it provides for single-judge consideration of civil and administrative cases, mechanisms to prevent abuse of procedural rights by participants in criminal proceedings and the possibility of continuing consideration of a case where one of the three judges on a HACC or AC HACC panel is replaced. The draft Anti-Corruption Strategy also emphasises filling judicial vacancies and providing permanent premises for the HACC judges of first instance and appeal. Implementation of these measures is already underway.

The draft Anti-Corruption Strategy proposes changing approaches to the participation of international experts in the selection of HCJ and HQCJ members: selection should be transparent, predictable and, where necessary, improved, 'with the temporary involvement of independent experts delegated by international partners in accordance with paragraph 23.2.1 of the interim benchmarks under Cluster 1 "Fundamentals of the Accession Process"'.

Despite the obvious need to move gradually towards replacing international experts with national experts, it is still too early for Ukraine to take this step, primarily because judicial self-governance bodies have not been reformed.[1034] At the same time, the draft Anti-Corruption Strategy draws attention to the need to fill all vacant HCJ and HQCJ positions within timeframes that ensure the uninterrupted functioning of these bodies.

The draft document changes the approach to addressing problems in the CJU's activities: it proposes increasing the transparency of procedures for selecting candidates for CJU membership (including advance publication of information on candidates), defining the terms of office of the Council and its members and establishing grounds and a mechanism for early termination of their powers. At the same time, the judicial self-governance body should be elected by secret electronic voting involving all judges. These proposals merit support.

The draft Anti-Corruption Strategy also states that the NSJU's activities need to be improved in order to strengthen accountability mechanisms to the HQCJ, introduce competitive selection for managerial positions and ensure transparency in the NSJU's activities.

The problem of ineffective mechanisms for rotating judges holding administrative positions in courts (primarily court presidents), which leads to judges holding administrative positions for prolonged periods, is formulated more clearly. However, unlike certain other provisions of the draft strategic document, no specific solutions are proposed in this context.

The draft Anti-Corruption Strategy expands approaches to the full functioning of e-justice. In particular, provisions have been added on ensuring electronic proceedings through the development of the UJICS and the introduction of analytical tools to prevent, detect and respond to possible abuses (including in automated case allocation, access to information in the Unified State Register of Court Decisions and atypical workloads of courts or individual judges in particular categories of cases). At the same time, ongoing development of the UJICS should be supported by adequate financial

1034 Revised Draft Anti-Corruption Strategy for 2026–2030: Expert Analysis of Key Amendments to Draft Law No. 15230-d. Agency for Legislative Initiatives, 2026. ↗

resources (from the State Budget) and human resources, taking into account the needs of courts and other bodies and institutions of the justice system.

The scope of publicly available information on the judicial system has also been expanded; in particular, regular publication of minutes (decisions) of assemblies of judges and court statistics for each individual court should be ensured.

The relevant draft also contains a number of new but debatable proposals. For example, it proposes establishing a procedure for publishing practical assignments completed by judicial candidates and their criterion-by-criterion assessment. It is not entirely clear what purpose this is intended to serve. Candidates who disagree with their scores already challenge them before the SC, while candidates satisfied with their scores continue participating in competition procedures.

It is also proposed to unify the rules for conducting interviews with judicial candidates. It should be noted that procedures for selecting judges for different instances (and even for certain jurisdictions) differ significantly. Therefore, interviews should be unified within the same procedure.

A significant addition to the draft Anti-Corruption Strategy is the problem of insufficient financial and human resources for the judicial system. To address it, the draft proposes ensuring competitive levels of judicial remuneration and salaries for court staff and staff of other bodies and institutions of the justice system, taking into account workload and the importance and responsibility of the work.

Overall, despite certain debatable proposals, the draft Anti-Corruption Strategy for 2026–2030 merits support.[1035]

Among the developments during the reporting period that negatively affected the fight against corruption within the judiciary were also the termination of the involvement of international experts in the selection process for members of the HQCJ[1036] and the activities of the TIC, which exerted pressure on the HACC, the HQCJ, the PIC and certain representatives of civil society.[1037] At the same time, the HACC confirmed the unlawful excessive collection of information by the TIC.[1038]

Recommendations[1039]

To strengthen the fight against corruption within the judiciary in 2026, a number of consistent steps should be taken:

1. The Verkhovna Rada Committee on Legal Policy should consider the issue of suspending the payment of judicial remuneration following a decision of the HCJ to remove a judge from administering justice.

1035 Ibid.

1036 Corruption Perceptions Index in Ukraine – 2025. Transparency International Ukraine. ↗

1037 For details, see the section 'State of Judicial Independence'.

1038 Letter of the High Anti-Corruption Court No. 03.11.06/175/2025 of 15.09.2025. ZN.UA. ↗

1039 The recommendations provided by civil society in the 2025 Shadow Report (pp. 146–147) remain relevant and have been partially expanded. ↗

2. The NACP should accelerate the monitoring of judges' lifestyles initiated based on information obtained through investigative journalism.

3. The HCJ should:

- introduce effective mechanisms to monitor the judiciary's implementation of the State Anti-Corruption Programme and expedite the execution of the measures provided therein;
- strengthen oversight of the activities of the SJA (including its territorial offices) to eliminate corruption risks;
- in cooperation with the Verkhovna Rada Committee on Legal Policy and the NACP, consider the introduction of declarations of assets, integrity and family ties for patronage service staff (primarily judges' assistants) as persons authorised to perform the functions of the state or local self-government;
- streamline the practice of removing judges from administering justice, thereby ensuring legal certainty;
- respond promptly to investigative journalism by initiating disciplinary proceedings against judges involved in such investigations;
- introduce quarterly public reporting on instances where judicial authorities (primarily courts) independently identify and mitigate corruption risks in their activities.

4. The SC and the HACC should analyse the practice of determining the amount of bail at the level of the HACC and develop approaches to its reasonable reduction, which would contribute to the consistency of judicial practice, legal certainty and public trust in court decisions.

5. The NSJU, jointly with the NACP, should conduct mandatory anti-corruption training in 2026 for all court staff without exception.

6. The Parliament should approve the Anti-Corruption Strategy for 2026–2030 as soon as possible and introduce amendments to the legislation of Ukraine to address the gaps identified by the NACP as corruption risks, namely:

- clarify the provisions on judges' resignation to prevent judges who have committed disciplinary offences from avoiding liability;
- establish clear rules on the secondment of judges and the remuneration applicable thereto;
- develop and enshrine in legislation an effective mechanism to limit tenure in the position of court president;
- ensure mandatory rotation of investigating judges by establishing clear time limits for holding this status;
- regulate the issues of recusal and self-recusal of judges;
- resolve inconsistencies between the powers of the CJU and the NACP.

Enforcement of Court Decisions

Enforcement of National Court Decisions

Progress and issues

At the end of 2025, a dedicated section was launched on the official website of the MoJ,[1040] containing information on the enforcement of court decisions and decisions of other public authorities (from 2022 onwards). The introduction of this tool constitutes one of the requirements under the Ukraine Facility and is aimed at increasing transparency of data in the field of enforcement proceedings.[1041]

In 2025, a total of 6.76 million enforcement documents were subject to enforcement by the State Enforcement Service (SES) bodies and private enforcement officers. In 2025, 3.08 million enforcement documents were completed (45.6% of the total number of documents subject to enforcement). **A total of 2.13 million enforcement documents were enforced** (**31.5%** of enforcement documents subject to enforcement). As of the end of 2025, 3.65 million enforcement documents remained pending (54% of the total number of documents subject to enforcement).[1042]

Of the 6.76 million enforcement documents subject to enforcement, 5.41 million were under the jurisdiction of SES bodies and 1.35 million under private enforcement officers. In 2025, 1.86 million enforcement documents were actually enforced by SES bodies (34.3% of enforcement documents subject to enforcement), while private enforcement officers enforced 273,000 enforcement documents (20.3% of enforcement documents subject to enforcement). During 2025, **UAH 9.09 billion was recovered to the state budget**, including UAH 2.07 billion in enforcement fees.[1043]

During the first six months of 2026, more than UAH 3.5 billion was recovered under enforcement documents concerning recovery of funds to the **State Budget**, 6.2% more than in the corresponding period of 2025.[1044]

From a financial perspective, enforcement documents totalling UAH 1.61 trillion were under enforcement by SES bodies, of which UAH 17.2 billion was recovered, or **1%**. In contrast, enforcement documents totalling UAH 402.25 billion were under enforcement by private enforcement officers, of which UAH 12.46 billion was recovered, or **3%**.[1045] As of 31 December 2025, **3,054** state enforcement officers were carrying out the enforcement of court decisions and decisions of other bodies (officials), while the Unified Register of Private Enforcement Officers of Ukraine contained information on **384** private enforcement officers.[1046]

1040 Data Collection System on the Enforcement of Court Decisions. Ministry of Justice of Ukraine. ↗

1041 The MoJ launched a data collection system on the enforcement of court decisions. Ministry of Justice of Ukraine, 2025. ↗

1042 General statistics on the enforcement of decisions (SES bodies and private enforcement officers). Ministry of Justice of Ukraine. ↗

1043 Ibid.

1044 Child Support Recoveries Increased by 24.2%, Budget Revenues by 6.2%: Results of the SES for the First Half of 2026 Summarised. Ministry of Justice of Ukraine, 2026. ↗

1045 Letter of the Ministry of Justice of Ukraine of 06.03.2026 No. 31638/37887-33-26/20.4.2.

1046 Ibid.

In 2025, the annual workload per **state** enforcement officer amounted to **1,805 enforcement documents**, while the workload per **private** enforcement officer amounted to 3,548 enforcement documents.[1047]

In the first half of 2026, 5.19 million enforcement documents were subject to compulsory enforcement by SES bodies and private enforcement officers; a total of 1.41 million enforcement proceedings were completed during the reporting period (27.2% of the total number of documents subject to enforcement); **1.03 million enforcement proceedings were actually enforced** (**19.9%** of the enforcement documents subject to enforcement); 3.76 million enforcement proceedings remained pending at the end of the first half of 2026 (72.5% of the number of documents subject to enforcement).[1048]

Of the 5.19 million enforcement documents subject to enforcement, 3.8 million were under the jurisdiction of SES bodies and 1.38 million under private enforcement officers. In the first half of 2026, approximately 864,000 enforcement proceedings were enforced by SES bodies (22.7% of enforcement documents subject to enforcement), while private enforcement officers enforced approximately 169,000 enforcement proceedings (12.3% of enforcement documents subject to enforcement).[1049] In the first half of 2026, enforcement documents totalling UAH 517.7 billion were subject to compulsory enforcement by SES bodies, of which UAH 9.8 billion was recovered, or **1.9%**. In the first half of 2026, enforcement documents totalling UAH 385.7 billion were subject to compulsory enforcement by private enforcement officers, of which UAH 6.9 billion was recovered, or **1.8%**. As of 30 June 2026, the enforcement of court decisions and decisions of other bodies (officials) was actually carried out by **2,850** state enforcement officers. At the same time, the Unified Register of Private Enforcement Officers of Ukraine contained information on **394** private enforcement officers.[1050]

In the first half of 2026, the annual workload per **state** enforcement officer amounted to **1,374 enforcement documents**, while that of one **private** enforcement officer was 3,562.[1051]

According to Opendatabot,[1052] as of early March 2026, more than 9.5 million debts were recorded in the Unified Register of Debtors (URD). Over the past year, the URD increased by 514,360 new debts (+6%). Among all categories, the largest proportion of debts recorded in the URD concerns fines for traffic violations — over 2 million proceedings (21%). A further 20% relate to other administrative offences not connected with road safety — 1.93 million cases. A significant share is also accounted for by other recoveries in favour of the state budget — various sanctions, payments and fines — 1.65 million proceedings (17.3%). The largest category remains debts not assigned by enforcement officers to any specific category, i.e. proceedings that do not fall under defined categories: 2.1 million, or 22% of all entries.[1053]

1047 Activities of SES bodies and private enforcement officers. Ministry of Justice of Ukraine. 2025. ↗

1048 Letter of the Ministry of Justice of Ukraine No. 114645/PI-YR-3106/20.4.2 of 03.08.2026.

1049 Ibid.

1050 Ibid.

1051 Ibid.

1052 More than half a million new debts were recorded among Ukrainians over the year. Opendatabot, 2026. ↗

1053 Ibid.

As at the beginning of July 2026, the URD contained 829,700 utility-service debts.[1054] Almost 62% of them had been closed but remained unpaid. Enforcement officers may close proceedings because recovery is impossible or for other reasons. In such cases, the debt records remain in the URD.

Amendments to the classification of categories of recoveries were introduced by the MoJ, inter alia, to better identify potentially problematic enforcement proceedings and to maintain operational statistics on them. At the same time, some proceedings that do not fall within the updated categories (for example, recoveries between individuals or legal entities) are currently classified as 'other'. This explains the increase in the number of proceedings in the category of those not falling under separately defined categories.[1055]

According to the MoJ, **the main reasons for the prolonged non-enforcement of court decisions and decisions of other bodies (officials)** include,[1056] inter alia: the absence of funds on the part of debtors; financial instability of debtor enterprises; the lack of allocated state budget expenditures for the enforcement of certain categories of decisions; abuse and evasion by debtors through the concealment or disposal of assets and funds; and the existence of a large number of moratoria.

According to a survey[1057] of 460 judges, defendants and claimants, the primary reasons for the non-enforcement of court decisions were identified as insufficient state funding (58% of respondents) and the lack of effective enforcement mechanisms, in particular limited powers of state and private enforcement officers, as well as the absence of real liability for the intentional non-enforcement of decisions by officials (43%). A somewhat smaller share of respondents identified inactivity of enforcement authorities (26%) and insufficient judicial oversight following the adoption of a decision (21%) among the key reasons.

The overall statistics also include a separate category of court decisions — those delivered against the Russian Federation in relation to the consequences of the war. At present, such decisions cannot be enforced in Ukraine due to the absence of appropriate mechanisms. However, they artificially distort the overall enforcement picture — in the year when this category was transferred for enforcement, the recovery rate decreased fivefold. Such cases should be treated separately from the general enforcement statistics, which would allow for a more objective assessment of the effectiveness of the enforcement system in Ukraine, without conflating it with decisions that currently have no realistic prospect of enforcement.[1058]

With regard to draft laws that could have affected the enforcement of decisions, Draft Law **No. 5660**,[1059] supported by the Verkhovna Rada Committee on Legal Policy, the

1054 More Than 108,000 Utility Debts Opened in 2026. Opendatabot, 2026. ↗

1055 More Than Half a Million New Debts Recorded for Ukrainians over the Past Year. Opendatabot, 2026. ↗

1056 Activities of SES bodies and private enforcement officers. Ministry of Justice of Ukraine, 2025. ↗

1057 As part of the study — a jurisdictional analysis of judicial control in Ukraine 'Judicial Control Procedure in Administrative, Civil and Commercial Proceedings', conducted by NGO 'Interregional Expert Centre "Pro Justice"' under the EU Project 'Pravo-Justice', pp. 22–23. Pravo-Justice, 2026. ↗

1058 Less than one kopeck per hryvnia of debt is currently recovered in Ukraine. Opendatabot, 2025. ↗

1059 On Enforcement of Decisions: Draft Law of Ukraine, registration No. 5660 of 14.06.2021. ↗

Association of Private Enforcement Officers of Ukraine (APEOU) and the International Union of Judicial Officers, and recognised at the parliamentary level as aligned with European integration goals, has, since its adoption at first reading in 2021, continued to be prepared for second reading by Parliament. By contrast, Draft Law No. **9363**,[1060] adopted at first reading in November 2024, was rejected by Parliament following its consideration at second reading in August 2025 and removed from further consideration.

On 7 April 2026, the Verkhovna Rada adopted **Law No. 4833-IX**[1061] (Draft Law No. 14005,[1062] which is almost identical to Draft Law No. 9363). Law No. 4833-IX provides, inter alia, for:

- improving the procedure for recovery against funds and electronic money of debtors held in accounts/electronic wallets opened with banks and other financial institutions;
- automated lifting of attachment from debtors' accounts (where the amount to be recovered does not exceed 10 minimum wages) and removal from the URD after the debt has been paid;
- expanding the functionality of the AEPS and the URD and introducing their interaction with other state registers to prevent debtors from disposing of property;
- establishing the procedure for recovery against funds held in deposit accounts;
- increasing the debt threshold below which a debtor's sole dwelling may not be subject to recovery, from 20 to 50 minimum wages.

Law No. 4833-IX **will enter into force gradually**: some provisions entered into force in April 2026, while others, including the launch of the fully functional AEPS, will enter into force in autumn 2026. This phased approach is due to the need for technical preparation of the systems and updating of registers.

At present, the **first stage of the AEPS modernisation has been implemented**. The current software update implements individual provisions of Law No. 4833-IX, with one of the key innovations being functionality enabling enforcement officers to promptly adopt and register decisions to remove information on a person from the URD.[1063] In addition, new functionality for electronic interaction between the AEPS and the UJITS has been introduced. Decisions on attachment of debtors' salaries, pensions, scholar ships and other income will now be sent directly to the electronic cabinets of institu-

1060 On Amendments to Certain Laws of Ukraine on the Digitalisation of Enforcement Proceedings: Draft Law of Ukraine, registration No. 9363 of 07.06.2023. ↗

1061 On Amendments to Certain Legislative Acts of Ukraine on Improving the Procedure for Enforcing Court Decisions and Decisions of Other Bodies and Digitalising Individual Stages of Enforcement Proceedings: Law of Ukraine No. 4833-IX of 07.04.2026. ↗

1062 On Amendments to Certain Laws of Ukraine Regarding Simplification of Enforcement Proceedings through Digitalisation: Draft Law of Ukraine, registration No. 14005 of 04.09.2025. ↗

1063 Digitalisation of Enforcement Proceedings: First Technical Changes Implemented in the AEPS under Law No. 4833-IX. Ministry of Justice of Ukraine, 2026. ↗

tions, enterprises and organisations registered in the UJITS.[1064] The new functionality also optimises the work of state and private enforcement officers and should facilitate more prompt enforcement of court decisions. In addition to integration with the judicial system, developers implemented a number of further technical improvements and fixes. All of them are aimed at improving user interaction with the AEPS functionality.[1065]

As regards expanding the functionality of the AEPS, Law No. 4833-IX provides that the system is intended to provide parties to enforcement proceedings with access to information and documents related to enforcement proceedings, as well as the possibility to submit relevant documents in electronic form. It is also envisaged that the system will ensure electronic interaction between SES bodies, private enforcement officers and public authorities, banks, other financial institutions, non-bank payment service providers and issuers of electronic money. In addition, the AEPS should enable enforcement officers to obtain information on debtors, their property, income and funds (including electronic money), including confidential information, from state electronic databases and registers, as well as from other automated information systems.

The granting of such powers to enforcement officers has the potential to significantly accelerate enforcement proceedings and increase their transparency. However, the Law does not define a specific list of electronic databases and registers to which such access is to be granted, nor does it specify the types of data or information — including information on their presence or absence — that enforcement officers would be entitled to request.

In this regard, granting enforcement officers unrestricted access to an **undefined scope of information on debtors**, **including confidential data**, raises concerns.[1066] This may create risks of excessive interference by enforcement officers in the sphere of debtors' personal data and the potential violation of their right to data protection. The lack of regulation of this issue gives rise to legal uncertainty regarding the limits of access to information.

The Law also proposes the introduction of automatic lifting of the seizure of funds from a debtor's accounts upon full repayment of the debt, without the need for an additional application to the enforcement officer. At the same time, it does not provide for the automatic lifting of seizure of movable and immovable property.

According to some experts,[1067] these legislative initiatives are less an instrument of digitalisation and rather a move towards a register-based restrictive model of enforcement, in which digitalisation is used primarily as a justification for expanding the consequences of including a person in the URD and for effectively blocking the possibility of disposing of property without individualised enforcement measures. Such an approach differs significantly from the European logic, in which digital registers and electronic channels

1064 The MoJ Modernised Enforcement Proceedings: AEPS Received Expanded Integration with the Judicial System. Ministry of Justice of Ukraine, 2026. ↗

1065 Ibid.

1066 A detailed analysis of Draft Law No. 14005 is set out in the analytical review by the CSO 'Agency for Legislative Initiatives'. CSO 'Agency for Legislative Initiatives', 2025. ↗

1067 Information obtained from an interview with a representative of the Association of Private Enforcement Officers of Ukraine, conducted on 16.03.2026.

do not replace targeted enforcement measures, but merely ensure their accuracy, timeliness and controllability.

Law No. 4833-IX does not regulate, inter alia, equalising the powers of private and state enforcement officers, automating the procedure for access to the profession and improving the training of new candidates or remuneration of private enforcement officers. Draft Law No. 5660, by contrast, regulates these issues. At the same time, certain provisions of that draft law need to be updated to reflect current circumstances, primarily as regards digitalisation and the development of modern enforcement mechanisms.[1068]

In October 2025, four draft laws in the field of enforcement of court decisions were registered in Parliament: Nos. 14108-1[1069] and 14108-2[1070] (concerning voluntary enforcement of court decisions), and Nos. 14162[1071] and 14163[1072] (concerning the improvement of the system of enforcement proceedings where the debtor is the state). In addition, since 2023, Draft Law No. 10048,[1073] which concerns the introduction of a time limit for voluntary compliance with a decision, has been under consideration by Parliament. As of July 2026, four of the listed draft laws are being considered by Verkhovna Rada committees, while Draft Law No. 14108-1 has been withdrawn and removed from consideration.

According to a study by the Razumkov Centre,[1074] the majority of enforcement officers (52%) consider the state of enforcement of court decisions satisfactory, while 29% hold the opposite view.

However, the problems in the field of enforcement of court decisions identified in the Shadow Report 2025[1075] remain relevant, namely:

1) limited access of private enforcement officers to state registers;[1076]

2) an imperfect procedure for taking the qualification exam by persons seeking to become private enforcement officers;[1077]

1068 Five Years after the First Reading of Draft Law No. 5660: Further Reform of the Compulsory Enforcement System Discussed by the UBA Enforcement Officers Section. Association of Private Enforcement Officers of Ukraine, 2026. ↗

1069 On Amendments to Certain Legislative Acts of Ukraine on the Voluntary Enforcement of Decisions on the Recovery of Monetary Funds: Draft Law of Ukraine, registration No. 14108-1 of 15.10.2025. ↗

1070 On Amendments to Certain Legislative Acts of Ukraine to Ensure the Possibility of Voluntary Enforcement of Court Decisions: Draft Law of Ukraine, registration No. 14108-2 of 21.10.2025. ↗

1071 On Amendments to Certain Laws of Ukraine on Improving the System for the Enforcement of Enforcement Proceedings in Which the State Is the Debtor: Draft Law of Ukraine, registration No. 14162 of 28.10.2025. ↗

1072 On Amendments to the Budget Code of Ukraine on Improving the System for the Enforcement of Enforcement Proceedings in Which the State Is the Debtor: Draft Law of Ukraine, registration No. 14163 of 28.10.2025. ↗

1073 On Amendments to the Law of Ukraine 'On Enforcement Proceedings' on Introducing a Time Limit for Voluntary Compliance with a Decision: Draft Law of Ukraine, registration No. 10048 of 14.09.2023. ↗

1074 Report on the Study 'Attitudes of Advocates, Prosecutors and State and Private Enforcement Officers towards the Judicial System in Ukraine' / NGO 'Razumkov Centre for Economic and Political Studies', 2025, p. 17. ↗

1075 The issues previously identified by civil society in the Shadow Report 2025 (pp. 155–161) remain relevant. ↗

1076 Information obtained from an interview with a representative of the Association of Private Enforcement Officers of Ukraine, conducted on 16.03.2026.

1077 Ibid.

3) the absence of equal powers between private and state enforcement officers[1078] (Draft Laws Nos. 4330,[1079] 4331[1080] and 4532,[1081] which may expand the powers of private enforcement officers, have been awaiting second reading by the Verkhovna Rada since 2021);

4) the absence of a unified concept for the effective digitalisation and automation of the enforcement of court decisions (even taking into account the adoption of Law No. 4833-IX);

5) the Unified State Register of Enforcement Documents has not yet become operational;[1082]

6) the strengthening of the regulatory role of the MoJ in the functioning of the institution of private enforcement officers. In August 2025, by Order No. 2204/5,[1083] the MoJ introduced amendments to the Instruction on the Organisation of Compulsory Enforcement of Decisions[1084] concerning the recovery of the main remuneration of private enforcement officers.[1085] The professional community of private enforcement officers did not participate in the drafting or approval of these amendments.[1086] At the same time, these amendments have been criticised by private enforcement officers in Ukraine, in light of established and contrary judicial practice regarding the grounds and procedure for recovering the main remuneration of private enforcement officers, as well as statutory limitations on such recovery.[1087] In October 2025, the APEOU decided to challenge Order No. 2204/5 in court in the part concerning the recovery of the main remuneration of private enforcement officers.[1088] Subsequently, APEOU

1078 Ibid.

1079 On Amendments to Certain Legislative Acts of Ukraine on Expanding the Powers of Private Enforcement Officers: Draft Law of Ukraine, registration No. 4330 of 05.11.2020. ↗

1080 On Amendments to the Code of Ukraine on Administrative Offences on Expanding the Powers of Private Enforcement Officers: Draft Law of Ukraine, registration No. 4331 of 05.11.2020. ↗

1081 On Amendments to the Customs Code of Ukraine on Expanding the Powers of Private Enforcement Officers for the Compulsory Enforcement of Decisions Imposing Fines for Violations of Customs Rules: Draft Law of Ukraine, registration No. 4532 of 21.12.2020.

1082 Information obtained from an interview with a representative of the Association of Private Enforcement Officers of Ukraine, conducted on 16.03.2026.

1083 On Amendments to Certain Regulatory Legal Acts of the Ministry of Justice of Ukraine: Order of the Ministry of Justice of Ukraine No. 2204/5 of 13.08.2025. ↗

1084 On Approval of the Instruction on the Organisation of Compulsory Enforcement of Decisions: Order of the Ministry of Justice of Ukraine No. 512/5 of 02.04.2012. ↗

1085 In Section III of the Instruction on the Organisation of Compulsory Enforcement of Decisions, para. 9 was supplemented with the words and figures 'and taking into account the specific features established by parts five to eight of Article 27 of the Law'. The provision currently reads as follows: 'The basic remuneration of a private enforcement officer shall be recovered in accordance with the procedure established for the recovery of the enforcement fee and taking into account the specific features established by parts five to eight of Article 27 of the Law'. At the same time, Part 5 of Article 27 of the Law of Ukraine 'On Enforcement Proceedings' provides that the enforcement fee shall not be recovered where a decision is enforced by a private enforcement officer.

1086 Decision of the Council of Private Enforcement Officers of the City of Kyiv No. 10/02-2025 of 10.10.2025. Association of Private Enforcement Officers of Ukraine, 2025. ↗

1087 Ibid.

1088 Decision of the Council of Private Enforcement Officers of Ukraine No. 87 of 24.10.2025. Association of Private Enforcement Officers of Ukraine, 2025. ↗

and individual private enforcement officers filed relevant claims before the courts.[1089] In March 2026, the cases were joined into one,[1090] and in April, by a decision[1091] of the Kyiv District Administrative Court, the administrative claims were fully granted on the merits. The MoJ appealed this decision and, as at July 2026, consideration of the appeal is ongoing;[1092]

7) legislatively established moratoria on the compulsory recovery of property/funds from certain categories of debtors remain in force. At the same time, the effect of some moratoria was extended during the reporting period.[1093] In 2025, due to the application of moratoria, the enforcement of 16.8 thousand enforcement proceedings amounting to UAH 8.12 billion was impeded.[1094] There were isolated attempts to amend the operation of moratoria. In particular, in May 2026 the Verkhovna Rada Committee on Legal Policy considered **Draft Law No. 15282**,[1095] which proposed amending the moratorium on compulsory enforcement of decisions against the State Enterprise 'Eastern Mining and Processing Plant' by removing the prohibition on enforcing court decisions awarding compensation for non-pecuniary damage to victims or the families of deceased persons. However, in July the draft law was withdrawn and removed from Parliament's consideration.

In order to implement the task[1096] of creating additional mechanisms for the enforcement of court decisions concerning enterprises subject to moratoria, the MoJ, within the framework of international technical assistance, engaged the European Bank for Reconstruction and Development, which is implementing the technical cooperation project 'Ukraine - Assistance on Moratoria on Foreclosure and Bankruptcy of State-Owned Enterprises' (the Project). The Project's team of consultants has **structured the existing moratoria based on sectoral similarities** and identified 11 separate groups of moratoria requiring individual analysis for the development of a strategy for their removal. This analysis was intended to form part of the final feasibility study and the roadmap for the phased removal and revision of moratoria. Only thereafter will it be possible to develop a draft law on amendments to the relevant legislative acts concerning the phased removal and revision of moratoria.[1097]

1089 Ruling of the Kyiv District Administrative Court of 07.11.2025 in case No. 320/53314/25. ↗; Ruling of the Kyiv District Administrative Court of 02.12.2025 in case No. 380/20571/25. ↗; Ruling of the Kyiv District Administrative Court of 21.01.2026 in case No. 320/51213/25. ↗

1090 Ruling of the Kyiv District Administrative Court of 19.03.2026 in case No. 320/51213/25. ↗

1091 Decision of the Kyiv District Administrative Court of 14.04.2026 in case No. 320/51213/25. ↗

1092 Ruling of the Sixth Administrative Court of Appeal of 29.05.2026 in case No. 320/51213/25. ↗

1093 On Amendments to the Tax Code of Ukraine to Support the State Enterprise 'Production Association "Pivdennyi Machine-Building Plant named after O.M. Makarov"' under Martial Law: Law of Ukraine No. 4727-IX of 17.12.2025. ↗; On Amendments to Certain Legislative Acts of Ukraine on Improving the Functioning of Energy Markets, Competitive Conditions for Electricity Generation from Alternative Energy Sources, and Strengthening Energy Resilience: Law of Ukraine No. 4777-IX of 10.02.2026. ↗

1094 Activities of SES bodies and private enforcement officers. Ministry of Justice of Ukraine. ↗

1095 On Amendments to Paragraph 1-4 of Section XIII 'Final and Transitional Provisions' of the Law of Ukraine 'On Enforcement Proceedings': Draft Law of Ukraine, registration No. 15282 of 29.05.2026. ↗

1096 On Approval of the Action Plan for the Implementation of the National Strategy for Resolving the Problem of Non-Enforcement of Court Decisions, Where the Debtor Is a State Authority or a State Enterprise, Institution or Organisation, for the Period up to 2027: Order of the Cabinet of Ministers of Ukraine No. 210 of 17.03.2021. ↗

1097 Proposals of the Ministry of Justice of Ukraine to the Draft Law of Ukraine 'On Amendments to the Budget Code of Ukraine on Improving the System for the Enforcement of Enforcement Proceedings in Which the State Is the Debtor', submitted to the Verkhovna Rada of Ukraine by Member of Parliament H.M. Tretiakova (registration No. 14163 of 28.10.2025) (first reading). Cabinet of Ministers of Ukraine. ↗

In the first quarter of 2026, a draft feasibility study on the expediency of lifting the moratoria was prepared. However, the NACP's quarterly monitoring[1098] contains no information on draft laws aimed at reviewing and lifting unjustified moratoria on compulsory enforcement of decisions where state-owned enterprises are the debtors.

During the reporting period, the **issue of low remuneration of state enforcement officers** was also highlighted. In February 2026, two petitions were submitted via the electronic petitions service on the website of the Cabinet of Ministers of Ukraine concerning salary increases for SES employees,[1099] stating that a state enforcement officer receives a salary, including bonuses and allowances, ranging from UAH 8,000 to 15,000. One of the petitions emphasised that, at present, the remuneration of SES employees is among the lowest in Ukraine, despite SES constituting one of the largest segments of the civil service. Ultimately, the petitions did not receive the required number of votes and were therefore not considered. The Accounting Chamber also notes in its report that the remuneration system in the civil service, including that of state enforcement officers, has not become more fair, transparent or incentive-based.[1100]

Low remuneration of state enforcement officers poses a risk of reduced staff motivation and attrition, which in turn may lead to delays in the enforcement of court decisions and decisions of other bodies (officials). At the same time, the state must ensure an adequate level of remuneration for civil servants to enable the professional performance of their duties, and to encourage effective, efficient, integrity-driven and proactive work.[1101]

The issue of **enforcement proceedings involving persons subject to sanctions in the form of asset blocking** remains relevant. During the reporting period, no integration of technical interaction between the AEPS and the State Sanctions Register was achieved.

Court proceedings were completed in a case concerning a private enforcement officer's challenge to disciplinary liability imposed in connection with the sale of property belonging to a sanctioned person. In its decision, the court of first instance noted[1102] that no existing provision in any applicable normative legal act establishes restrictions or prohibitions in the field of compulsory enforcement of court decisions and decisions of other bodies in respect of debtors who are sanctioned persons. The MoJ's appeal[1103] against that decision was dismissed, and the MoJ was refused leave to open cassation proceedings on its cassation appeal.[1104]

1098 Information System for Monitoring the Implementation of State Anti-Corruption Policy. Measure 2.1.4.4.3. National Agency on Corruption Prevention. ↗

1099 Petition of 23.02.2026 No. 41/009233-26ep 'On Increasing the Salaries of Employees of the State Enforcement Service'. Cabinet of Ministers of Ukraine, 2026. ↗; Petition of 26.02.2026 No. 41/009248-26ep 'On Increasing the Salaries of State Enforcement Officers and Employees of the State Enforcement Service of Ukraine'. Cabinet of Ministers of Ukraine, 2026. ↗

1100 Despite increased expenditure on the remuneration of civil servants, the civil service reform has not achieved its intended results: audit findings. Accounting Chamber, 2025. ↗

1101 On Civil Service: Law of Ukraine No. 889-VIII of 10.12.2015, Part 1 Article 50. ↗

1102 Decision of the Odesa District Administrative Court of 29.01.2026 in case No. 420/37988/25. ↗

1103 Judgment of the Fifth Administrative Court of Appeal of 14.04.2026 in case No. 420/37988/25. ↗

1104 Ruling of the Supreme Court, sitting as a panel of judges of the Administrative Cassation Court, of 02.06.2026 in case No. 420/37988/25. ↗

Since June 2025, Draft Law **No. 12406**[1105] has been awaiting second reading by Parliament. It was developed with the aim of providing a legal framework for liability for violations of restrictive measures (sanctions) imposed by the state, their intentional circumvention, and for strengthening the effectiveness of sanctions in the interests of Ukraine's national security. As of today, the legislation does not regulate the procedure to be followed by an enforcement officer in cases where enforcement documents are submitted for compulsory enforcement, or where enforcement proceedings are already pending, in which the debtor is a person subject to personal special economic and other restrictive measures (sanctions).[1106]

Enforcement of Judgments of the European Court of Human Rights

According to the ECtHR Annual Report for 2025, Ukraine continues to rank third among the countries with the highest number of applications pending before the ECtHR (**4,004 applications**).[1107] At the same time, the **total number of applications against Ukraine pending before the ECtHR decreased by 48%** compared to January 2025 (7,703 applications).[1108] During 2025, the **ECtHR declared 5,429 applications against Ukraine inadmissible or struck them out of the list of cases** — a figure significantly exceeding those of previous years (2024 — 2,329; 2023 — 1,999; 2022 — 1,703).[1109]

In 2025, the ECtHR delivered 164 judgments in cases against Ukraine, covering 569 applications.[1110] Most of these cases concerned the right to an effective remedy (89), the right to liberty and security (68), and the length of proceedings (58).[1111]

In **131 judgments, the ECtHR found violations of the provisions of the ECHR** and awarded compensation to applicants; **in 12 cases, it found violations without awarding compensation**; and **in 4 cases, it found no violation**. A further **36 applications were declared inadmissible**. These included a case concerning a former Member of Parliament regarding covert investigative actions by NABU, '**Ryashentseva and Others v. Ukraine**' concerning complaints of alleged shelling of the occupied territories of Donetsk and Luhansk regions by the AFU submitted by advocates from Moscow, as well as a case concerning complaints about the competition for judges of the ACC SC. In addition, in **45 applications**, the Court declared part of the complaints inadmissible or found no violation after receiving the observations of the Government of Ukraine.

1105 On Amendments to the Criminal Code of Ukraine, the Criminal Procedure Code of Ukraine and the Law of Ukraine 'On Sanctions' on Establishing Liability for Violations of Special Economic and Other Restrictive Measures (Sanctions): Draft Law of Ukraine, registration No. 12406 of 14.01.2025. ↗

1106 APEOU addressed state authorities with proposals on the legislative regulation of the specific features of compulsory enforcement of decisions concerning sanctioned persons and sanctioned assets. Association of Private Enforcement Officers of Ukraine, 2025. ↗

1107 Annual Report of the European Court of Human Rights, 2025. ↗

1108 Publication by the Government Agent before the European Court of Human Rights on the social network Facebook, 2026. ↗

1109 Ibid.

1110 Ukraine demonstrates significant results in the execution of ECtHR judgments: 97 cases closed in 2025. Ministry of Justice of Ukraine, 2026. ↗

1111 Annual Report of the European Court of Human Rights, 2025, p. 36. ↗

In 21 cases **covering 97 applications**, the cases were struck out of the list due to the applicants' failure to comply with time limits for submitting comments.[1112]

In 2025, the Committee of Ministers of the Council of Europe (CM CoE) **closed its supervision over the execution of 97 ECtHR judgments in cases against Ukraine**. The number of closed cases increased by 29.3% compared to 2023–2024 and by 44.8% compared to 2022. Of these, 11 were leading cases — judgments identifying structural problems and requiring comprehensive general measures.[1113]

At the beginning of December 2025, the CM CoE examined the progress[1114] achieved by Ukraine in the execution of ECtHR judgments in the Oleksandr Volkov[1115] group of cases concerning structural issues related to the independence of the judiciary, the system of disciplinary liability of judges and judicial careers (violations of the right to a fair trial and the right to respect for private life). The CM CoE had been supervising the execution of this judgment since 2013. In view of the substantial progress achieved, the CM CoE **closed its supervision of the case 'Oleksandr Volkov v. Ukraine'**[1116] as the leading case in this group. At the same time, the **CM CoE will continue to supervise the implementation of outstanding measures**, in particular those related to the consistent **functioning of the new system of judicial disciplinary liability and the systematisation of disciplinary practice, the application of the Unified Indicators for Assessing the Integrity and Professional Ethics of a Judge (Judicial Candidate)**, as well as the further improvement of the legal and institutional framework **in the context of the ECtHR cases 'Denisov v. Ukraine' and 'Holovchuk v. Ukraine'**, with due attention to judicial independence, impartiality and the principle of irremovability of judges.[1117]

An important step was also the closure of the **case 'Petukhov v. Ukraine No. 2'**, which had been under the supervision of the CM CoE since 2019. Following the adoption on 18 October 2022 of Laws No. 2689-IX and No. 2690-IX,[1118] a comprehensive legal reform was introduced, establishing a mechanism for reviewing life sentences in accordance with the ECHR. The new system provides for the possibility of applying for the replacement of life imprisonment with a term sentence after serving at least 15 years, as well as the right to reapply in the event of refusal. The effectiveness of this reform has been confirmed by the ECtHR in its 2025 judgments in the cases 'Medvid v. Ukraine' and 'Kovalenko and Others v. Ukraine'.[1119]

1112 Ukraine demonstrates significant results in the execution of ECtHR judgments: 97 cases closed in 2025. Ministry of Justice of Ukraine, 2026. ↗

1113 Ibid.

1114 Ukraine: Important milestone in implementing judgments concerning the independence and impartiality of the judiciary. Council of Europe, 2025. ↗

1115 Oleksandr Volkov v. Ukraine. Council of Europe. ↗

1116 CM/ResDH(2025)399 - Resolution CM/ResDH(2025)399 - Execution of the judgments of the European Court of Human Rights - Oleksandr Volkov against Ukraine (Application No. 21722/11). Council of Europe. ↗

1117 The Committee of Ministers of the Council of Europe decided to close the supervision of the execution of judgments in the group of cases Oleksandr Volkov v. Ukraine. High Council of Justice, 2025. ↗

1118 On Amendments to Certain Legislative Acts of Ukraine on the Execution of Judgments of the European Court of Human Rights: Law of Ukraine No. 2689-IX of 18.10.2022. ; On Amendments to the Code of Ukraine on Administrative Offences, the Criminal Code of Ukraine and the Criminal Procedure Code of Ukraine on the Execution of Judgments of the European Court of Human Rights: Law of Ukraine No. 2690-IX of 18.10.2022. ↗

1119 Ukraine demonstrates significant results in the execution of ECtHR judgments: 97 cases closed in 2025. Ministry of Justice of Ukraine, 2026. ↗

As a result of the measures implemented in 2023–2024, for the first time since 2005 the CM CoE terminated its supervision over 11 cases belonging to the **Kaverzin / Afanasyev / Belousov** group.[1120] As of 31 December 2025, a further 13 final decisions in criminal proceedings within this category had been adopted (20 since the last reporting to the CM CoE).[1121]

At the end of January 2026, the ECtHR published its decision in the **case 'Vovk v. Ukraine'**[1122] (former Head of the liquidated DACK), in which it unanimously **declared the application inadmissible**. The applicant alleged that: (1) NABU had violated the presumption of innocence and damaged his reputation by creating an impression of guilt prior to conviction; (2) the publications and accusations pursued ulterior motives (namely, to harm his reputation and exert pressure on the judiciary rather than to inform the public); and (3) there was a lack of effective domestic remedies.[1123] In response, the ECtHR noted that the applicant had had the opportunity to bring a civil claim for the protection of honour, dignity and business reputation but had not made use of this remedy. By contrast, the criminal complaint submitted by the applicant to the SBI did not constitute an effective remedy. The ECtHR also found that there was insufficient evidence to support the applicant's allegation that the publications by NABU were driven by ulterior motives.[1124]

In March 2026, the 1553rd meeting of the CM CoE in the format of supervision over the execution of ECtHR judgments took place in Strasbourg, covering several groups of cases against Ukraine, including the case 'Ovcharenko and Kolos v. Ukraine'.[1125] For the first time, a group of cases concerning the unlawful dismissal of CCU judges for 'breach of oath' due to the lack of clarity in legal regulation was examined. The CM CoE welcomed the constitutional and legislative amendments of 2016–2017, which removed 'breach of oath' as a ground for dismissal of CCU judges and instead established new grounds for dismissal and functional immunity of judges.[1126] The CM CoE also noted Draft Law No. 4533,[1127] which aims to further clarify the grounds for disciplinary liability and dismissal of CCU judges; called for ensuring that the final legislative framework fully complies with ECtHR case law and the recommendations of the Venice Commission; and urged the adoption of the Strategy for the Development of the Justice System and Constitutional Court Proceedings.[1128] As at July 2026, the draft law is awaiting its second reading in Parliament.

1120 Report on the Implementation of the Association Agreement between Ukraine and the European Union for 2025. Pp. 57–58. Cabinet of Ministers of Ukraine, 2025. ↗

1121 Ibid.

1122 Fifth section decision Application No. 54353/20 Pavlo Vyacheslavovych VOVK Against Ukraine. European Court of Human Rights, 2026. ↗

1123 Publication by the Government Agent before the European Court of Human Rights on the social network Facebook, 2026. ↗

1124 Ibid.

1125 Publication by the Government Agent before the European Court of Human Rights, Margaryta Sokorenko, on the social network Facebook, 2026. ↗

1126 H46-41 Ovcharenko and Kolos group v. Ukraine (Application No. 27276/15): Supervision of the execution of the European Court's judgments. Council of Europe. 2026. ↗

1127 On the Constitutional Procedure: Draft Law of Ukraine, registration No. 4533 of 21.12.2020. ↗

1128 H46-41 Ovcharenko and Kolos group v. Ukraine (Application No. 27276/15): Supervision of the execution of the European Court's judgments. Council of Europe. 2026. ↗

In June 2026, the 1563rd meeting of the CM CoE was held, during which the status of Ukraine's execution of ECtHR judgments was considered.[1129] A key achievement at the meeting was the CM CoE decision to close supervision of the execution of 12 cases in the Kaverzin/Afanasyev/Belousov v. Ukraine group. The CM CoE also positively noted measures to prevent police abuse, including the introduction of a system for recording detainees and the further expansion of the Custody Records system. At the same time, concerns were expressed regarding problems with the registration of complaints, delays in investigations and insufficient involvement of victims in proceedings. The CM CoE also positively noted the Ukrainian authorities' efforts to align legislation with international standards and improve mechanisms for combating domestic violence. At the same time, it called on the Ukrainian authorities to complete the adoption of legislation enabling domestic violence cases to be investigated ex officio, taking into account the vulnerable situation of victims.[1130]

In July 2026, the ECtHR delivered a judgment in **Derevyanko and Tarasova v. Ukraine**,[1131] in which it paid particular attention to how Ukrainian courts had used its case law. The problem concerns **incorrect citation of ECtHR judgments and the relevance of references**. The Court noted that it welcomed the national courts' efforts to take ECtHR case law into account but expressed concern that they appeared to have acted on a certain misunderstanding of the Court's case law. Some propositions that Ukrainian courts attributed to the judgment in Letellier v. France do not in fact appear in that judgment and do not reflect the ECtHR's approach to assessing the lawfulness of detention.[1132]

On 25 June 2025, the GC SC, within the framework of case No. 607/15144/20, **for the first time submitted**[1133] **a request to the ECtHR for an advisory opinion** concerning the right of residence in a monastery of a person who had previously belonged to a religious order, and whether such a dispute should be adjudicated by national courts. On 15 September 2025, a panel of five judges of the Grand Chamber of the ECtHR decided to accept the request for consideration,[1134] and on 5 March 2026 Ukraine received its first Advisory Opinion from the ECtHR.[1135]

At present, a second request from the SC for an Advisory Opinion is pending before the ECtHR, concerning the proportionality of a tax penalty calculated at a fixed rate established by law.[1136]

1129 Delegation of the Ministry of Justice of Ukraine Participated in the 1563rd Meeting of the Committee of Ministers of the Council of Europe. Ministry of Justice of Ukraine, 2026. ↗

1130 Ibid.

1131 Fifth section Applications nos. 39465/23 and 43066/23 Case of Derevyanko and Tarasova v. Ukraine. European Court of Human Rights, 2026. ↗

1132 Publication by the Acting Head of the Supreme Court Secretariat R. Babanli on the social network Facebook, 2026. ↗

1133 The SC discussed 30 years of experience in implementing the European Convention on Human Rights in the national legal order, as well as ways to improve effective dialogue between the ECtHR and the judiciary of Ukraine. Supreme Court, 2025. ↗

1134 The European Court of Human Rights accepted the first request from the Supreme Court under Protocol No. 16 to the Convention for the Protection of Human Rights and Fundamental Freedoms. Supreme Court, 2025. ↗

1135 Advisory Opinion on the status of monastery premises and the jurisdiction of courts to examine disputes concerning them. European Court of Human Rights, 2026. ↗

1136 The European Court of Human Rights accepted a request from the Supreme Court of Ukraine for an advisory opinion in a dispute concerning the proportionality of a tax penalty calculated at a fixed rate established by law. European Court of Human Rights, 2026. ↗

In 2025, progress was made in the study of ECtHR case law — **the Ukrainian-language version of the ECHR Knowledge Sharing Platform was released.**[1137] The SC systematically prepares thematic reviews of ECtHR case law, analysing key judgments, highlighting problematic issues in the interpretation of the ECHR and their significance for Ukrainian judicial practice.[1138]

In assessing Ukraine's compliance with the ECHR, it is necessary to consider the realities of the war, the systemic personnel deficit and limited funding. Each year, Ukrainian courts of all instances and jurisdictions consider more than 5 million cases. The ratio between this number and the number of applications declared admissible by the ECtHR constitutes an important proportion.[1139]

During 2025, approximately 7,000 draft acts of national legislation were subject to legal review for compliance with the ECHR, following which opinions and reservations were issued to prevent future violations.[1140]

Since the end of 2024, **Draft Law No. 12261**[1141] has been under consideration in Parliament. It proposes to introduce the possibility of recovering from officials the amounts paid by the state in execution of ECtHR judgments delivered against it. In February 2026, the draft law was included in the agenda of the Verkhovna Rada; however, given the controversial nature of the proposed amendments, its adoption may lead to violations, including of human rights and judicial independence.[1142]

At the same time, in December 2025, a member of the Verkhovna Rada Committee on Legal Policy noted[1143] that, in view of changes in the volume and nature of cases against Ukraine, the provisions of the Law of Ukraine 'On the Execution of Judgments and Application of the Case Law of the European Court of Human Rights'[1144] require updating, and the relevant work is currently ongoing.

The Rule of Law Roadmap[1145] provides for the introduction of annual monitoring of the effectiveness of the mechanism for the execution of ECtHR judgments. The relevant indicator will be a 10% increase in the share of executed judgments in cases against Ukraine compared to the average for 2022–2024, with priority given to cases under

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1137 The Supreme Court discusses the experience of implementing the European Convention on Human Rights in Ukraine. Council of Europe Office in Ukraine, 2025. ↗

1138 The SC discussed 30 years of experience in implementing the European Convention on Human Rights in the national legal order, as well as ways to improve effective dialogue between the ECtHR and the judiciary of Ukraine. Supreme Court, 2025. ↗

1139 Ibid.

1140 Ukraine demonstrates significant results in the execution of ECtHR judgments: 97 cases closed in 2025. Ministry of Justice of Ukraine, 2026. ↗

1141 On Amendments to the Law of Ukraine 'On the Execution of Judgments and Application of the Case Law of the European Court of Human Rights' regarding ensuring reimbursement to the state of costs related to the execution of ECtHR judgments: Draft Law of Ukraine, registration No. 12261 of 28.11.2024. ↗

1142 Letter of the Ministry of Justice of Ukraine of 09.01.2025 No. 3381/17069-4-24/11.2.2. ↗

1143 The SC discussed 30 years of experience in implementing the European Convention on Human Rights in the national legal order, as well as ways to improve effective dialogue between the ECtHR and the judiciary of Ukraine. Supreme Court, 2025. ↗

1144 On the Execution of Judgments and Application of the Case Law of the European Court of Human Rights: Law of Ukraine No. 3477-IV of 23.02.2006. ↗

1145 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

enhanced supervision by the CM CoE. Such monitoring is to be carried out annually following the adoption of a draft law amending the Law of Ukraine 'On the Execution of Judgments and Application of the Case Law of the European Court of Human Rights'.

In November 2025, the Government introduced amendments to the **Regulation on the Government Agent before the European Court of Human Rights**,[1146] expanding the list of the Agent's core tasks. These now include: analysing the circumstances that led to applications alleging violations of the ECHR and developing proposals for measures aimed at eliminating the causes of such applications; as well as analysing the circumstances that led to findings of violations of the ECHR by the ECtHR and developing proposals for measures aimed at addressing the systemic problems identified by the ECtHR and their root causes.

These measures were implemented in accordance with the provisions of the Rule of Law Roadmap, which provides for empowering the Government Agent before the ECtHR with authority to introduce enhanced mechanisms for the execution of pilot judgments of the ECtHR, as well as to initiate Government meetings to adopt measures aimed at executing judgments in which systemic or structural human rights violations have been identified.[1147]

Recommendations

1. Finalise legislation on the enforcement of court decisions and decisions of other state bodies in areas not regulated by Law No. 4833-IX in order to unify approaches and develop a coherent state policy in the field of enforcement of court decisions that reflects the positions of both the APEOU and the MoJ.

2. Refine the concept of digitalisation of enforcement proceedings to include practical measures for transitioning all levels of enforcement proceedings to an electronic format.

3. Regulate at the legislative level the equalisation of powers between private and state enforcement officers, in line with European approaches to the effective functioning of these two institutions.

4. Ensure access for state and private enforcement officers to the maximum number of state registers that may contain information on the property and funds of debtors, with due regard for the rights and safeguards of debtors.

5. Ensure the proper functioning of the Unified State Register of Enforcement Documents.

6. Review the regulatory role of the MoJ with a view to achieving a balanced approach, thereby enabling the expansion of the powers of private enforcement officers and enhancing the effectiveness of their work.

7. Regulate the issue of moratoria on the compulsory recovery of property/funds from certain categories of debtors and, accordingly, repeal clearly outdated moratoria. Refrain from expanding the scope of such moratoria.

1146 Regulation on the Government Agent before the European Court of Human Rights: Resolution of the Cabinet of Ministers of Ukraine No. 784 of 31.05.2006. ↗

1147 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

8. Ensure an adequate level of remuneration for state enforcement officers (effectively equalising the levels of remuneration between state and private enforcement officers) by revising base salaries and improving the remuneration system.[1148]

9. Regulate at the legislative level the specific features of enforcement proceedings involving persons subject to sanctions, with a view to minimising the risks of non-enforcement or improper enforcement of court decisions, as well as the risk of enforcement officers being held liable for non-compliance with sanctions legislation or legislation governing enforcement proceedings.

10. Take appropriate measures to ensure the timely and effective execution of ECtHR judgments by prioritising and expediting the payment of compensation, and by introducing the necessary legislative amendments to address systemic issues that lead to repetitive applications in similar groups of cases.[1149]

11. Refrain from adopting Draft Law No. 12261 in its current version until the experience of EU Member States regarding the recovery of funds from public officials in respect of ECtHR judgments has been duly examined.

12. Ensure the proper and substantive application of ECtHR case-law by courts of all instances, avoiding merely formal references to ECtHR judgments. To this end, continue systematic training of judges, inter alia.

13. Ensure the effective implementation of the new powers of the Government Agent before the ECtHR with regard to analysing the causes of violations and developing systemic proposals, as well as ensuring their practical uptake by public authorities.

14. Introduce annual monitoring of the effectiveness of the execution of ECtHR judgments, including the establishment of measurable indicators and prioritisation of cases under enhanced supervision by the CM CoE.

1148 The recommendations previously provided by civil society in the Shadow Report 2025 (p. 167) remain relevant but have been further refined. ↗

1149 The recommendation previously provided by civil society in the Shadow Report 2025 (p. 167) remains relevant. ↗

Agency for Legislative Initiatives

Prosecution Reform



In the context of the negotiation process on Ukraine's accession to the European Union, prosecution reform occupies a central place in the assessment of progress in the field of justice and fundamental rights.

Overall, efforts are being made to develop institutional capacity, digitalise staffing processes, and assess their performance. In October 2025, the Prosecutor General approved the Prosecutor's Office Development Strategy for 2025–2028, and, in June 2026, the Anti-Corruption Programme for 2026–2028 and the Unified Communication Strategy of Law Enforcement Agencies and Prosecution Authorities for the Period up to 2030.

Although a number of strategic documents have been approved, creating the necessary regulatory and institutional basis for further reform, these steps are largely piecemeal and do not in themselves demonstrate systemic reform of the prosecution service.

At the same time, implementation of key European integration commitments proceeded more slowly than envisaged in the Rule of Law Roadmap. In particular, throughout 2025 and early 2026, the Prosecutor General's Office (PGO) separately developed draft laws to improve disciplinary procedures and introduce competitive selection of prosecutors for administrative positions. However, these draft laws were not submitted to Parliament within the timeframes set by the Roadmap and the Ukraine Facility Plan (first quarter of 2026). Instead, the Government decided to consolidate the relevant work into a single comprehensive draft law, which also covers the evaluation of prosecutors and the strengthening of the institutional capacity of the Qualification and Disciplinary Commission of Prosecutors (QDCP) and the Council of Prosecutors of Ukraine (CPU). As of the reporting date, the draft law is under consideration by the Government.

In the Ukraine 2025 Progress Report under the European Union Enlargement Package and the 'Kachka–Kos Plan' (December 2025), the European Commission clearly indicated that the **cancellation of competitions for regional prosecution offices and the PGO, as well as the excessive expansion of the powers of the Prosecutor General, constitute a critical problem**. It was also reiterated that the procedure for the appointment and dismissal of the Prosecutor General remains politicised. Despite the straightforward path to implementing these recommendations (two draft laws on competitive selection procedures are currently under consideration by the Verkhovna Rada of Ukraine) — no action has yet been taken. The same applies to the competition for the position of the Prosecutor General — neither the PGO nor the Government has presented any position on this matter.

Overall, **progress in prosecution reform remains very limited**. This situation may indicate both insufficient internal prioritisation of the relevant reforms and the existence of systemic barriers hindering their implementation.

At the same time, systematic efforts to develop the prosecution service in line with European standards continue.

Legal Status of Prosecutors and Guarantees of Their Independence

Progress and issues

The prosecution authorities continue to implement the tasks defined in strategic documents, particularly the Rule of Law Roadmap,[1150] the Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027[1151] and the Action Plan for its Implementation[1152] (OAS Action Plan), as well as the Ukraine Facility Plan.[1153] The implementation of the recommendations of the fourth evaluation round of the Group of States against Corruption (GRECO) also continues, alongside the introduction of merit-based principles for the promotion of prosecutors to higher managerial positions.

In October 2025, the Prosecutor General approved the **Prosecutor's Office Development Strategy for 2025–2028**[1154] (the Strategy), which reflects the vectors of reform of the prosecution authorities in line with the above-mentioned strategic documents. At the same time, the Strategy not only outlines its own measures for reforming the prosecution authorities but also effectively duplicates a significant number of tasks already assigned to the PGO under those same strategic documents.

The Strategy identifies, inter alia, the following priorities for the development of the prosecution authorities:

- a human-centred approach, ensuring the protection of the rights and interests of victims, witnesses and other participants in criminal proceedings;
- a results-oriented management system aligned with the established priorities of criminal policy;
- comprehensive digital transformation;
- a modern and effective human capital management system;
- openness, accountability and independence.

1150 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

1151 On the Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027: Decree of the President of Ukraine No. 273/2023 of 11.05.2023. ↗

1152 On Approval of the Action Plan for the Implementation of the Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027: Order of the Cabinet of Ministers of Ukraine No. 792 of 23.08.2024. ↗

1153 Ukraine Facility Plan. ↗

1154 On Approval of the Prosecutor's Office Development Strategy for 2025–2028: Order of the Prosecutor General No. 322 of 08.10.2025. ↗

At the same time, for more than one and a half years (from January 2024 to October 2025 inclusive), the prosecution authorities of Ukraine lacked an internal strategic-level document focused on institutional development. The Prosecutor's Office Development Strategy for 2021–2023 expired and, according to the prosecution authorities' own assessment, was implemented at 75%. According to Council of Europe experts, only 30% of the measures were fully implemented, while a further 35% were implemented partially.[1155]

In June 2026, the PGO, the Ministry of Internal Affairs of Ukraine, the Security Service of Ukraine, the State Bureau of Investigation (SBI), the Economic Security Bureau of Ukraine and the Ministry of Finance of Ukraine jointly approved the **Unified Communication Strategy of Law Enforcement Agencies and Prosecution Authorities for the Period up to 2030**[1156] (Communication Strategy). Its adoption was envisaged by the OAS Action Plan[1157] as one of the measures aimed at introducing a unified media policy and public communication strategy for law enforcement agencies and prosecution authorities. The Communication Strategy is intended to address a number of systemic problems in public communications, including inconsistencies between the information policies of different bodies, breaches of the presumption of innocence when reporting on criminal proceedings, competition to be first to release information and the absence of unified approaches to crisis communications and engagement with the public. The document defines common principles, objectives and mechanisms for coordinating the communication activities of law enforcement agencies and prosecution authorities and provides for the introduction of unified standards for external communication.

The practical value of the Communication Strategy will depend not on its adoption as such, but on the effectiveness of its implementation, which should establish unified standards for public communication and address systemic problems that have long adversely affected respect for human rights and public trust in law enforcement agencies and prosecution authorities. Among other matters, **the unified communication policy should address how key actions taken by the prosecution are communicated during criminal proceedings, as Ukraine continues to face problems with respecting the presumption of innocence in public communications.**[1158]

Also in June 2026, the Prosecutor General approved the **PGO Anti-Corruption Programme for 2026–2028** (Anti-Corruption Programme), developed pursuant to Article 19 of the Law of Ukraine 'On Prevention of Corruption'.[1159] The Anti-Corruption Programme establishes a system of measures aimed at preventing corruption and corrup-

1155 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the European Union Enlargement Package 2024, 2025, p. 170. ↗

1156 On Approval of the Unified Communication Strategy of Law Enforcement Agencies and Prosecution Authorities for the Period up to 2030: Joint Order of the Prosecutor General's Office, the Ministry of Internal Affairs of Ukraine, the Security Service of Ukraine, the State Bureau of Investigation, the Economic Security Bureau of Ukraine and the Ministry of Finance of Ukraine No. 151/507/201/244/265/291 of 01.06.2026. ↗

1157 On Approval of the Action Plan for the Implementation of the Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027: Order of the Cabinet of Ministers of Ukraine No. 792 of 23.08.2024. ↗

1158 For details, see the subsection 'Procedural Rights' and the Report on the Results of the External Independent Evaluation (Audit) 'Effectiveness of the National Anti-Corruption Bureau of Ukraine' / Commission for Conducting the External Independent Evaluation (Audit) of the Effectiveness of the National Anti-Corruption Bureau of Ukraine. 2025, pp. 25, 41. ↗

1159 On Prevention of Corruption: Law of Ukraine No. 5207-VI of 06.09.2012. ↗

tion-related offences, improving corruption risk management mechanisms, strengthening the institutional capacity of prosecution authorities in the field of corruption prevention and fostering a culture of integrity. The document is based on a risk-oriented approach and provides for the integration of integrity principles into human resources policy, disciplinary practice, internal control systems, resource management and managerial decision-making. It also takes into account the Anti-Corruption Strategy,[1160] the State Anti-Corruption Programme[1161] and GRECO recommendations.

The new Anti-Corruption Programme includes an assessment of the implementation of the PGO Anti-Corruption Programme for 2023–2025, according to which most of the planned measures were completed. At the same time, several systemic measures remained unimplemented, including the introduction of an electronic human resources management system for the prosecution service (e-HR) with an integrated system for evaluating prosecutors' performance, improvements to the regulatory framework governing the handling of seized assets and the introduction of an automated system for allocating criminal proceedings among prosecutors.

A positive impact on ensuring the independence of prosecutors was achieved through addressing the issue of increasing prosecutors' remuneration. As of **1 August 2025**, the subsistence minimum used to calculate prosecutors' salaries was increased from UAH 1,600 to **UAH 2,102**.[1162] In other words, the **base salary for prosecutors at all levels increased by approximately one third**.

However, prosecutors continue to remain in a disadvantaged position due to the application of a special provision for calculating their salaries. In particular, the Law of Ukraine 'On the State Budget of Ukraine for 2025'[1163] provides that, as of 1 January 2025, the subsistence minimum per person per month for able-bodied persons amounts to UAH 3,028 and as of 1 January 2026 — UAH 3,328,[1164] which is significantly higher than the special rate of UAH 2,102 applied to prosecutors. Such a consistently discriminatory approach to remuneration is applied both to judges and prosecutors. At the same time, the Government applies the standard (non-reduced) subsistence minimum when determining the salaries of investigators and detectives of law enforcement agencies (with the exception of the Economic Security Bureau of Ukraine), whose activities in pre-trial investigations are subject to procedural supervision by the prosecution authorities.

Since July 2025, despite criticism from civil society,[1165] the provisions of Law No. 4555-IX[1166] remain in force, in particular:

1160 On the Principles of State Anti-Corruption Policy for 2021–2025: Law of Ukraine No. 2322-IX of 20.06.2022. ↗

1161 On Approval of the State Anti-Corruption Programme for 2023–2025: Resolution of the Cabinet of Ministers of Ukraine No. 220 of 04.03.2023. ↗

1162 On Amendments to the Law of Ukraine 'On the State Budget of Ukraine for 2025': Law of Ukraine No. 4571-IX of 20.08.2025. ↗

1163 On the State Budget of Ukraine for 2025: Law of Ukraine No. 4059-IX of 19.11.2024. ↗

1164 On the State Budget of Ukraine for 2026: Law of Ukraine No. 4695-IX of 03.12.2025. ↗

1165 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the European Union Enlargement Package 2024, 2025, pp. 172–173. ↗

1166 On Amendments to the Criminal Procedure Code of Ukraine Regarding the Specifics of Pre-Trial Investigation of Criminal Offences Related to Missing Persons under Special Circumstances during Martial Law: Law of Ukraine No. 4555-IX of 22.07.2025. ↗

1. **A significant restriction of prosecutors' procedural independence**. The Prosecutor General has been granted the power to 'request' from a prosecutor materials, documents and other information related to any pre-trial investigation and to transfer them to other prosecutors for review.

The Prosecutor General is also now empowered to influence decision-making by investigators in criminal proceedings 'bypassing' the prosecutor, which makes it possible both to formally retain the prosecutor as the procedural supervisor in criminal proceedings and to exercise 'manual control' over such proceedings, thereby undermining the prosecutor's discretionary powers. Thus, a supervising prosecutor may intervene in any proceedings without justification, suspend their progress, or even issue instructions outside the involvement of the prosecutor assigned to the case. In practice, such a prosecutor remains formally assigned to the case but lacks the authority to influence it.[1167]

2. **The introduction of a concealed instrument of pressure on prosecutors** — dismissal from office due to the liquidation or reorganisation of the structural unit in which the prosecutor held a position. This enables the head of a prosecution authority to dismiss independent prosecutors, restructure staffing and appoint only those prosecutors who align with the 'vision' of the new leadership.

3. **Appointment to higher-level prosecutorial positions outside competitive procedures**. At present, any person without a criminal record and with the required legal experience may be appointed to higher-level prosecution service on the basis of an application, without undergoing a competitive selection process. **As of early September 2025 alone, 148 individuals[1168] had been appointed to regional prosecution authorities under this procedure and 130 individuals to the PGO**.[1169] It should be noted that this concerns not only appointments of persons who had not previously held prosecutorial positions, but also a simplified procedure for transfers of serving prosecutors.

During 2025–2026, the Agency for Legislative Initiatives repeatedly contacted the PGO concerning the number of persons appointed to positions as PGO prosecutors on the basis of an application and outside competitive procedures. However, in response to requests submitted under both the Law of Ukraine 'On Access to Public Information' and the Law of Ukraine 'On Citizens' Appeals', the PGO repeatedly stated that 'such information had not been generated and was unavailable in documented form'.[1170]

However, such wording does not comply with the requirements of the Law of Ukraine 'On Citizens' Appeals'.[1171] Unlike the Law of Ukraine 'On Access to Public Information',[1172]

1167 Saving NABU but not the prosecution: what was left unaddressed following the authorities' crackdown on anti-corruption institutions. European Pravda, 2025. ↗

1168 Data summarised based on information from regional prosecution authorities obtained in accordance with the Law of Ukraine 'On Access to Public Information'. ↗

1169 Letter of the Prosecutor General's Office of 10.10.2025 No. 07-823-25.

1170 Letter of the Prosecutor General's Office No. 07-1333-26 of 24.07.2026; Letter of the Prosecutor General's Office No. 30/3-1594vyh-25 of 08.09.2025.

1171 On Citizens' Appeals: Law of Ukraine No. 393/96-VR of 02.10.1996. ↗

1172 On Access to Public Information: Law of Ukraine No. 2939-VI of 13.01.2011. ↗

which provides only for the disclosure of existing documented information, the Law of Ukraine 'On Citizens' Appeals' requires a public authority to consider applications fully, objectively and promptly on their merits and to provide the applicant with a reasoned response. The PGO's failure to provide a substantive response to the question raised therefore does not comply with the requirements of that Law.

Given that **130 persons were appointed to the PGO under the simplified procedure**[1173] during just the first month and a half in which Law No. 4555-IX was in force (from late July to early September 2025), as well as the change in the approach to providing the relevant information in 2026, there are grounds to believe that this mechanism is being used extensively. During the first year of its operation, taking staff turnover into account, an **estimated 1,000 prosecutors may have used** this mechanism to obtain appointments or transfers within the prosecution service outside competitive procedures.[1174] The appointment of such a large number of prosecutors without a competitive procedure or a proper assessment of their professional qualities will **adversely affect the institutional culture, including through their participation in the formation of prosecutorial self-governance bodies**. Even after martial law is terminated or lifted, appointments made outside competitive procedures are irreversible, meaning that those appointed will continue to work within the prosecution service.

The need to repeal the provisions of Law No. 4555-IX is emphasised in the Ukraine 2025 Progress Report under the European Union Enlargement Package,[1175] the Joint Statement by European Commissioner for Enlargement Marta Kos and Deputy Prime Minister of Ukraine Taras Kachka,[1176] and the Interim Benchmarks for Chapter 23 'Judiciary and Fundamental Rights' under Cluster 1 'Fundamentals of the Accession Process'.[1177]

At the same time, as of August 2025, three legislative initiatives by Members of Parliament are under consideration by the committees of the Verkhovna Rada of Ukraine, aimed at repealing the provisions of Law No. 4555-IX (Draft Laws Nos. 13601,[1178] 13601-1[1179] and 13699[1180]).

The first of these draft laws proposes to restore the previous version of the Law of Ukraine 'On the Public Prosecutor's Office',[1181] which was in force prior to the adoption of Law No. 4555-IX, and to reinstate the procedure for appointments to prosecutorial positions at all levels that existed before the introduction of martial law.

1173 Letter of the Prosecutor General's Office No. 07-823-25 of 10.10.2025.

1174 According to the Agency for Legislative Initiatives' own estimate.

1175 Ukraine 2025 Report. Communication on EU Enlargement Policy. ↗

1176 Joint Statement between Commissioner Marta Kos and Deputy Prime Minister of Ukraine Taras Kachka. ↗

1177 European Union Common Position: Accession Document / Conference on Accession to the European Union - Ukraine. Brussels, 2026. 28 p. ↗

1178 On Amendments to the Law of Ukraine 'On the Public Prosecutor's Office' Regarding the Restoration of Competitive Selection for the Appointment of Prosecutors during Martial Law and Grounds for Dismissal: Draft Law of Ukraine, registration No. 13601 of 06.08.2025. ↗

1179 On Amendments to the Law of Ukraine 'On the Public Prosecutor's Office' Regarding the Improvement of Certain Provisions on the Appointment of Prosecutors during Martial Law: Draft Law of Ukraine, registration No. 13601-1 of 22.08.2025. ↗

1180 On Amendments to the Criminal Procedure Code of Ukraine and Certain Legislative Acts of Ukraine Regarding the Improvement of the Functioning of Criminal Justice Bodies: Draft Law of Ukraine, registration No. 13699 of 26.08.2025. ↗

1181 On the Public Prosecutor's Office: Law of Ukraine No. 1697-VII of 14.10.2014. ↗

Draft Law No. 13601-1 provides for: the gradual abolition of the selection process for positions of prosecutors in local prosecution authorities conducted by the QDCP, which in practice entails a deterioration in prosecutorial independence due to the complete abandonment of competitive procedures at all levels; and the establishment of a uniform approach to the appointment of prosecutors at all levels during martial law.

At the same time, Draft Law No. 13699 covers a broader range of issues than personnel policy alone and provides not only for the restoration of competitive selection for prosecutors at all levels, but also for limiting the expanded powers of the Prosecutor General regarding access to pre-trial investigation materials by introducing time limits and a defined procedure for exercising such powers.

The second draft law, unlike the first and third, does not address the problem of non-competitive appointment mechanisms for prosecutorial positions, but rather exacerbates it. Therefore, **Draft Laws Nos. 13601 and 13699** may be considered capable of resolving the issues created by Law No. 4555-IX. The adoption of either of these would contribute to the fulfilment of the relevant commitments to the European Commission, particularly the accession benchmarks for Ukraine's EU membership.

During the reporting period, Recommendation IV of the fourth evaluation round of GRECO (XXVIII),[1182] which provides for the development and adoption of a law enabling the **appeal of decisions on the replacement (removal) of a prosecutor in criminal proceedings**, remains unimplemented. Its implementation continues to be effectively postponed, despite the already evident risks of further weakening prosecutorial procedural independence and concentrating discretionary powers at the level of prosecution leadership.

Likewise, the measure under the OAS Action Plan[1183] concerning the development of a draft law on improving the procedural framework for the establishment and functioning of investigative teams and groups of prosecutors (deadline — fourth quarter of 2024) has not been implemented. A similar measure is included in the Rule of Law Roadmap,[1184] although with a deadline set for the fourth quarter of 2027.

Despite the continued focus on prosecution reform in the context of European integration, draft laws continue to be registered in the Verkhovna Rada that effectively **call into question the achievements of reforms already implemented in the prosecution service**. In particular, **Draft Law No. 13603**,[1185] registered on 6 August 2025, proposes **restoring the system of class ranks (state ranks of Counsellor of Justice) and insignia (uniforms) for prosecutors**.

The proposed amendments would effectively restore certain elements of the organisation of the prosecution service that Ukraine progressively abandoned between 2014 and 2019 as part of its demilitarisation and depoliticisation. The introduction of class

1182 GRECO. Fourth Evaluation Round. Published 08/08/2017. ↗

1183 On Approval of the Action Plan for the Implementation of the Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027: Order of the Cabinet of Ministers of Ukraine No. 792 of 23.08.2024, Measure 3.2.3, Task 3.2, Strategic Objective 1. ↗

1184 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

1185 On Amendments to the Law of Ukraine 'On the Public Prosecutor's Office' to Improve the Effectiveness of the Prosecution Authorities: Draft Law of Ukraine, registration No. 13603 of 06.08.2025. ↗

ranks would increase prosecutors' hierarchical dependence on their superiors, create additional mechanisms of indirect influence over career progression and depart from the principles of meritocracy, independence and the uniform status of prosecutors underpinning the recommendations of the Venice Commission, GRECO and the Consultative Council of European Prosecutors.

On 22 June 2026, following its consideration of Draft Law No. 13603, the Verkhovna Rada Committee on Law Enforcement recommended that Parliament adopt it as a basis at first reading.[1186]

In the context of Ukraine's implementation of the European Commission's recommendations on restoring competitive selection procedures for prosecutors, improving disciplinary mechanisms and strengthening the independence of the prosecution service, such legislative initiatives indicate attempts to roll back the achievements of reforms already implemented. The guarantees of independence afforded to prosecutors, whose constitutional status places them within the justice system, should be brought closer to those enjoyed by judges, with an emphasis on professionalism rather than loyalty and 'insignia'. Class ranks will not make prosecutors more effective. Instead, they clearly signal that, **rather than engaging constructively in the fulfilment of European integration commitments, Members of Parliament are pursuing ideas that would produce the opposite result if supported by Parliament**.

Representation of the State's Interests in Court by Prosecutors

One of the constitutional functions of the prosecution authorities outside criminal proceedings is the representation of the State's interests in court. The Constitution of Ukraine[1187] provides that such representation shall be carried out in exceptional cases and in accordance with the procedure established by law. However, this area lacks legal certainty, which was highlighted by the Constitutional Court of Ukraine (CCU) at the end of 2025.

In its decision[1188] of 3 December 2025, the CCU declared unconstitutional certain provisions of paragraph one of Part 3 Article 23 of the Law of Ukraine 'On the Public Prosecutor's Office',[1189] insofar as they allowed prosecutors to represent the State's interests in cases where the relevant public authority or local self-government body 'fails to act' or 'improperly performs' the protection of such interests. Thus, in 2025, the need to revise the legislative framework governing the function of representing the State's interests in court by prosecutors has once again been brought to the forefront.

1186 Opinion on Draft Law of Ukraine 'On Amendments to the Law of Ukraine "On the Public Prosecutor's Office" to Improve the Effectiveness of the Prosecution Authorities' (registration No. 13603) / Verkhovna Rada Committee on Law Enforcement. ↗

1187 Constitution of Ukraine No. 254k/96-VR of 28.06.1996, Article 131¹. ↗

1188 Decision of the Constitutional Court of Ukraine of 03.12.2025 in the case upon the constitutional complaint of the limited liability company 'Reinir Business Group' regarding the conformity with the Constitution of Ukraine (constitutionality) of the provisions of paragraph one of part three, paragraphs one, two and three of part four of Article 23 of the Law of Ukraine 'On the Public Prosecutor's Office' No. 1697-VII of 14 October 2014 (concerning the representation by a prosecutor of the interests of the state in court). ↗

1189 On the Public Prosecutor's Office: Law of Ukraine No. 1697-VII of 14.10.2014. ↗

The CCU emphasised that the wording of the Constitution of Ukraine regarding the prosecution authorities' representation of the State's interests 'in exceptional cases' is restrictive in nature and cannot be interpreted as granting the prosecution authorities universal or alternative powers to protect State interests in court. At the same time, the existing legislative framework, which allowed prosecutors to apply to the court in cases of 'failure to act' or 'improper performance' by other public authorities in protecting State interests, effectively created an excessively broad scope for discretion on the part of both prosecutors and courts. Such uncertainty led to a situation where an exceptional procedural instrument of the prosecution authorities was transformed into a universal mechanism for representing the State's interests in court. Overall, the CCU does not question the constitutionality of the representation function as such; however, it noted that the procedure for its implementation lacks legal certainty. **The CCU postponed the invalidation of the relevant provisions until 1 January 2027, thereby effectively granting the legislator time to bring the legislation into conformity with the Constitution of Ukraine**.

To implement the CCU decision, in May 2026 the Cabinet of Ministers of Ukraine submitted Draft Law No. 15253[1190] to the Verkhovna Rada. The draft law proposed **amendments to the Law of Ukraine 'On the Public Prosecutor's Office' aimed at bringing the prosecution service's function of representing the State's interests in court into compliance with the Constitution of Ukraine**.

However, the draft law was withdrawn in July 2026 following a change in the composition of the Government. **This does not remove the need to regulate the prosecution service's representative function in legislation in accordance with the Constitution of Ukraine and the legal positions of the CCU**. Regardless of the reasons for the withdrawal, if the Verkhovna Rada does not amend the unconstitutional provisions of the Law of Ukraine 'On the Public Prosecutor's Office' by 1 January 2027, the prosecution service will lose the power to represent the State's interests in court.

The constitutional model of the prosecution authorities[1191] — which provides for the representation of the State's interests in court only in exceptional cases and in accordance with the procedure established by law — was introduced as part of the 2016 constitutional reform of the justice system, with the aim of significantly narrowing powers not inherent to the prosecution authorities, which had historically developed within the Soviet model of the prosecution system and involved broad interference in various areas of public administration.

International standards also consistently emphasise the need to limit the functions of the prosecution authorities to the sphere of criminal prosecution. Parliamentary Assembly of the Council of Europe Recommendation No. 1604 (2003)[1192] states that the primary function of prosecutors should be the prosecution of persons responsible for criminal offences, while the performance of other functions should be entrusted to separate competent authorities. A similar approach is reflected in Opinion No. 3 (2008) of the

1190 On Amendments to the Law of Ukraine 'On the Public Prosecutor's Office' to Bring the Prosecution Service's Function of Representing the State's Interests in Court into Compliance with the Constitution of Ukraine: Draft Law of Ukraine No. 15253 of 15.05.2026. ↗

1191 Constitution of Ukraine No. 254k/96-VR of 28.06.1996, para. 3, Part 1 Article 131[1]. ↗

1192 Role of the public prosecutor's office in a democratic society governed by the rule of law, 2003. Parliamentary Assembly. ↗

Consultative Council of European Prosecutors[1193] and Recommendation of the Committee of Ministers of the Council of Europe No. Rec(2012) on the role of prosecutors outside the criminal justice system,[1194] whereby the exercise of powers by prosecutors outside the field of criminal justice is permissible only in exceptional cases, must be clearly defined by law and should not create a privileged position for prosecutors in judicial proceedings.

Similar concerns were previously expressed by the European Commission for Democracy through Law (Venice Commission) during the preparation of the current Law of Ukraine 'On the Public Prosecutor's Office'.[1195] The Commission drew attention to the excessive breadth of the notion of 'State interests' and recommended defining as clearly as possible the limits of application of this function.

At present, problems related to defining the limits of the prosecution authorities' representative powers are also evident in judicial practice. In particular, in its ruling of 15 January 2026,[1196] the Commercial Cassation Court within the Supreme Court confirmed that specialised prosecution authorities in the field of defence may represent the State's interests only within legal relations related to the defence sector, and that subordinate legislation, including orders of the Prosecutor General, cannot extend the powers of the prosecution authorities beyond the limits established by law.

Thus, the above-mentioned **decision of the CCU effectively initiates a new stage in the reform of this function of the prosecution authorities. By 2027, the legislator is expected to clarify the legislative framework governing the representation of the State's interests by prosecutors in court, clearly defining the list of cases and the limits of the application of such powers**. In the longer term, this aligns with the general trend of the European model of the prosecution authorities, according to which prosecutors' involvement in protecting State interests outside the field of criminal justice should be exceptional and subsidiary in nature.

Recommendations

1. Amend the Criminal Procedure Code of Ukraine (CPC of Ukraine) and the Law of Ukraine 'On the Prosecutor's Office' to strengthen the procedural independence of prosecutors, by:

- introducing an obligation to duly substantiate decisions on the removal (exclusion) of a prosecutor from criminal proceedings in the form of a reasoned decision;
- introducing a procedural mechanism for appealing such removal (exclusion);
- abolishing the practice of establishing groups of prosecutors in each criminal proceeding, which dilutes responsibility for the outcomes of investigations;

1193 Opinion No 3(2008) of the Consultative Council of European Prosecutors on 'The Role of Prosecution Services Outside the Criminal Law Field', para. 25, 27, 34. ↗

1194 Recommendation Rec(2012)11 of the Committee of Ministers to member States 'On the Role of Public Prosecutors Outside the Criminal Justice System'. ↗

1195 Opinion on the Draft Law of Ukraine 'On the Public Prosecutor's Office', adopted by the Venice Commission at its 96th Plenary Session (Venice, 11–12 October 2013). ↗

1196 Ruling of the Commercial Cassation Court within the Supreme Court of 15.01.2026 in case No. 921/190/25. ↗

- repealing the amendments introduced by Law No. 4555-IX that significantly restricted the scope of prosecutors' procedural independence and unjustifiably expanded the procedural role of the Prosecutor General.[1197]

2. Abolish non-competitive mechanisms for the selection, appointment and transfer of prosecutors introduced by Law No. 4555-IX by:

- eliminating the possibility of appointment to higher-level prosecution authorities on the basis of an application without a competitive procedure;
- restoring the requirement for open, transparent and merit-based competitive procedures for positions at all levels of the prosecution authorities;
- ensuring a consistent prosecutorial career model, whereby advancement is possible exclusively through competitive procedures, in line with the principles of legal certainty and institutional independence;
- refraining from applying existing non-competitive procedures pending their legislative repeal.

3. Eliminate instruments of concealed pressure on prosecutors through staffing mechanisms by:

- repealing the provision allowing for the dismissal of a prosecutor due to the liquidation or reorganisation of a structural unit without adequate safeguards;
- establishing clear guarantees for retention of position or transfer of a prosecutor in the event of reorganisation;
- introducing safeguards against the abuse of changes in staffing structures as a tool for personnel 'reset'.

4. Develop a draft law, with the involvement of professional stakeholders, including national and international experts and academics, to amend the Law of Ukraine 'On the Public Prosecutor's Office' and procedural legislation in order to:

- ensure proper specification of the exceptional cases in which prosecutors may represent the State's interests in court;
- define clear and objective grounds for such representation specifically by the prosecution authorities and regulate the procedure for the exercise of this function.

1197 The recommendations previously provided by civil society in the 2025 Shadow Report (p. 177) remain relevant. ↗

Activities of Prosecutorial Self-Governance Bodies

Progress and issues

In 2025, the All-Ukrainian Conference of Prosecutors was not held; however, it is expected to take place in 2026.[1198] At the same time, the issue of expanding the forms of prosecutorial governance remains relevant, as repeatedly emphasised by civil society.[1199]

Council of Prosecutors of Ukraine

Between the All-Ukrainian Conferences of Prosecutors, the highest body of prosecutorial self-governance is the CPU.[1200] At present, the CPU operates with an incomplete composition (13 out of 15 members). There is currently no information on the holding of a meeting of prosecutors of the Specialised Anti-Corruption Prosecutor's Office (SAPO), in light of the provisions of Law No. 3509-IX,[1201] and the subsequent delegation of its representative to the CPU. In July 2025, the Head of the CPU, A. Yezhov, reached the age of 65,[1202] which constitutes grounds for termination of his powers as a prosecutor.

On 15 July 2025, the CPU elected a new Head and Deputy Head — Ruslan Romanov and Fedor Adamov, respectively.[1203]

In 2025, the CPU held 47 meetings and adopted 214 decisions.[1204] Of these, 200 concerned the submission of recommendations for appointments to administrative positions within the prosecution authorities; 2 related to candidates for membership of the selection commission responsible for selecting members of the High Qualification Commission of Judges of Ukraine under the CPU quota; 3 concerned members of the selection commission for organising and conducting competitions for vacant administrative positions in SAPO; and 9 concerned threats to prosecutorial independence.

Among the notifications regarding threats to prosecutorial independence during the reporting period were cases involving: violations of the procedure for exercising powers defined by procedural and other laws; unlawful influence, pressure or interference in the exercise of a prosecutor's powers; violations of the statutory procedure for financing and organisational support of the prosecution authorities; and violations of proper material, social and pension provision of prosecutors. Following the consideration of such

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1198 According to Part 1 Article 68 of the Law of Ukraine 'On the Public Prosecutor's Office', the regular All-Ukrainian Conference of Prosecutors is convened by the Council of Prosecutors of Ukraine once every two years.

1199 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the European Union Enlargement Package 2024, 2025. Pp. 178-179. ↗

1200 On the Public Prosecutor's Office: Law of Ukraine No. 1697-VII of 14.10.2014, Part 1 Article 71. ↗

1201 On Amendments to the Criminal Procedure Code of Ukraine and Certain Other Legislative Acts of Ukraine Regarding Strengthening the Independence of the Specialised Anti-Corruption Prosecutor's Office: Law of Ukraine No. 3509-IX of 08.12.2023. ↗

1202 On the Public Prosecutor's Office: Law of Ukraine No. 1697-VII of 14.10.2014, Part 3 Article 51. ↗

1203 Decision of the Council of Prosecutors of Ukraine No. 79-25p of 15.07.2025. ↗

1204 Letter of the Council of Prosecutors of Ukraine No. 05/1/2-12vyh-26 of 19.03.2026.

notifications, the CPU adopted 9 decisions.[1205] In 2 cases[1206] a threat to prosecutorial independence was established, in 4 cases no such threat was identified,[1207] and in 3 cases the proceedings were closed at the request of the applicants.[1208]

Both cases in which a threat to prosecutorial independence was established concerned issues of legal protection of prosecutors, particularly the identification of discriminatory conditions for prosecutors' participation in competitions for vacant judicial positions. In response, the CPU, within its mandate to address interference with prosecutorial independence, submitted a written appeal to the committees of the Verkhovna Rada of Ukraine on Legal Policy and on Law Enforcement, with a view to facilitating the removal of such discriminatory provisions and ensuring equal access for prosecutors to participation in the competition.

The low number of appeals submitted to the CPU, as well as the limited instances of substantive response on its part, indicate the existence of gaps in the current legislation regarding effective mechanisms for exercising the powers of this body. This concerns, in particular, the provision of guarantees of prosecutorial independence within the prosecution system itself.

The law provides for several response instruments,[1209] including:

- informing competent authorities of grounds for holding responsible persons liable under criminal, disciplinary or other procedures;
- initiating consideration of the application of security measures in respect of a prosecutor;
- issuing, on behalf of the prosecutorial community, public statements on instances of interference with prosecutorial independence;
- addressing relevant communications to international organisations.

Even though this list is not exhaustive, practice demonstrates not only the absence of its expansion, but also the limited use of even those protection mechanisms already provided for by law.

To date, the CPU has effectively not exercised certain of its powers in practice. In particular, the CPU is vested with the authority to provide clarifications on the application of legislation on the prevention and settlement of conflicts of interest in the activities of prosecutors, as well as of the Head or members of the body responsible for disciplinary proceedings. However, this power is exercised to a very limited extent.

1205 Decisions on the consideration of appeals of prosecutors or other notifications of threats to the independence of prosecutors. Council of Prosecutors of Ukraine, 2025. ↗

1206 Decision of the Council of Prosecutors of Ukraine No. 1-nzp-25 of 09.01.2025. ↗; Decision of the Council of Prosecutors of Ukraine No. 8-nzp-25 of 24.11.2025. ↗

1207 Decision of the Council of Prosecutors of Ukraine No. 01-nzp-25 of 26.05.2025. ↗; Decision of the Council of Prosecutors of Ukraine No. 04-nzp-25 of 27.05.2025. ↗; Decision of the Council of Prosecutors of Ukraine No. 5-nzp-25 of 17.09.2025. ↗; Decision of the Council of Prosecutors of Ukraine No. 7-nzp-25 of 18.09.2025. ↗

1208 Decision of the Council of Prosecutors of Ukraine No. 02-nzp-25 of 26.05.2025. ↗; Decision of the Council of Prosecutors of Ukraine No. 3-nzp-25 of 27.05.2025. ↗; Decision of the Council of Prosecutors of Ukraine No. 6-nzp-25 of 17.09.2025. ↗

1209 On the Public Prosecutor's Office: Law of Ukraine No. 1697-VII of 14.10.2014, para. 4 Part 9 Article 71. ↗

Strengthening the institutional capacity of the CPU — by ensuring adequate resources and sufficient working time for its members — could contribute to a more active and effective performance of the functions entrusted to this body.

An analysis of the decisions of the first composition of the CPU (2017–2021) and the second (current) composition (2021–present) indicates a shift in the practice of exercising its powers in issuing recommendations for the appointment of prosecutors to administrative positions. **During the tenure of the previous composition, there were cases where, following the assessment of candidates, the CPU adopted decisions not to provide a recommendation for a prosecutor's appointment to an administrative position**. This practice demonstrated the use of the Council's discretionary powers as an element of internal professional oversight and its capacity to influence staffing processes within the prosecution authorities.

By contrast, an analysis of the decisions of the current composition of the CPU, operating since 2022, reveals no such cases. This uniformity of practice may indicate that the relevant powers are exercised in a largely formal manner, with the candidate approval procedure effectively reduced to a declarative stage of personnel appointments.

The absence of refusals to issue recommendations may also suggest a gradual erosion of the CPU's institutional autonomy in personnel matters. In such circumstances, its role as a body of prosecutorial self-governance — intended to balance managerial decisions of the prosecution leadership with the principles of professional independence — is effectively diminished.

In implementation of a task under the Rule of Law Roadmap,[1210] the Council of Europe project 'Fostering Human Rights in the Criminal Justice System of Ukraine – Phase II', jointly with the EU Project 'Pravo-Justice', has initiated a functional audit of the CPU and the QDCP, aimed at ensuring an independent assessment of the activities of these bodies and the subsequent development of recommendations to enhance their independence, efficiency and effectiveness, in particular with regard to procedures for the selection of members (deadline — Q1 2026).[1211]

In May 2026, the report on the **functional audit of the CPU and QDCP was presented**.[1212] The audit assessed their institutional structures, day-to-day operations, guarantees of independence, standards of transparency and integrity, operational efficiency, decision-making processes, resource management, digitalisation, engagement with stakeholders and their overall contribution to justice reform in Ukraine. Particular attention was given to procedures for selecting members, accountability mechanisms, compliance with national legislation and the alignment of prosecutorial self-governance bodies' activities with European standards.

The audit also precedes the implementation of the next measure under the Rule of Law Roadmap (with a deadline of Q4 2026), concerning the development and adoption

1210 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

1211 Continuing systematic efforts to promote Council of Europe standards in prosecutorial reform. Council of Europe Office in Ukraine, 2026. ↗

1212 A Report on the Results of the Functional Audit of the Council of Prosecutors of Ukraine and the Qualification and Disciplinary Commission of Prosecutors Was Presented in Kyiv. Pravo-Justice, 2026. ↗

of a law aimed at strengthening the institutional capacity, independence and effectiveness of the CPU. Accordingly, the adoption of these legislative amendments constitutes an assessment criterion under the Interim Benchmarks within Ukraine's EU accession negotiations, which require the independence, integrity, status and institutional capacity of prosecutorial self-governance bodies to be strengthened.[1213]

Qualification and Disciplinary Commission of Prosecutors of Ukraine

The QDCP is consistently regarded by civil society[1214] as a prosecutorial self-governance body with a mixed composition. Although the Law of Ukraine 'On the Public Prosecutor's Office' formally defines it as a 'body ensuring the functioning of the prosecution service', the substance of its functions (qualification and disciplinary), its method of formation (through the All-Ukrainian Conference of Prosecutors), and the guarantees of its independence and autonomy indicate that the QDCP is, in essence, a body of prosecutorial self-governance.

In 2025, the QDCP continued to exercise its disciplinary powers in the context of implementing the recommendations of international institutions and updating the regulatory framework governing the disciplinary liability of prosecutors. During the reporting period, the practice of the QDCP was characterised by the overall consistency of its approaches to the qualification of disciplinary offences, as well as by the gradual development of more detailed reasoning in its decisions.

A notable development in disciplinary practice in 2025 was the **increase in standardised decisions of the QDCP concerning violations of prosecutorial ethics, resulting from the examination of a large number of complaints against prosecutors with disabilities**. Pursuant to an instruction of the Head of the PGO General Inspectorate[1215], such prosecutors were required to undergo a procedure for re-confirmation of disability before designated medical and social expert commissions.

The Prosecutor General, R. Kravchenko, appointed in June 2025, identified addressing the consequences of the 'fake prosecutorial disability' scandal as one of his priorities. Commenting on the situation[1216] on 15 July 2025, he reported that 484 prosecutors with disabilities were employed within the prosecution authorities, of whom 41 had already submitted resignation letters of their own accord.

Within his powers, the Prosecutor General decided to refer to the QDCP the issue of bringing 348 prosecutors with disabilities to disciplinary responsibility. At the same time, disability status was not subject to doubt or re-confirmation in respect of prosecutors who are persons with disabilities from childhood, those who have sustained irrever-

1213 European Union Common Position: Accession Document / Conference on Accession to the European Union - Ukraine. Brussels, 2026. 27 p. ↗

1214 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the European Union Enlargement Package 2024, 2025, pp. 182–186. ↗

1215 Decision of the Qualification and Disciplinary Commission of Prosecutors No. 468 dp-25 of 07.10.2025. ↗

1216 Publication by Prosecutor General R. Kravchenko on the social network Facebook, 2025. ↗

sible health damage, those with oncological conditions, or those who acquired disability as a result of war (136 such individuals are employed within the prosecution authorities).[1217]

Two months later, on 16 September 2025, R. Kravchenko reported on the initial results of the measures taken,[1218] stating that 57 prosecutors with disability status had been dismissed from the prosecution authorities, 56 prosecutors had been removed from administrative positions and 228 disciplinary complaints were pending consideration by the QDCP. Subsequently, the leadership of the PGO did not communicate further progress in addressing the issue.

Based on an analysis of **all 320 decisions adopted by the QDCP since the Prosecutor General announced the initiation of proceedings concerning prosecutors with acquired disabilities**, as of 27 July 2026, **32 prosecutors had been held disciplinarily liable in the form of dismissal from the prosecution authorities** (10% of the total number of disciplinary proceedings); 20 prosecutors (6.3%) were subjected to disciplinary sanctions in the form of a one-year prohibition on appointment to a higher position within the prosecution authority where the prosecutor is employed, combined with transfer to a higher-level prosecution authority; and 1 prosecutor (0.3%) received a disciplinary sanction in the form of a reprimand. A total of 265 disciplinary proceedings (82.8% of all proceedings) were closed due to the absence of elements constituting a disciplinary offence in the actions of the prosecutors concerned.

In such decisions, the **QDCP substantiates that the unjustified acquisition of disability status and enhanced pension benefits constitutes conduct that discredits the title of prosecutor and may give rise to doubts as to the prosecutor's objectivity, impartiality and independence, as well as the integrity and probity of the prosecution authorities. This is qualified as a violation of the rules of prosecutorial ethics under paras. 5 and 6 Part 1 Article 43 of the Law of Ukraine 'On the Public Prosecutor's Office'**.[1219]

Given that 265 disciplinary proceedings were closed due to the absence of elements of a disciplinary offence in the prosecutor's actions, the most common ground for closing such proceedings was the finding, following internal investigations, that there was no evidence indicating that the prosecutor, in obtaining disability status or in arranging and receiving pension payments, had committed a disciplinary offence. It was not possible to establish that official powers, official status or related opportunities had been used to obtain disability status.

Following repeated reviews of the accuracy of disability status determinations and assessments of individuals' daily functioning, **many prosecutors were reclassified from disability group II to group III**. As their disability status was formally confirmed by the medical and social expert commissions, the QDCP proceeded to close the corresponding disciplinary proceedings.

1217 Ibid.

1218 Publication by Prosecutor General R. Kravchenko on the social network Facebook, 2025. ↗

1219 Summary of disciplinary practice of the Qualification and Disciplinary Commission of Prosecutors (in implementation of a measure under the Rule of Law Roadmap), 2025. ↗

It should be noted that, under Article 31 of the Law of Ukraine 'On Mandatory State Pension Insurance',[1220] different disability groups correspond to different levels of pension payments: persons with group I disability are entitled to 100% of the old-age pension; group II — 90%; and group III — 50%, calculated in accordance with the Law. Accordingly, the payments for groups II and III differ almost twofold. Moreover, **prosecutors had received payments under group II disability status for several years, in most cases exceeding UAH 1 million**.

At the same time, an analysis of QDCP decisions indicates the absence of any requirements to recalculate such payments or to recover unduly received funds to the State budget, leaving unresolved the issue of restoring the State's pecuniary interests. As such funds were acquired without legal grounds and in bad faith, they are subject to recovery to the benefit of the State budget in accordance with civil legislation.[1221]

The analysis of QDCP decisions indicates that, **despite the significant public resonance surrounding the issue of prosecutors obtaining disability status, the actual disciplinary consequences for most prosecutors subject to review were limited**. The majority of disciplinary proceedings — more than four-fifths of the total — were closed due to the absence of elements of a disciplinary offence. This outcome is largely explained by the fact that repeated assessments by medical and social expert commissions formally confirmed the prosecutors' disability status, although in a substantial number of cases the disability group was downgraded. In such circumstances, the QDCP proceeded on the basis that the very fact of disability being established by a competent medical authority precluded proving a disciplinary offence related to its acquisition.

In view of the above, the status of the criminal proceedings investigated by the SBI remains a key issue. Procedural supervision in these proceedings is exercised by prosecutors from the relevant units overseeing SBI investigations. However, their work throughout the hierarchy is organised by the Prosecutor General, whose supervisory powers were further expanded by Law No. 4555-IX.[1222] If the Prosecutor General is genuinely committed to addressing the problem of prosecutors obtaining disability status on false grounds, both the Prosecutor General and the SBI should provide a substantive account[1223] of the actual status of these criminal investigations. Available information indicates that, since 2024 prosecutors of the General Inspectorate of the PGO have exercised procedural supervision in criminal proceedings concerning alleged criminal offences under Part 4 Article 27, Parts 2 and 4 Article 358 and Part 3 Article 369 of the CC of Ukraine, as well as in criminal proceedings under Part 1 Article 366^2 of the CC of Ukraine.[1224] On 5 December 2024, these criminal proceedings were consolidated by the prosecutor.[1225]

1220 On Mandatory State Pension Insurance: Law of Ukraine No. 1058-IV of 09.09.2003. ↗

1221 Civil Code of Ukraine No. 435-IV of 16.01.2003, Article 1215. ↗

1222 On Amendments to the Criminal Procedure Code of Ukraine Regarding the Specifics of Pre-Trial Investigation of Criminal Offences Related to Missing Persons under Special Circumstances during Martial Law: Law of Ukraine No. 4555-IX of 22.07.2025. ↗

1223 Most 'Prosecutors with Disability Status' Avoid Accountability. Where Is the Justice Promised by the Prosecutor General? LB.ua, 2026. ↗

1224 Article 358 (forgery of documents, seals, stamps and forms, sale or use of forged documents, seals or stamps), Article 369 (offer, promise or provision of an undue benefit to an official) and Article 366^2 of the CC of Ukraine (declaration of false information).

1225 Decision of the Qualification and Disciplinary Commission of Prosecutors No. 468dp-25 of 07.10.2025. ↗

According to the SBI,[1226] in 2025 at least two cases involving prosecutors reached the stage of completed pre-trial investigation, with indictments submitted to court in proceedings concerning the unlawful establishment of disability status and the receipt of pension payments. **However, no other data on the outcomes of investigations into these criminal offences are available**.

The QDCP has, in practice, demonstrated a willingness to apply disciplinary mechanisms to address conduct which, although it may lie at the intersection of disciplinary and other forms of legal liability, directly affects the authority of the prosecution and public trust in its representatives. On the one hand, this approach confirms the importance of disciplinary proceedings as a tool for safeguarding the integrity of the prosecutorial corps; on the other, it reflects the QDCP's intention to respond to high-profile public issues in a manner consistent with the principles of independence of the disciplinary body and individualised assessment of each case.

In 2025, the work of the QDCP was not limited to decisions concerning prosecutors' disability status. According to the PGO, the QDCP held 108 meetings and adopted 900 decisions during the year, of which 620 concerned the selection of candidates for positions in district prosecutor's offices.[1227]

In the selection process announced by the QDCP on 30 June 2025, 20 candidates[1228] submitted applications to withdraw voluntarily from further participation. At the same time, on 4 September 2025, the QDCP adopted a decision to terminate the participation of 475 individuals due to their failure to appear for the examination,[1229] accounting for 25% of the total number of candidates admitted to the selection process (1,761).[1230] Given that, from 23 July 2025, appointments to prosecutorial positions became possible on the basis of an application alone, it may be concluded that some candidates for positions in district prosecution authorities opted to use this new appointment procedure. As a result, the competitive selection process — which provides for an open, merit-based competition conducted by an independent body (the QDCP) — has, in practice, been effectively abolished.

On 4 December 2025, the QDCP announced a selection process for 121 positions of prosecutors in district prosecution authorities.[1231] As of July 2026, this selection process is ongoing.[1232]

In addition, following the consideration of disciplinary proceedings, the QDCP adopted 81 decisions imposing disciplinary sanctions on prosecutors and 91 decisions closing disciplinary proceedings.

1226 Prosecutor from Cherkasy region who unlawfully obtained disability status to stand trial following SBI investigation. State Bureau of Investigation, 2025. ↗; Former Head of Khmelnytskyi District Prosecutor's Office to stand trial for unlawfully obtaining disability status following SBI investigation. State Bureau of Investigation, 2025. ↗

1227 Letter of the Prosecutor General's Office of 11.03.2026 No. 07/3-894vyh-26.

1228 Data aggregated based on decisions of the Qualification and Disciplinary Commission of Prosecutors for the period from 30.06.2025 to 20.07.2026 inclusive. ↗

1229 Decision of the Qualification and Disciplinary Commission of Prosecutors No. 601dk-25 of 04.09.2025 'On termination of participation in the selection of candidates for the position of prosecutor of a district prosecutor's office initiated by the decision of the Qualification and Disciplinary Commission of Prosecutors No. 178dk-25 of 30.06.2025'. ↗

1230 Report for media and civil society for 2025. ↗

1231 Decision of the Qualification and Disciplinary Commission of Prosecutors No. 621dk-25 of 04.12.2025. ↗

1232 Information on Current Procedures for Selecting Candidates for Prosecutorial Positions. ↗

In 2025, the QDCP classified as disciplinary offences, inter alia, conduct relating to:

- improper performance of official duties (including violations of pre-trial investigation deadlines, failure to appear in court, inadequate assessment of evidence, failure to comply with written instructions and breaches of the rules of procedural supervision);
- violations of declaration requirements (failure to submit or late submission of declarations, submission of inaccurate information);
- conduct discrediting the title of prosecutor;
- breaches of ethical standards (refusal to undergo intoxication testing; unlawful off duty relations; conflicts of interest; use of offensive language, insults or threats; conduct giving rise to negative public resonance);
- violations of internal service regulations (absence from the workplace, failure to comply with evacuation measures);
- interference in the activities of another prosecutor.

A total of **32 QDCP decisions** in disciplinary proceedings adopted in 2025 were **appealed before the courts** and **6 such decisions were appealed to the High Council of Justice**. Following the consideration of complaints by the High Council of Justice, 1 QDCP decision was overturned, 2 were partially overturned and 2 were upheld. As of 25 December 2025, the courts had not adopted any decisions annulling QDCP decisions in disciplinary proceedings adopted in 2025.[1233]

As noted above, the report on the functional audit of the CPU and QDCP was presented in May 2026. The audit assessed the institutional structure of these bodies, guarantees of independence, transparency and integrity, operational efficiency, decision-making processes, resource management and compliance with European standards.[1234] The findings will be used, in particular, to implement the Rule of Law Roadmap measure[1235] concerning the development and adoption of a law aimed at improving the system of disciplinary liability of prosecutors and strengthening the institutional capacity of the QDCP in accordance with the recommendations of the GRECO Fourth Evaluation Round.

A similar measure is also envisaged by the Ukraine Facility Plan.[1236]

At the same time, according to publicly available information, the issue of ensuring a prosecutorial majority within the composition of the QDCP is addressed in the Draft Law 'On Amendments to the Law of Ukraine "On the Public Prosecutor's Office" (regarding the implementation of GRECO recommendations and the requirements of the Anti-Corruption Strategy for 2021–2025 concerning the improvement of the disciplinary procedure for prosecutors)', which was submitted by the PGO to the Cabinet of Ministers of

1233 Summary of disciplinary practice of the Qualification and Disciplinary Commission of Prosecutors (in implementation of a measure under the Rule of Law Roadmap), 2025. ↗

1234 A Report on the Results of the Functional Audit of the Council of Prosecutors of Ukraine and the Qualification and Disciplinary Commission of Prosecutors Was Presented in Kyiv. Pravo-Justice, 2026. ↗

1235 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

1236 Ukraine Facility Plan. ↗

Ukraine for consideration and subsequent submission to Parliament as early as 4 March 2025.[1237] As of the end of July 2026, this remained the latest officially published update on its status.

At the same time, information is available[1238] indicating that the provisions of this draft law have been incorporated into a comprehensive draft law prepared by the PGO, which provides for amendments concerning the evaluation of prosecutors, the selection of prosecutors for administrative positions, improvements to disciplinary procedures and the strengthening of the institutional capacity of the CPU and QDCP. It was developed to implement measures under the Rule of Law Roadmap and the Ukraine Facility Plan.

Recommendations

1. Grant prosecutors' assemblies genuine self-governing powers, regarding:

- discussing issues related to the internal organisation of the work of individual prosecutors (including workload distribution and specialisation);
- hearing reports of prosecutors holding administrative (managerial) positions;
- consulting with the leadership of prosecution authorities;
- discussing instances of violations of guarantees of prosecutorial independence and addressing the competent authorities in this regard.[1239]

2. Finalise the functional audit of the CPU and the QDCP, ensure the publication of its results, and use them as a basis for legislative amendments in line with the Rule of Law Roadmap and the Ukraine Facility Plan.

3. Prepare draft amendments to legislation aimed at strengthening the institutional capacity, independence and effectiveness of the CPU, regarding:

- introducing an independent and objective pre-selection procedure for candidates to the CPU, including integrity checks;
- placing the CPU on a full-time (professional) footing (secondment of members on a full-time basis);
- establishing its own secretariat and ensuring adequate financial, human and technical resources;
- transforming the CPU into a separate legal entity, institutionally independent from the PGO;
- expanding and ensuring the effective exercise of the CPU's powers to protect prosecutorial independence;
- restoring the CPU's substantive role in staffing procedures, in particular by enhancing the transparency of candidate assessment, introducing clear evaluation criteria

1237 Measure 2.1.5.2.2. Information system for monitoring the implementation of the State Anti-Corruption Programme. ↗

1238 According to data of the Agency for Legislative Initiatives, obtained during meetings, working sessions and other events involving representatives of state institutions and experts in the field of prosecutorial authorities.

1239 The recommendations previously provided by civil society in the 2025 Shadow Report (p. 186-187) remain relevant. ↗

and establishing safeguards against formalistic or automatic approval of candidates.

4. Strengthen the institutional independence and effectiveness of the QDCP and improve disciplinary practice, for example, through legislative amendments aimed at:

- ensuring a prosecutorial majority within the composition of the QDCP, elected by prosecutors themselves;
- introducing an independent procedure for the selection of QDCP members, including verification of professional competence and integrity;
- ensuring full institutional autonomy of the QDCP from the PGO, including the establishment of its own secretariat;
- revising the role of entities involved in forming the composition of the QDCP;
- expanding the range of disciplinary sanctions to ensure their proportionality (in line with GRECO recommendations);
- regulating the issue of compensation for damage caused to the State, particularly in cases involving the receipt of unjustified payments.

Appointments to Administrative (Managerial) Positions, Including the Position of the Prosecutor General

Progress and issues

Prosecutor General — Prospects for Introducing Competitive Selection Procedures and Eliminating the Possibility of Political Dismissal

According to the Law of Ukraine 'On the Public Prosecutor's Office',[1240] the term of office of the Prosecutor General is six years. However, over 35 years of Ukraine's independence, no Prosecutor General has been dismissed upon expiry of the six-year term of office. Moreover, in 2019, the immunity of Members of Parliament from criminal prosecution without the consent of the Parliament was replaced with a special procedure for pre-trial investigation,[1241] in which the Prosecutor General plays a key role, starting from the initiation of criminal proceedings. In this context, the level of political influence over the Prosecutor General remains extremely high.

For instance, during the presidency of V. Zelenskyy alone, four Prosecutors General have been replaced. Of these, Ruslan Riaboshapka held office for 6 months and 5 days (29 August 2019 — 5 March 2020); Iryna Venediktova for 2 years, 4 months and 1 day

1240 On the Public Prosecutor's Office: Law of Ukraine No. 1697-VII of 14.10.2014, Part 2 Article 40. ↗

1241 By the Law of Ukraine No. 27-IX of 03.09.2019 'On Amendments to Article 80 of the Constitution of Ukraine (regarding the immunity of Members of Parliament of Ukraine)', the provision stipulating that Members of Parliament of Ukraine cannot be held criminally liable, detained or arrested without the consent of the Verkhovna Rada of Ukraine was removed from the Constitution of Ukraine.

(17 March 2020 — 18 July 2022); Andrii Kostin for 2 years, 3 months and 3 days (28 July 2022 — 31 October 2024); and Ruslan Kravchenko (21 June 2025 — present).

The analysis of the tenure of the Prosecutor General indicates systemic institutional instability of this position. Between 2015 and 2026, the average term of office of the Prosecutor General has been approximately two years, with some tenures being significantly shorter (in particular, less than one year). Such frequent changes in the leadership of the prosecution authorities are inconsistent with the principle of institutional continuity and negatively affect the effective implementation of long-term reforms in the field of criminal justice.

At the same time, the de facto possibility of early termination of powers by decision of political actors creates a situation in which the Prosecutor General lacks sufficient guarantees of independence and stability, which, in turn, may influence managerial and procedural decision-making.

The Venice Commission and the Consultative Council of European Prosecutors emphasise[1242] **that states should take steps to depoliticise the process of appointment and dismissal of the Prosecutor General** and insist that relations between different levels of hierarchy be governed by clear, unambiguous and balanced rules. Legislative provisions should clearly define a limited set of circumstances under which the Prosecutor General and other senior officials may intervene in criminal proceedings.

Similar calls to depoliticise the position of the Prosecutor General are reflected in the reports under the European Union Enlargement Package for 2023–2025, as well as in the 10 reform priorities for achieving substantial progress under Cluster 1 'Fundamentals of the Accession Process' of the joint statement following the meeting between European Commissioner for Enlargement M. Kos and Deputy Prime Minister for European and Euro-Atlantic Integration of Ukraine T. Kachka in December 2025.[1243] One of the reform priorities to be implemented within a year provides for a **comprehensive review of the procedure for the selection and dismissal of the Prosecutor General in order to align it with best European practices, with the involvement of the Venice Commission.** In addition, the requirement to ensure a more transparent and merit-based procedure for the selection and dismissal of the Prosecutor General and prosecutors in managerial (administrative) positions is reiterated in the Interim Benchmarks for Chapter 23 'Judiciary and Fundamental Rights' under Cluster 1 'Fundamentals of the Accession Process'.[1244]

On 22 June 2026, a group of MPs registered **Draft Law No. 15343**[1245] in the Verkhovna Rada, aimed at reforming the procedure for the appointment, disciplinary liability and

1242 CCPE Opinion No.9 (2014) on European norms and principles concerning prosecutors, Rome Charter, Art. XIV; Opinion on the draft law on the Public Prosecutors' service of Moldova, CDL-AD(2008)019, §§ 16, 19; Interim Opinion on the Draft Law on the State Prosecution Office of Montenegro, CDL-AD(2014)042, §§ 34, 108; Poland — Opinion on the Act on the Public Prosecutor's office, CDL-AD(2017)028, § 58. ↗

1243 Joint Statement between Commissioner Marta Kos and Deputy Prime Minister of Ukraine Taras Kachka. European Commission, 2025. ↗

1244 European Union Common Position: Accession Document / Conference on Accession to the European Union - Ukraine. Brussels, 2026. 28 p. ↗

1245 On Amendments to Certain Legislative Acts of Ukraine to Strengthen the Independence of the Position of the Prosecutor General: Draft Law of Ukraine No. 15343 of 22.06.2026. ↗

dismissal of the Prosecutor General. **The draft law proposes introducing a competitive procedure** for selecting the Prosecutor General involving a selection commission whose members would include representatives designated by international and foreign organisations. It also proposes transferring to the High Council of Justice the powers to support the work of the commission and conduct disciplinary proceedings in respect of the Prosecutor General.

The draft law defines the grounds and procedure for the disciplinary liability of the Prosecutor General, establishes a list of disciplinary sanctions and the procedure for appealing them and clarifies the grounds on which the Verkhovna Rada may express no confidence in the Prosecutor General. To implement these changes, it proposes comprehensive amendments to the Laws of Ukraine 'On the Public Prosecutor's Office', 'On the High Council of Justice' and 'On Temporary Investigative Commissions and Temporary Special Commissions of the Verkhovna Rada of Ukraine'.

The competitive selection model involving a selection commission proposed by Draft Law No. 15343 is one possible approach to depoliticising the appointment of the Prosecutor General. Experts have previously analysed various models for improving the appointment procedure.[1246] In particular, they examined in detail the substance of Ukraine's European integration commitments, analysed the appointment and dismissal practices for prosecutors general in EU Member States, considered the **potential unconstitutionality of introducing competitive selection without amending the Constitution of Ukraine**[1247] and proposed various ways of making progress in fulfilling the relevant European integration commitments.

In the view of the Agency for Legislative Initiatives, the most appropriate model for depoliticising the appointment of the Prosecutor General would be to **narrow the discretion of the President and the Verkhovna Rada by making it mandatory to take into account an opinion of the CPU recommending one or more candidates for the position of Prosecutor General.**[1248] Implementing this model would require amendments to the Constitution of Ukraine and would be possible only after completion of the measures under the Rule of Law Roadmap aimed at strengthening the independence and institutional capacity of the CPU.

Pending the relevant constitutional amendments, experts propose[1249] introducing a minimum model for depoliticising the appointment procedure by requiring, at the legislative level, the President to obtain an opinion from the CPU and/or the High Council of Justice before submitting a nominee for Prosecutor General to the Verkhovna Rada.

Appointment of Prosecutors to Administrative Positions

The appointment of prosecutors to administrative (managerial) positions, depending on the level of the post, continues to be carried out by the Prosecutor General or by the

1246 Depoliticising the Appointment and Dismissal of the Prosecutor General: European Models, Constitutional Considerations and Possible Scenarios for Ukraine: analytical brief / Agency for Legislative Initiatives. 2026. ↗

1247 Prosecutor General Above Politics? What Does the EU Really Want? Ukrainska Pravda. 2026. ↗

1248 Ibid.

1249 Depoliticising the Appointment and Dismissal of the Prosecutor General: European Models, Constitutional Considerations and Possible Scenarios for Ukraine: analytical brief / Agency for Legislative Initiatives. 2026. ↗

heads of regional or district prosecutor's offices. No competitive procedure is conducted for such positions.

Appointments to the positions of First Deputy and Deputy Prosecutor General, Head of a regional prosecutor's office (and their First Deputy and Deputy) and Head of a district prosecutor's office are made on the basis of recommendations of the CPU.[1250] **An analysis of the decisions of the current composition of the CPU shows no instances of refusal to approve candidates proposed by the leadership of the PGO. Such uniformity of practice indicates the formal nature** of the exercise of the CPU's powers and the de facto transformation of the approval procedure into a declarative stage of personnel appointments.

The combination of the virtually automatic approval of candidates by the CPU and the short tenure of the Prosecutor General results in the absence of genuine competitive procedures for administrative positions within the prosecution system, while **staffing policy remains entirely dependent on the personal decisions of the leadership**. This adversely affects the professional stability, development and motivation of prosecutors, who cannot rely on consistent career progression.

According to the Ukraine Facility Plan[1251] and the Rule of Law Roadmap, **legislation ensuring transparent and merit-based selection of prosecutors for managerial positions was expected to enter into force in the first quarter of 2026**. Such legislation should include: clear evaluation criteria, including professional competence and integrity/ethics; a transparent, competitive and merit-based selection procedure incorporating checks of professional competence and integrity; and strengthening the institutional capacity and powers of the PGO and prosecutorial self-governance bodies, particularly the CPU, with regard to the selection of prosecutors for managerial positions. A similar measure is also envisaged by the OAS Action Plan.[1252]

At the same time, the Rule of Law Roadmap clarifies that managerial (administrative) positions refer to posts within the PGO (Head and Deputy Head of a structural unit), as well as within regional and district prosecutor's offices (Head and Deputy Head of a prosecution authority and of its structural units).

According to the Monitoring of the implementation of the International Monetary Fund programme and EU assistance, presented by the RRR4U consortium,[1253] due to the failure to meet six indicators — including the introduction of competitive procedures for administrative positions in prosecution authorities — Ukraine did not receive a €2.6 billion tranche of financial assistance in the first quarter of 2026. The delay in fulfilling just one of these measures is estimated at approximately €300 million. Given the significant dependence of the Ukrainian budget on macro-financial assistance, this issue affects not only Ukraine's European integration ambitions but also state budget expenditures that underpin the day-to-day life of Ukrainian citizens.

1250 On the Public Prosecutor's Office: Law of Ukraine No. 1697-VII of 14.10.2014, Part 4 Article 39. ↗

1251 Ukraine Facility Plan. ↗

1252 Action Plan for the Implementation of the Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027 and the Action Plan for its Implementation: Order of the Cabinet of Ministers of Ukraine No. 792 of 23.08.2024, para. 4.6.4. ↗

1253 Monitoring of the implementation of the IMF programme and EU assistance (March 2026). ↗

On 24 June 2025, Prosecutor General R. Kravchenko abolished the Regulation on the procedure for selecting candidates for the personnel reserve and dissolved the commission responsible for forming that reserve.[1254] This commission effectively served as an advisory body to the CPU, which, based on the personnel reserve list, was to submit relevant proposals for appointment to the Prosecutor General. Following the dissolution of the commission, appointments to administrative positions within the prosecution authorities are now made at the discretion of the leadership.

At the same time, provisions covering the evaluation of prosecutors, the selection of prosecutors for administrative positions, improvements to disciplinary procedures and the strengthening of the institutional capacity of the QDCP and CPU have been incorporated into comprehensive legislative amendments prepared by the PGO to implement measures under the Rule of Law Roadmap and the Ukraine Facility Plan.[1255]

In 2025, there were **instances within the prosecution authorities of expanding the number of administrative positions, which were not always supported by proper functional justification. This once again underscores the need for the prompt optimisation of the prosecution structure and for aligning its staffing levels with the European average**. Such cases involve the creation of additional managerial tiers or positions alongside existing structural units whose competences already cover the relevant areas of activity. This practice may lead to duplication of powers or the exercise of merely declarative functions in administrative positions, as well as to a blurring of accountability and increased complexity of management processes.

A telling example is the appointment, in December 2025, of a separate Deputy Prosecutor General responsible for the protection of children's rights.[1256] Despite the sensitivity of the juvenile justice area, this function is already covered by the specialised structural unit — the Department for the Protection of Children's Interests and Combating Domestic Violence of the PGO — as well as by the corresponding structural units of regional prosecutor's offices. The powers of the Head and Deputy Head of this Department include:[1257]

- interaction with all relevant state institutions and officials in this field, including the Verkhovna Rada Commissioner for Human Rights;
- oversight of the effectiveness of the organisation and procedural guidance of pretrial investigations by regional prosecutor's offices, resolution of other issues in criminal proceedings in accordance with the law, supervision of compliance with the law during investigative and covert investigative (search) actions, participation in court proceedings and the support of public prosecution in criminal cases;

1254 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the European Union Enlargement Package 2024, 2025, pp. 191–193. ↗

1255 According to data of the Agency for Legislative Initiatives, obtained during meetings, working sessions and other events involving representatives of state institutions and experts in the field of prosecutorial authorities.

1256 Publication by Prosecutor General R. Kravchenko on the social network Facebook, 2025. ↗

1257 On Approval of the Regulation on the Department for the Protection of Children's Interests and Combating Domestic Violence: Order of the Prosecutor General No. 268 of 14.09.2023. ↗

- oversight of the effectiveness of supervision over compliance with the law in the conduct of operational and investigative activities, as well as oversight of how such supervision is carried out by regional prosecutor's offices.

The newly created position of Deputy Prosecutor General does not have any exclusive powers that would not already be vested in the Head of the relevant Department. The establishment of this additional administrative position effectively creates a parallel layer of management in an area where institutional capacity is already in place.

Such decisions to expand the managerial apparatus not only fail to enhance the efficiency of the prosecution authorities but also call into question compliance with the principles of sound use of budgetary resources, particularly in the context of limited funding and the prioritisation of the security and defence sector.

The measure provided for by the Rule of Law Roadmap concerning the development and adoption of legislative and subordinate acts aimed at **optimising the staffing levels and structure of the prosecution authorities is capable of addressing this issue**. It provides for the simplification of the organisational structure of the prosecution authorities, a reduction in the number of administrative positions, the elimination of overlapping competences and the introduction of clearer specialisation (with implementation expected by the fourth quarter of 2026).

Recommendations[1258]

1. Reduce political influence over the appointment and dismissal of the Prosecutor General as follows:

   1) *during martial law, without amending the Constitution of Ukraine*: introduce a mechanism whereby the prosecutorial self-governance body provides the appointing authority (the President) with an opinion (assessment) on a candidate for Prosecutor General before the nomination is submitted to Parliament;

   2) *after martial law is terminated or lifted and following amendments to the Constitution of Ukraine*: require the appointing authority (the President) to take into account the opinion of independent prosecutorial self-governance bodies on a candidate for Prosecutor General before the nomination is submitted to the Verkhovna Rada. Both models should be introduced only after the institutional capacity of the CPU has been strengthened, as planned for the fourth quarter of 2026.

2. Depoliticise the procedure for dismissing the Prosecutor General by providing that dismissal may take place solely on professional grounds defined by law. Pending the relevant amendments to the Constitution of Ukraine, introduce partial depoliticisation as a transitional mechanism by clarifying the dismissal procedure and involving a temporary investigative commission of the Verkhovna Rada.

3. Introduce mandatory competitive selection for managerial (administrative) positions within the prosecution authorities, including heads of structural units of the PGO, regional and district prosecutor's offices. Entrust the responsibility for conducting such competitions to the CPU following the strengthening of its institutional

1258 The recommendations previously provided by civil society in the 2025 Shadow Report (pp. 193-194) remain relevant. ↗

capacity, considering the outcomes of the pilot project on the formation of the personnel reserve in prosecution authorities that was subsequently abolished.

4. Define the list of managerial (administrative) positions subject to mandatory competitive selection, taking into account the optimisation of the number of prosecutors and the structure of prosecution authorities, in such a way that the CPU is not overburdened with competitions for all positions, including those at the lowest level.

5. Establish, at the level of the Law of Ukraine 'On the Public Prosecutor's Office', clear criteria for evaluating candidates for managerial positions, including professional competence and integrity.

Selection of Prosecutors, Results of the Vetting Process, Disciplinary Liability of Prosecutors and Dismissal from Office

Progress and issues

Competitive Selection of Prosecutors. Activities of Trainee Prosecutors

Prior to the entry into force of Law No. 4555-IX (23 July 2025), all candidates for prosecutorial positions in prosecution authorities were selected on a competitive basis with the involvement of the QDCP. For example, the selection of prosecutors to district prosecutor's offices (the lowest level of the prosecution system) was carried out systematically by the QDCP in accordance with Article 28 of the Law of Ukraine 'On the Public Prosecutor's Office'. Appointments were made based on the ranking of candidates according to the number of points obtained as a result of the qualification examination.

Transfer to a prosecutorial position in a higher-level prosecutor's office (regional prosecutor's office, PGO) was carried out in accordance with Article 38 of the Law of Ukraine 'On the Public Prosecutor's Office'. The procedure for conducting such competitions is approved by the Procedure for holding a competition for a vacant or temporarily vacant position of prosecutor by way of transfer to a higher-level prosecution authority.[1259]

At present, **trainee prosecutors of district prosecutor's offices are selected on a competitive basis** with the involvement of the QDCP, whereas prosecutors **to higher-level prosecution authorities (regional prosecutor's offices and the PGO) are appointed without a competitive procedure** by the heads of these authorities, in virtue of an application submitted by a person wishing to become a prosecutor.

According to the QDCP, in 2025 no competitions were conducted for filling vacant or temporarily vacant prosecutorial positions by way of transfer to higher-level prosecution authorities.[1260]

1259 Procedure for holding a competition for a vacant or temporarily vacant position of prosecutor by way of transfer to a higher-level prosecution authority: Decision of the relevant disciplinary body No. 13zp-21 of 26.10.2021. ↗

1260 Letter of the Prosecutor General's Office of 11.03.2026 No. 07/3-894vuyh-26.

During 2025, the QDCP announced and conducted the selection of candidates for 230 positions of prosecutors of district prosecutor's offices,[1261] which constituted one of the key mechanisms for forming a reserve of new personnel for the prosecution system. As a result of these procedures, qualification examinations were organised and special vetting procedures were carried out in respect of candidates applying for these positions. At the end of 2025, the QDCP launched another selection process for 121 positions of prosecutors of district prosecutor's offices, announcing the first stage — the submission of applications by persons wishing to become prosecutors.[1262]

The analysis of the above data indicates the presence of conflicting trends in the functioning of the system for the selection and career progression of prosecutors following the entry into force of Law No. 4555-IX.

As already noted,[1263] during the selection conducted by the QDCP on 30 June 2025, 20 candidates withdrew from participation, and on 4 September 2025 a further 475 candidates were excluded due to failure to appear for the examination. Given that, from 23 July, appointments to prosecutorial positions became possible in virtue of an application without a competitive procedure, and taking into account the existing practice of transferring prosecutors to district prosecutor's offices, it may be assumed that some candidates made use of this appointment mechanism. Moreover, under a similar procedure, including through initial appointment to regional prosecutor's offices, such prosecutors are subsequently transferred to the PGO.

On the one hand, it is a positive development that the QDCP continues to actively perform its key function of selecting personnel for the prosecution authorities. Two selection procedures, organised in compliance with legislative requirements, provide for the taking of a qualification examination and the conduct of special vetting procedures, and are based on the principles of meritocracy. This approach ensures an appropriate level of professional training of trainee prosecutors, contributes to the renewal of the system and supports the development of a high-quality staffing potential within the prosecution authorities.

On the other hand, **the effective discontinuation of competitive procedures for transfer to regional prosecutor's offices and the PGO deprives prosecutors of the possibility of building a consistent and predictable career path**. Whereas promotion previously resulted from a competitive selection process based on professional achievements, experience and evaluation results, the current model does not provide for clear, transparent and uniform rules for career advancement. In such circumstances, prosecutors are unable to plan their professional development as a step-by-step progression from lower to higher levels based on their own merits, which undermines motivation for professional growth and effectively nullifies the very idea of a merit-based service within the prosecution authorities.

1261 On Conducting the Selection of Candidates for the Position of Prosecutor of a District Prosecutor's Office: Decision of the Qualification and Disciplinary Commission of Prosecutors No. 178dk-25 of 30.06.2025. ↗

1262 On Conducting the Selection of Candidates for the Position of Prosecutor of a District Prosecutor's Office. ↗

1263 For more details, see the subsection 'Qualification and Disciplinary Commission of Prosecutors of Ukraine'.

Outcomes of Prosecutors' Vetting

In 2025, the vetting of prosecutors, as a temporary instrument for cleansing the prosecution service of unprofessional and non-integrity staff, continued.

As of 2026, vetting is carried out by three commissions (for the PGO, regional and district offices respectively). Due to the termination of USAID funding programmes in Ukraine, the commissions suspended their activities in February–March 2025, as half of their members had been delegated by international technical assistance projects.[1264] Following the appointment of Prosecutor General R. Kravchenko in June 2025, the process resumed, the composition of the commissions was partially renewed, and they continued to perform their functions.

The Rule of Law Roadmap[1265] defines a joint measure for the PGO and the Supreme Court with a deadline of the fourth quarter of 2027 — completion of prosecutors' vetting, ensuring consistent judicial practice in disputes related to vetting, including at the level of the Supreme Court and completion of 90% of all related court cases. Although the deadline may appear sufficient at first glance, it should be taken into account that judicial appeals against decisions on unsuccessful vetting constitute a lengthy and protracted process. Therefore, steps by the PGO to define a scenario for completing vetting are expected as soon as possible.

Vetting currently applies to three categories of persons: repeated vetting of prosecutors reinstated by court decisions;[1266] individuals returning from childcare leave; and individuals who, for various reasons, previously avoided vetting and continue to do so.

In 2025, vetting was successfully completed by 6 prosecutors of the Prosecutor General's Office of Ukraine, 8 prosecutors of regional prosecution offices and 11 prosecutors of local prosecution offices, as well as military prosecutors of garrisons (with the status of local offices).[1267]

During the first half of 2026 (as of 14 July 2026), eight prosecutors successfully passed vetting: three prosecutors of the Prosecutor General's Office of Ukraine, one prosecutor of a regional prosecution office and four prosecutors of local prosecution offices.[1268]

According to estimates by the Agency for Legislative Initiatives, approximately 500 prosecutors remain in an uncertain status due to ongoing appeals against vetting results.[1269]

1264 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's progress within the European Union Enlargement Package 2024, 2025, p. 198. ↗

1265 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

1266 In order to safeguard the vetting of prosecutors from issues previously encountered in other public authorities, Law of Ukraine No. 1554-IX of 15.06.2021 'On Amendments to Section II "Final and Transitional Provisions" of the Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine Regarding Priority Measures for the Reform of the Prosecutor's Office" concerning certain aspects of the application of transitional provisions' was adopted. This Law provided that prosecutors dismissed following vetting and subsequently reinstated by court decisions in cases challenging the vetting results are required to undergo vetting again after such reinstatement. ↗

1267 2025 Report / Prosecutor General's Office. 2026, p. 18. ↗

1268 Letter of the Prosecutor General's Office No. 07-1333-26 of 24.07.2026.

1269 Information obtained during interviews with prosecutors of the Prosecutor General's Office on 26.11.2025.

In addition, around 100 individuals at the level of local prosecution offices, about 50 at the regional level and 4 individuals at the level of the Prosecutor General's Office of Ukraine have still not undergone vetting due to valid reasons (maternity leave, childcare leave, release from duties due to military service in the Defence Forces of Ukraine, including the Armed Forces of Ukraine, the National Guard of Ukraine, the State Border Guard Service of Ukraine, the National Police of Ukraine (NPU), etc.).[1270]

Improvement of the Procedure for Bringing Prosecutors to Disciplinary Liability

The recommendations of the Fourth Evaluation Round of GRECO regarding the disciplinary liability of prosecutors,[1271] issued in 2017, remain unimplemented. The need to implement them is provided for by the State Anti-Corruption Programme[1272] and the Ukraine Facility Plan.[1273]

These recommendations consist of three parts:

1) Regarding the disciplinary procedure and the composition of the QDCP:

- ensuring a prosecutorial majority within the QDCP (currently, 5 out of 11 members of the Commission are prosecutors) (Recommendation XXIII);
- clarifying the elements of disciplinary offences (Recommendation XXIX);
- extending the limitation period for disciplinary liability (currently one year, while for judges it is three years) (Recommendation XXX);[1274]
- providing for the powers of prosecutorial self-governance bodies and heads of prosecutor's offices to submit disciplinary complaints (Recommendation XXX).

2) Regarding management within the prosecution service:

- introducing a new system for the evaluation of prosecutors (Recommendation XXV);
- introducing the random allocation of criminal proceedings among prosecutors based on pre-established clear and objective criteria, including the criterion of specialisation (Recommendation XXIV).

3) Regarding the procedural independence of prosecutors:

1270 Ibid.

1271 Ukraine — Evaluation Report. Fourth evaluation round. CoE, GRECO website, 20.02.2025. Rec. XXIX, XXX. ↗

1272 On Approval of the State Anti-Corruption Programme for 2023–2025: Resolution of the Cabinet of Ministers of Ukraine No. 220 of 04.03.2023, measure 2.1.5.2.2. ↗

1273 Ukraine Facility Plan. Chapter 4. Prosecution Reform. ↗

1274 At the same time, pursuant to Part 2 Article 45 of the Law of Ukraine 'On the Public Prosecutor's Office', any person aware of relevant facts has the right to submit a disciplinary complaint concerning a prosecutor's misconduct. Only the anonymity of a complaint constitutes grounds for refusal to initiate proceedings. A significant proportion of complaints are submitted by heads of prosecutor's offices, and the procedure for opening proceedings is the same for all complaints. The proposed procedural status of such complaints would not add anything to the legal regulation of initiating disciplinary proceedings.

- improving the mechanism for recusal/self-recusal of a prosecutor (Recommendation XXVIII).

No information on the implementation of the aforementioned GRECO recommendations during the reporting period is publicly available. Thus, out of 31 recommendations of the Fourth Evaluation Round of GRECO, 11 remain partially implemented and 2 remain not implemented. The unimplemented recommendations concern increasing the number of prosecutors within the QDCP (recommendation XXIII) and extending the limitation period for initiating disciplinary proceedings against prosecutors and for appealing such decisions (recommendation XXX). To implement these recommendations, the PGO was expected to prepare legislative amendments providing for a revision of the quota of prosecutors among the members of the QDCP and an extension of the limitation period.

According to information available to the Agency for Legislative Initiatives,[1275] the relevant legislative amendments have been developed and incorporated into the PGO's comprehensive draft law, prepared to implement measures under the Rule of Law Roadmap and the Ukraine Facility Plan.

Recommendations

1. Abolish the non-competitive procedure for appointments to regional prosecutor's offices and the PGO, introduced by Law No. 4555-IX and, at the same time, refrain from applying these provisions until their repeal.

2. Complete the vetting of prosecutors through the adoption of the necessary legislative and institutional changes. The relevant structural units of the PGO should thoroughly examine possible options for completing the vetting process, with the involvement of experts and international partners who can support this process.

3. Adopt legislative amendments to implement the recommendations of the Fourth Evaluation Round of GRECO concerning the disciplinary procedure and the composition of the QDCP (ensuring a prosecutorial majority), as well as the recommendations of the European Commission regarding the disciplinary procedure and the institutional capacity of the QDCP to perform its functions.

Institutional Framework for Prosecutors' Training

Progress and issues

Professional Development

During the reporting period, no changes to the procedure for prosecutors professional development through amendments to the Regulation on the Professional Development System for Prosecutors[1276] were identified.

1275 According to data of the Agency for Legislative Initiatives obtained during meetings, consultations and other events involving representatives of state institutions and experts in the field of prosecution service activities.

1276 On Approval of the Regulation on the Professional Development System for Prosecutors: Order of the Prosecutor General No. 200 of 15.06.2021. ↗

In accordance with the Rule of Law Roadmap,[1277] amendments to the Statute and/or other by-laws of the National School of Judges of Ukraine and the Prosecutors' Training Centre of Ukraine (PTCU), based on the results of the EU expert assessment mission (Technical Assistance and Information Exchange — TAIEX), are envisaged for the first quarter of 2026. These amendments are intended to ensure compliance of their legal status, as well as the content and forms of their activities, with the requirements and standards of EU training institutions for judges and prosecutors.

In October 2025, the PTCU team participated in a series of working sessions within the European Commission's TAIEX mission — an instrument of technical assistance aimed at supporting reforms and approximating national legislation and practices to European Union standards.[1278] To ensure a comprehensive and objective assessment of the PTCU's activities, representatives of the TAIEX mission conducted a series of consultations with PTCU trainers, participants of training programmes and initial training, representatives of the PGO and the QDCP, as well as international and national partners of the PTCU, civil society organisations and state authorities.

Following the assessment, the TAIEX mission was expected to provide recommendations on further steps to enable the PTCU to scale up the dissemination of best practices in training justice sector professionals and modern training methodologies. At the same time, as of July 2026, the necessary amendments to the Statute of the PTCU have not been introduced.

In addition, the Rule of Law Roadmap envisages several measures for the second quarter of 2026 aimed at developing a joint EU acquis training programme for judges and prosecutors. However, no relevant information on joint work with the National School of Judges of Ukraine in this regard is available on the PTCU's website.

According to statistical data from the PTCU,[1279] in 2025 a total of 7,245 prosecutors (4,398 men and 2,847 women) completed professional development through online, offline and distance learning formats. As a result of 264 training events conducted, the PTCU issued 21,937 certificates of professional development.

At the same time, for civil servants, the PTCU conducted 36 training events, resulting in the issuance of 2,935 certificates of professional development. In total, 2,871 civil servants (557 men and 2,378 women) completed professional development through online, offline and distance learning formats.[1280]

In 2025, the PTCU organised 16 training-of-trainers sessions and issued 254 certificates to trainers following online and offline training and developed 29 online courses.[1281]

1277 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

1278 The Prosecutors' Training Centre of Ukraine — in the focus of the European Commission TAIEX mission. Prosecutors' Training Centre of Ukraine, 2025. ↗

1279 The year 2025 of the Prosecutors' Training Centre of Ukraine in figures. Prosecutors' Training Centre of Ukraine, 2026. ↗

1280 Ibid.

1281 Ibid.

In October 2025, immediately following the completion of the TAIEX mission, the Director of the PTCU, Olesia Otradnova, was dismissed.[1282] This dismissal took place several months after the appointment of Prosecutor General R. Kravchenko.

The Law of Ukraine 'On the Public Prosecutor's Office'[1283] does not provide for a procedure for the appointment and dismissal of the PTCU Director but only stipulates that this power lies with the Prosecutor General. Given that the Director of the PTCU is an administrative (managerial) position, as well as the existing trends of non-competitive appointments within the prosecution service, there remains a risk that the appointment and dismissal of the PTCU Director may depend on the discretion of the Prosecutor General.

Prosecutors' Performance Evaluation System and the Electronic Human Resources Management System of the Prosecution Service (e-HR)

De jure, a prosecutors' performance evaluation system was absent until 2020, while in practice the previous system based on the number of criminal proceedings referred to court (the so-called 'case-counting system' or quota system[1284]) continued to be applied. Since 2022, only a temporary annual evaluation system has been in force,[1285] used solely for the purpose of awarding bonuses at the end of the year.

In 2019, Law No. 113-IX[1286] introduced amendments to the Law of Ukraine 'On the Public Prosecutor's Office',[1287] which, at first glance, provided for the existence of two evaluation systems: evaluation of the quality of prosecutors' work and individual evaluation of the quality of prosecutors' work.[1288]

At the end of 2021, by Order No. 407,[1289] the Prosecutor General approved the Regulation on the System for Evaluating the Quality of Prosecutors' Work, the entry into force of which has been repeatedly postponed. Most recently, this Regulation was scheduled to enter into force on 1 January 2026.

During 2023–2024, the system for evaluating the quality of prosecutors' work, in accordance with the mentioned Regulation, was implemented in a pilot mode — initially within the PGO, namely in the Department for the Protection of Children's Interests and Combating Domestic Violence and in the unit supervising compliance with laws by the

1282 Leadership. Prosecutors' Training Centre of Ukraine. ↗

1283 On the Public Prosecutor's Office: Law of Ukraine No. 1697-VII of 14.10.2014, Article 80. ↗

1284 Evaluation of Police Performance in Ukraine: From 'Quota System' to a New System (on the example of pre-trial investigation bodies). Scientific and practical publication / Y.O. Krapyvin. Kyiv: Sofiia-A, 2016, pp. 28–29. ↗

1285 On Approval of the Temporary Regulation on the System for Evaluating the Quality of Prosecutors' Work and Bonus Payments to Prosecutors: Order of the Prosecutor General No. 503 of 30.10.2020. ↗

1286 On Amendments to Certain Legislative Acts of Ukraine Regarding Priority Measures for the Reform of the Prosecutor's Office: Law of Ukraine No. 113-IX of 19.09.2019. ↗

1287 On the Public Prosecutor's Office: Law of Ukraine No. 1697-VII of 14.10.2014, para. 7^2 Part 1 Article 9. ↗

1288 For details, see the 2025 Shadow Report, pp. 210–213. ↗

1289 On Approval of the Regulation on the System for Evaluating the Quality of Prosecutors' Work: Order of the Prosecutor General No. 407 of 29.12.2021. ↗

Economic Security Bureau of Ukraine; as well as in the Zhytomyr Regional Prosecution Office and district prosecution offices of the Zhytomyr region. Subsequently, the pilot mode was extended to the Zakarpattia, Ivano-Frankivsk and Kirovohrad Regional Prosecution Offices and the district prosecution offices of these regions.[1290]

In May 2025, within the framework of a working group on the implementation of certain international obligations (recommendations), the Prosecutor General established a subgroup tasked with strengthening the institutional capacity of the QDCP, ensuring more transparent and merit-based selection of prosecutors for managerial positions in the PGO, regional and district prosecution offices, and developing and implementing a unified system of regular evaluation of prosecutors' performance.[1291]

At the same time, one of the commitments set out in the Rule of Law Roadmap is the development and adoption, in the fourth quarter of 2026, of a law and secondary legislation aimed at introducing, using digital tools, a unified system of regular evaluation of the quality of prosecutors' work based on pre-established and objective criteria, with the active participation of prosecutors in the evaluation process, the possibility of appeal and the involvement of prosecutorial self-governance bodies.

This requirement is also set out in the Interim Benchmarks[1292] within Ukraine's EU accession negotiations, which provide for the introduction of an effective system for the periodic evaluation of prosecutors' performance based on clear and objective rules and assessment criteria as one of the elements for improving the quality of justice.

In November 2025, Prosecutor General R. Kravchenko declared Order No. 407, which had approved the Regulation on the System for Evaluating the Quality of Prosecutors' Work, null and void.[1293] According to information from the PGO,[1294] the system for evaluating the quality of prosecutors' work, which had been implemented in pilot mode, did not meet the requirements set out in the Rule of Law Roadmap. No further detailed explanation of this decision was provided.

Although Order No. 407 is no longer in force, work on the evaluation of prosecutors' performance has continued. **According to information available to the Agency for Legislative Initiatives**,[1295] **the relevant provisions concerning a system for evaluating prosecutors' performance have been incorporated into the comprehensive draft law** prepared by the PGO to implement measures under the Rule of Law Roadmap and the Ukraine Facility Plan. In particular, the draft law proposes regulating the evaluation of prosecutors' performance by defining its purpose, frequency and criteria, the requirements for members of the evaluation commission and the procedure for its forma-

1290 Measure 2.1.5.1.2. Information System for Monitoring the Implementation of State Anti-Corruption Policy. ↗

1291 On Establishment of a Working Group on the Implementation of Certain International Obligations (Recommendations): Order of the Prosecutor General No. 171 of 19.05.2025. ↗

1292 European Union Common Position: Accession Document / Conference on Accession to the European Union - Ukraine. Brussels, 2026. 28 p. ↗

1293 On Recognising as Invalid the Order of the Prosecutor General No. 407 of 29.12.2021 'On Approval of the Regulation on the System for Evaluating the Quality of Prosecutors' Work': Order of the Prosecutor General No. 370 of 19.11.2025. ↗

1294 Measure 2.1.5.1.2. Information System for Monitoring the Implementation of State Anti-Corruption Policy. ↗

1295 According to information obtained by the Agency for Legislative Initiatives during meetings, working sessions and other events involving representatives of state institutions and experts in the field of prosecution service activities.

tion. It also provides for the possibility of appealing evaluation results and for the participation of the CPU in the relevant procedures.

Regarding the development and implementation of an electronic human resources management system (e-HR) within the prosecution service, into which the prosecutors' performance evaluation system is to be integrated, the PGO has prepared a general design and detailed functional specifications. These documents define both current and target HR management processes.[1296] Based on the proposals received regarding the timeline and cost of project implementation, a feasibility study was developed, and the relevant expenditures were included in the budget request for 2025–2027. The State Budget for 2025 provides for the funding necessary to implement this project.

Subsequently, considering the developed design and legislative changes, technical requirements for the procurement of services for the development and implementation of the e-HR system were formulated. In 2025, the relevant procurement procedure was initiated; however, during the preparation process, the technical requirements were further refined, as a result of which the procurement was not completed.[1297]

In implementation of Presidential Decree No. 544/2025[1298] and the relevant instructions of the Cabinet of Ministers of Ukraine aimed at increasing the efficiency of the use of public resources and ensuring priority needs of the security and defence sector, the PGO additionally assessed the possibilities of reallocating resources to this sector. As a result, it was deemed appropriate to maximise the allocation of public funds, including budget expenditures amounting to UAH 54,810.00 thousand, towards protecting Ukraine's independence and strengthening its defence capability in the context of the ongoing military aggression of the Russian Federation, in particular to meet urgent needs for the production and procurement of advanced types of weapons, military and special equipment for the security and defence sector. Consequently, the funds initially allocated from the State Budget for the development of the e-HR system were ultimately redirected to strengthening Ukraine's defence capability.[1299]

At present, the issue of developing and implementing the e-HR system continues to be explored, including in cooperation with international partners. The possibility of attracting international technical assistance is being considered, which would allow the project to be implemented without additional burden on the State Budget.[1300]

Recommendations

1. Ensure the implementation by the PTCU of the measures set out in the Rule of Law Roadmap concerning the institutional development of the training institution and the development and implementation of a joint EU acquis training programme, by:

1296 Report on the Results of Monitoring the Implementation of the Anti-Corruption Programme of the Prosecutor General's Office for 2023–2025 for the second half of 2025, p. 20. ↗

1297 Ibid.

1298 On Measures to Reduce Bureaucratic Procedures and Conduct an Immediate Audit of Public Expenditure: Decree of the President of Ukraine No. 544/2025 of 23.07.2025. ↗

1299 Report on the Results of Monitoring the Implementation of the Anti-Corruption Programme of the Prosecutor General's Office for 2023–2025 for the second half of 2025, p. 20. ↗

1300 Ibid.

- publishing and considering the recommendations resulting from the EU (TAIEX) mission assessing the legal status, content and forms of activity of the PTCU for compliance with the requirements and standards of EU training institutions for prosecutors;
- establishing systematic cooperation between the PTCU and the National School of Judges of Ukraine, in particular with regard to the development, piloting and implementation of joint EU law training courses for judges and prosecutors.

2. Ensure that the PTCU publishes an annual comprehensive report on its activities, including information on the number and professional background of engaged trainers, the list of training activities conducted and the results of their evaluation.

3. Clarify the procedure for the appointment and dismissal of the Director of the PTCU by:

- introducing a competitive selection procedure to ensure transparency, openness and equal conditions for all applicants;
- ensuring public announcement of the competition and a transparent procedure for evaluating candidates;
- establishing clear selection criteria for the position, including requirements for education, experience and professional competences;
- detailing the dismissal procedure, including the grounds for dismissal.

4. Develop and adopt amendments to the Law of Ukraine 'On the Public Prosecutor's Office' regarding the introduction of a new system for evaluating the quality of prosecutors' work.

5. Prepare and publish a report on the results of the pilot implementation of the system for evaluating the quality of prosecutors' work during 2023–2025.

Introduction of Electronic Criminal Proceedings and the System of Random Allocation of Cases among Prosecutors

Progress and issues

E-Case Management System and SMEREKA System

The Rule of Law Roadmap[1301] provided, for the fourth quarter of 2025, for the implementation of a measure involving the development of modules to ensure the basic functionality of the 'SMEREKA' system, including the ability to manage criminal proceedings and carry out information analysis; the assessment of organisational capacity for its implementation in the activities of pre-trial investigation bodies; the development and approval of regulatory acts governing its operation; the launch of a pilot project in

1301 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

the units of the PGO and pre-trial investigation bodies engaged in the investigation of war crimes (NPU, Security Service of Ukraine (SSU)); and the conduct of training activities.

For this purpose, a joint Order of the Prosecutor General, the Head of the SSU, and the Minister of Internal Affairs of Ukraine of 31.12.2025 approved the Temporary Regulation on the Procedure for the Functioning of the Information and Communication System of Pre-Trial Investigation 'SMEREKA'.[1302] According to this Regulation, the bodies using the 'SMEREKA' system during its pilot operation include the PGO, other prosecution offices designated by the Prosecutor General, as well as the SSU and the NPU.

The objectives of the pilot operation are to verify the functional and organisational readiness of the 'SMEREKA' system for use; to test the processes of technical support, maintenance and information security; and to prepare users of the 'SMEREKA' system for its use.

During pilot operation, the 'SMEREKA' system interacts with the Unified Register of Pre-Trial Investigations (URPTI) and may also interact with the system functioning in courts in accordance with the CPC of Ukraine, as well as with other information (automated) and information and communication systems in cases provided by law. The operation of the 'SMEREKA' system is envisaged in accordance with a developed programme for specifically designated criminal proceedings concerning the commission of criminal offences,[1303] by specifically designated employees of the PGO, other prosecution offices, the SSU and the NPU, with the aim of testing the functioning of the 'SMEREKA' system under real conditions.

The launch of the pilot operation of the 'SMEREKA' system at the end of 2025 indicates a transition from the conceptual stage of digitalisation to its practical implementation. The selected pilot implementation model, primarily focused on the investigation of war crimes, is logical given the high complexity of such proceedings, the substantial volume of evidence and the need for effective inter-agency coordination.

The results of the pilot operation will be decisive for the future of this system. It is at this stage that not only the technical capacity of the 'SMEREKA' system will be assessed, but also the readiness of institutions to change established working practices, the level of inter-agency interaction, as well as the ability to ensure adequate information security.

The final implementation of the 'SMEREKA' system and the conduct of pre-trial investigations using its functionality, ensuring the possibility of comprehensive electronic interaction with the Unified Judicial Information and Communication System, information registers and databases of state authorities, the implementation of the functionality of the URPTI on the basis of the 'SMEREKA' system, as well as the commencement of data migration from the URPTI to the new SMEREKA system, are **scheduled by the Rule of Law Roadmap for the fourth quarter of 2027**. At present, its components are being implemented in a phased manner.

1302 Temporary Regulation on the Procedure for the Functioning of the Pre-Trial Investigation Information and Communication System 'SMEREKA': Order of the Prosecutor General's Office, the Security Service of Ukraine and the Ministry of Internal Affairs of Ukraine No. 409/521/928 of 31.12.2025. ↗

1303 Criminal offences provided for in Articles 110, 436, 436[2], 437–442[1], 447 of the CC of Ukraine.

Taking into account the timelines defined by the Rule of Law Roadmap, as well as the steps already taken in terms of regulatory framework development, the launch of pilot operation and inter-agency coordination, **the implementation of the 'SMEREKA' system project is currently proceeding in accordance with the timeline set out in its implementation schedule**. The phased approach to implementation, including through piloting and the gradual expansion of functionality, indicates an intention to minimise risks and ensure the effective integration of the system into the practical activities of pre-trial investigation bodies.

As of now, there are grounds to expect that, provided the current pace is maintained, alongside adequate resource allocation and institutional support, the targets defined by the Rule of Law Roadmap — including the full-scale launch of the system and the commencement of data migration from the URPTI in the fourth quarter of 2027 — may be achieved within the established timelines. At the same time, the key issue will remain practical implementation, namely not only the formal introduction of the system, but its actual use as the primary tool for managing criminal proceedings.

At the same time, a similar measure (3.3.2.2.5) of the State Anti-Corruption Programme,[1304] concerning the creation and phased implementation of an information and communication system for pre-trial investigation to be used by all prosecution bodies and pre-trial investigation bodies in every criminal proceeding, had not been implemented by the PGO as of 16 February 2026.[1305]

Random Allocation of Cases in the Prosecution Service

During the reporting period, no progress was observed in the implementation of GRECO Fourth Evaluation Round Recommendation XXIV[1306] concerning the introduction of the random allocation of criminal proceedings among prosecutors based on pre-established clear and objective criteria, including the criterion of specialisation.[1307]

By analogy with the automated allocation of court cases,[1308] the new system for determining procedural supervisors will make it possible to distribute the workload among prosecutors more evenly and may eliminate corruption risks in the assignment of procedural supervisors. In addition, this will have a positive impact on the procedural independence of prosecutors, who will be less dependent on their management.

The criteria for the uniform measurement of prosecutors' workload, developed in February 2025 by the working group on the implementation of certain international obligations (recommendations), which are also linked to the random allocation of criminal proceedings, are still being refined. Following their approval, technical specifications for the relevant digital solutions will be prepared on their basis. The activities of the

1304 State Anti-Corruption Programme: Resolution of the Cabinet of Ministers of Ukraine No. 220 of 04.03.2023. ↗

1305 Measure 3.3.2.2.5. Information system for monitoring the implementation of state anti-corruption policy. ↗

1306 GRECO. Fourth Evaluation Round. Published 08/08/2017. ↗

1307 For more details, see the 2025 Shadow Report, pp. 216-218. ↗

1308 The distribution of cases among judges is carried out through a random (automated) system. At the same time, the definitions of 'random' and 'automatic/automated' may differ; however, in substance, they refer to the same approach, which is both random and automated (through an IT solution).

working group have effectively been suspended, as no information on the results of its work is publicly available.

Threats to the procedural independence of prosecutors remain[1309] as long as the Prosecutor General retains procedural powers to influence criminal proceedings 'bypassing' the prosecutor acting as procedural supervisor. In this context, the anti-corruption objective underlying the introduction of the random allocation system will not be achieved. The 2025 Report under the European Union Enlargement Package, as well as the joint statement by the European Commissioner for Enlargement, Marta Kos, and the Deputy Prime Minister for European and Euro-Atlantic Integration of Ukraine, Taras Kachka, outlining 10 priority reforms to achieve substantial progress under Cluster 1 'Fundamentals', also emphasise the need to abolish such excessive powers of the Prosecutor General.

Recommendations

1. Continue the phased implementation of the 'SMEREKA' system in accordance with the measures set out in strategic documents and their implementation plans, in particular the OAS Action Plan and the Rule of Law Roadmap.

2. Ensure the integration of related modules into the 'SMEREKA' system, including the E-Case Management System (pilot project in anti-corruption bodies (NABU, SAPO, High Anti-Corruption Court)), the random (automated) allocation of criminal proceedings within the prosecution service, and the functioning of groups of prosecutors and investigators, including safeguards against the unjustified alteration of such groups at any stage of proceedings.

3. Introduce a system for the random allocation of criminal proceedings within the prosecution service to reduce the risk of manipulation by heads of prosecution offices when assigning prosecutors and to mitigate corruption risks. Repeal the amendments introduced by Law No. 4555-IX that undermine the procedural independence of prosecutors and adopt amendments to the CPC of Ukraine to enable procedural appeals against decisions of a head on the replacement of a prosecutor in criminal proceedings, in line with GRECO recommendations.

1309 For more details, see the 2025 Shadow Report, p. 218. ↗

Bar Reform



During the reporting period (August 2025 – July 2026), no progress was made in the reform of the Bar. Strategic documents in this area — the Strategy for the Development of the Justice System and Constitutional Court Proceedings until 2030 and the Anti-Corruption Strategy for 2026–2030 — remain either unapproved or are still at the draft stage. The Rule of Law Roadmap provides for the adoption of the relevant legislation by the fourth quarter of 2026. At the same time, acts adopted by Bar self-governance bodies (BSG bodies) have become increasingly controversial, reinforcing centralisation and a lack of transparency within the system.

The only institutional step was the establishment, under the Ministry of Justice of Ukraine (MoJ), of a working group tasked with developing amendments to legislation on the Bar.[1310] However, during the reporting period, the group held only one meeting, at which no substantive issues were in fact considered. Instead, a decision was taken to expand the composition of the working group to include representatives of the Ukrainian National Bar Association (UNBA) and the Verkhovna Rada of Ukraine (Parliament), despite the fact that more than 80% of its members were already advocates affiliated with the UNBA. This raises concerns regarding the inclusiveness and balance of the reform drafting process.

A positive development was the preparation by the National Agency on Corruption Prevention (NACP) of the Anti-Corruption Strategy for 2026–2030, which includes the Bar sector. However, as of July 2026, the draft was still awaiting consideration by the Verkhovna Rada.

The situation regarding the renewal of BSG bodies remains unchanged. Bodies whose terms of office expired as early as 2022 continue to exercise their powers without re-election at both central and regional levels. The Bar has still not delegated representatives to the Qualification and Disciplinary Commission of Prosecutors (QDCP) or the High Council of Justice (HCJ), despite the latter's public appeal calling for the Congress of Advocates of Ukraine to be convened without delay and for two HCJ members to be elected under the Bar quota. No financial reports on the use of advocates' contributions have been published since 2021. At the same time, in 2025, the Bar Council of Ukraine (BCU) delegated three representatives to the Competition Commission for the selection

1310 On the Establishment of the Working Group on Improving Legislation in the Field of the Bar and Practice of Law: Resolution of the Cabinet of Ministers of Ukraine No. 42 of 12.01.2026. ↗

of members of the High Qualification Commission of Judges of Ukraine (HQCJ), following the expiry of the mandates of international experts within its composition.

The Rule of Law Roadmap provides for the implementation of measures concerning the Bar by the fourth quarter of 2026. Given the absence of any legislative changes as of July 2026, the prospect of meeting this deadline remains highly uncertain. However, subject to favourable conditions on the part of Parliament, it remains achievable.

Going forward, it is essential to ensure that the legislative and institutional framework governing the Bar is brought into compliance with the Constitution of Ukraine, European standards and good practices. In this context, inclusive and transparent consultations with the legal community and civil society should be conducted on reforms aimed at establishing an independent, professional, accountable and advocate- and society-governed Bar. The reforms should, in particular, provide for legislative amendments aimed at:

- decentralising the powers of the BCU by functionally separating rule-making, executive and oversight functions between the BCU and the BCRs and introducing an effective system of checks and balances that prevents the uncontrolled concentration of power within the BCU and ensures genuine accountability to the legal profession;
- the introduction of transparent, comprehensible, and integrity-based procedures for the election and functioning of BSG bodies — including mandatory online voting on platforms independent from vested interests;
- substantial improvement of access-to-profession procedures and qualification requirements, including the introduction of a unified, standardised, nationwide digitalised qualification examination;
- the establishment of a transparent and accountable disciplinary mechanism, including open public registers of disciplinary decisions;
- mandatory financial reporting by BSG bodies to advocates, accompanied by annual independent audits;
- liberalisation of the system of continuous professional development for advocates, in particular by eliminating the monopolistic position of the Higher School of the Bar of the UNBA (UNBA HSB) and ensuring the free choice of education providers;
- strengthening guarantees for the practice of law, including effective mechanisms for the protection of advocates in cases of interference in their professional activities;
- the expansion of the professional rights of advocates in line with European standards, particularly in the areas of access to information, court representation, and interaction with public authorities.

The implementation of these measures is critically important for strengthening the independence, integrity, and professionalism of the legal profession, as well as for reinforcing the entire justice system.

In preparing this report, the NGO 'Tomorrow's Lawyer' submitted a request to the UNBA for information concerning the Bar. Notably, the UNBA refused both to provide the requested information and to cooperate.

The Bar in Strategic Justice Sector Documents

Progress and issues

The issue of Bar reform is reflected in key strategic documents; however, between August 2025 and July 2026 it did not progress further and was not translated into legislative changes. In practice, no substantial developments in this area took place during the reporting period. The previously adopted Rule of Law Roadmap remains in force and has not undergone the necessary updates, the draft Strategy for the Development of the Justice System and Constitutional Court Proceedings until 2030 prepared by the Office of the President of Ukraine (Office of the President) has not been approved, and the relevant legislative initiatives — namely the Anti-Corruption Strategy for 2026–2030 — remain at the draft stage.[1311]

I. **The Rule of Law Roadmap**[1312] is a valid strategic document that defines measures concerning the Bar with a deadline set for the fourth quarter of 2026. The responsible institutions are the MoJ, the Verkhovna Rada and the UNBA. As of July 2026, no legislative changes in the Bar sector have been adopted to implement this Roadmap.

II. **The Strategy for the Development of the Justice System and Constitutional Court Proceedings until 2030**, the preparation of which was announced by the Office of the President of Ukraine as early as 2024. Although the Strategy was not approved during the reporting period, according to a representative of the Office of the President, its provisions — the draft of which was circulated to all stakeholders at the end of 2025 — are expected to be implemented, including those relating to Bar reform on Ukraine's path to EU accession.[1313]

III. **The Anti-Corruption Strategy for 2026–2030**.[1314] The NACP has completed the drafting of the Anti-Corruption Strategy for 2026–2030, which includes the Bar sector. The draft represents a logical continuation of the approaches set out in the Rule of Law Roadmap and identifies five key problems and seven expected strategic outcomes. It provides for:

- improving the legislative framework governing the formation and functioning of BSG bodies, including the introduction of online voting based on the 'one advocate — one vote' principle, streamlining the electoral cycle, reducing terms of office and ensuring public access to information on BSG bodies;

1311 A detailed analysis of the content of the Rule of Law Roadmap and the provisions of the draft Strategy is provided in the Shadow Report 2025, pp. 234–235. ↗

1312 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

1313 Information provided by a representative of the Office of the President of Ukraine during an interview conducted on 31.03.2025.

1314 On Approval of the Anti-Corruption Strategy for 2026–2030: Draft Law of Ukraine, registration No. 15230-d of 27.07.2026. ↗

- introducing a unified, standardised, nationwide digitalised qualification examination, including integrity checks of candidates;
- creating a competitive environment in the field of continuous professional development for advocates;
- improving the substantive and procedural aspects of disciplinary liability, by clarifying the composition of disciplinary offences, expanding the range of sanctions, introducing a public register of decisions and ensuring safeguards against the use of disciplinary procedures to restrict advocates' freedom of expression;
- ensuring transparency in financial management through mandatory annual independent audits and the publication of detailed financial reporting.

As of July 2026, the draft Anti-Corruption Strategy for 2026–2030 (Draft Law No. 15230-d) was awaiting consideration by Parliament. At the same time, the Verkhovna Rada Committee on Anti-Corruption Policy recommended that Parliament adopt the draft law as a basis at first reading.

IV. **The UNBA Development Strategy for 2021–2025**. The validity period of the Strategy expired in 2025. As in the previous reporting period, no information on the results of its implementation, nor any interim or final report, has been published on the official website of the UNBA.

The report under the 2025 EU Enlargement Package[1315] contains significantly stronger language regarding the Bar compared to previous years. The European Commission called for renewed momentum in Bar reform and specifically emphasised that Ukraine shall urgently initiate a comprehensive reform of the Bar to ensure that the bodies of the UNBA are formed through a transparent and credible procedure. The European Commission's focus on reforming the system for forming BSG bodies is predictable in light of the prolonged neglect of this issue, while also indicating the growing priority of this topic in the context of Ukraine's EU integration commitments.

Establishment of a Working Group under the Cabinet of Ministers of Ukraine

On 12 January 2026, the Cabinet of Ministers of Ukraine established a working group on improving legislation on the Bar.[1316] At the time the working group was established, its co-chairs were Deputy Minister of Justice for European Integration Liudmyla Suhak and Head of the Verkhovna Rada Committee on Legal Policy Denys Maslov.

At the same time, in July 2026, the formation of a new Cabinet of Ministers of Ukraine resulted in significant personnel changes affecting the work of the group. In particular, D. Maslov was appointed Minister of Justice of Ukraine.[1317] Meanwhile, a new Head of the Verkhovna Rada Committee on Legal Policy had not been elected. Given that the formation of the Government had only just been completed, the working group was expected to retain a considered and balanced composition.

1315 Ukraine 2025 Report. Communication on EU Enlargement Policy. ↗

1316 On the Establishment of the Working Group on Improving Legislation in the Field of the Bar and Practice of Law: Resolution of the Cabinet of Ministers of Ukraine No. 42 of 12.01.2026. ↗

1317 On the Formation of the Cabinet of Ministers of Ukraine and the Dismissal of Members of the Resigned Cabinet of Ministers of Ukraine: Resolution of the Verkhovna Rada of Ukraine No. 4942-IX of 16.07.2026. ↗

The format established by the Government reflects the logic of the Rule of Law Roadmap, which identifies the MoJ, the Verkhovna Rada and the UNBA as the key actors of the reform: the MoJ develops policy, the Parliament adopts legislation and the UNBA implements the changes. This division of roles is fundamentally important. The Government and the Parliament have exclusive competence to develop public policy and establish updated rules in the field of the Bar — a profession to which the state has delegated a public function. While preserving the professional autonomy of advocates, the state must at the same time set standards of quality, transparency and accountability to society.

More than 80% of members of the working group are advocates — both those engaged in daily legal practice before the courts and those who currently hold other positions but retain professional experience, membership in the UNBA and an understanding of the realities of the Bar. Among them are members of Parliament, academics from leading law faculties, experts from international projects and representatives of the UNBA and other stakeholders, including the Council of Europe and civil society organisations.

The group also includes representatives of the NGO 'Association of Advocates of Ukraine' and the all-Ukrainian NGO 'Ukrainian Bar Association', which throughout their existence have voluntarily brought together more than 9,500 advocates and an even greater number of legal professionals from other fields. This composition ensures both high-quality representation of the Bar and the inclusion of alternative perspectives on reform. At the same time, the group includes both proponents of deep systemic changes and those who are sceptical of far-reaching reform of the Bar.

At the first meeting of the working group on 19 March 2026, no substantive issues related to reform were in fact considered.[1318] Instead, the MoJ, responding to requests from the UNBA and certain members of Parliament, announced the expansion of the group's composition. The MoJ was awaiting proposals to include in the group 10 representatives of the UNBA, 10 members of Parliament, as well as one representative each from the NACP, the Secretariat of the Cabinet of Ministers of Ukraine, the HCJ and the SC.

At the meeting of the working group,[1319] the co-chair of the group stated that none of its current members would be excluded during the expansion process. At the same time, in its submission, the UNBA put forward a demand to introduce the position of a third co-chair of the working group — the Head of the UNBA and the BCU Lidiia Izovitova. As of the end of July 2026, the Cabinet of Ministers of Ukraine had taken no action to change the composition of the working group.

The expansion of the group through the inclusion of an additional 20 representatives of the UNBA and Members of Parliament requires careful assessment in terms of preserving a balanced representation and preventing a situation in which the body subject to reform gains decisive influence over the substance of the reform. A key principle of effective reform is to prevent the dominance of an institution that is itself the object of change and whose previous decisions have contributed to systemic problems in the

1318 According to information provided by a representative of the NGO 'Tomorrow's Lawyer', who is a member of the Working Group on Improving Legislation in the Field of the Bar and Practice of Law.

1319 Ibid.

Bar. Attention should also be paid to the legitimacy of the representatives delegated by the UNBA, given that the mandates of BSG bodies remain unresolved following the expiry of their terms of office in 2022. This raises concerns regarding the proper representation of the interests of the legal profession in the reform process.

Appointment of the Former Head of the Office of the President to a Position within the UNBA

The appointment that took place in March 2026 should not go unnoticed. Following his dismissal from the position of Head of the Office of the President, Andriy Yermak was appointed Head of the Committee on the Protection of Victims of Armed Aggression against Ukraine, Compensation Mechanisms and European Integration Legal Support for Recovery,[1320] established under the UNBA. In accordance with the provisions governing UNBA committees, the decision to establish this committee was taken by the Head of the UNBA and the BCU, Lidiia Izovitova.

This appointment warrants attention in light of several considerations. A. Yermak has not had publicly recognised legal practice in the areas covered by the mandate of the newly established committee.[1321] At the same time, he remains a figure with significant political influence and extensive connections at the level of senior state leadership, international partners and law enforcement bodies. His integration into the structure of the UNBA creates a risk that the organisation may acquire additional political leverage, which could be used not only for the implementation of the committee's statutory tasks but also to influence the course of Bar reform — in particular in the context of the activities of the working group on improving legislation on the Bar and the consideration of the relevant legislation in Parliament.

In a context where the UNBA is both the object of reform and an active participant in the preparation of that reform, the strengthening of its institutional and political capacity requires close monitoring by civil society and international partners.

Recommendations

1. The Cabinet of Ministers of Ukraine should ensure a balanced composition of the working group on improving legislation on the Bar following its expansion, preventing a situation in which the body subject to reform acquires decisive influence over the substance of the reform. The process of expanding the composition should be transparent and public.

2. The MoJ should develop a coherent state policy in the field of the Bar and ensure the submission of the relevant legislative initiatives to the Verkhovna Rada for consideration and adoption within the timeframe set out in the Rule of Law Roadmap (fourth quarter of 2026).

3. The Verkhovna Rada should adopt the Anti-Corruption Strategy for 2026–2030, ensuring that it retains provisions on Bar reform at a level no less comprehensive than that envisaged in the NACP draft.

1320 The Coordinator of Committees commented on Yermak's 'new position' within the UNBA. Ukrainian National Bar Association, 2026. ↗

1321 Andrii Borysovych Yermak. Wikipedia. 2026. ↗

4. The President should approve the Strategy for the Development of the Justice System and Constitutional Court Proceedings until 2030, including a dedicated section on Bar reform developed in line with the requirements of the European Commission and the provisions of the Rule of Law Roadmap.

5. The UNBA should publish a final report on the implementation of the UNBA Development Strategy for 2021–2025, ensuring the involvement of the legal community and civil society in the assessment of its results.

6. Civil society and international partners should carry out continuous monitoring of the composition, procedures and outcomes of the working group on improving legislation on the Bar, as well as track institutional changes within the structure of the UNBA that may affect the course of Bar reform.

Bar Self-Governance Bodies

Progress and issues

The system of Bar self-governance remained unchanged during the reporting period, with no structural changes or changes in the composition of BSG bodies.

Elections and Indefinite Retention of Powers

Elections to BSG bodies have still not been held, despite the fact that the term of office of the last composition expired as early as 2022. A significant proportion of members of BSG bodies were first elected in 2012 at the founding conferences and the Congress of Advocates and were partially re-elected in 2017.[1322] In particular, the Head of the UNBA and the BCU Lidiia Izovitova has held this position continuously since 2012. As a result, a significant proportion of members of BSG bodies have remained in office for 14 years, despite the statutory term of office being five years and a prohibition on holding office for more than two consecutive terms.

The indefinite continuation in office of BSG bodies is justified by reference to the introduction of martial law in Ukraine. However, this justification is inconsistent with the fundamental safeguards of that legal regime. Under Part 1 Article 22 of the Law of Ukraine 'On the Legal Regime of Martial Law',[1323] any attempt to use the introduction of martial law to seize power entails liability under the law. Although this provision is addressed primarily to public authorities, the underlying principle that martial law may not be used as a basis for retaining power beyond statutory terms of office is of general legal significance and also extends to professional self-governance bodies to which the state has delegated a public function. The indefinite continuation in office of members of BSG bodies cannot be regarded as a lawful consequence of martial law, since it effectively nullifies the constitutional principle of election and periodic renewal of elected bodies and is contrary to the very nature of Bar self-governance. Neither Law No. 5076-VI[1324]

1322 Shadow Report on Chapter 23 'Justice and Fundamental Rights' of the European Commission's Report on Ukraine in 2023, 2024, pp. 162–166. ↗

1323 On the Legal Regime of Martial Law: Law of Ukraine No. 389-VIII of 12.05.2015. ↗

1324 On the Bar and Practice of Law: Law of Ukraine No. 5076-VI of 05.07.2012, Article 57. ↗

nor the Constitution of Ukraine provides for continuity (automatic extension) of the powers of BSG bodies after their terms of office expire.

It is notable that other professional self-governance bodies in the justice sector — the Council of Judges of Ukraine and the Council of Prosecutors of Ukraine — held elections and renewed their composition repeatedly under the same legal regime of martial law. Against this background, the unchanged retention of powers by BSG bodies for four years after the expiry of their terms of office appears particularly difficult to justify and points not to an objective impossibility of holding elections under martial law, but rather to a lack of political will to ensure rotation of leadership within Bar self-governance.

The lack of elections and the indefinite retention of powers by BSG bodies have also received a direct external assessment from a constitutional body. By Decision No. 1476/0/15-26[1325] of 16 July 2026, the HCJ adopted a public appeal to the UNBA and the BCU, stressing the need to convene the Congress of Advocates of Ukraine without delay and elect two HCJ members under the Bar quota. The HCJ noted that representatives of the Bar had been absent from its composition for more than four years, resulting in the Council operating with an incomplete composition, creating quorum risks and slowing the consideration of appointment and disciplinary matters. At the same time, the HCJ emphasised that the election of HCJ members by the Congress of Advocates is not a right but a constitutional duty of the Bar.

Importantly, the HCJ expressly rejected reliance on martial law as a justification for delay. It noted that current legislation contains no restrictions on holding the Congress of Advocates during martial law and that the introduction of martial law does not terminate the powers of BSG bodies. In support of this position, the HCJ referred to other entities involved in forming the HCJ that had held the relevant congresses and conferences during martial law: the Congress of Judges of Ukraine, the All-Ukrainian Conference of Prosecutors and congresses of representatives of legal education institutions.

Centralisation of Electoral Processes

A key systemic problem remains the centralised monopoly of the BCU over the initiation and control of electoral processes. It is the BCU that determines representation quotas and approves the procedures for the nomination and election of delegates both to the Conferences of Advocates of the Regions and to the Congress of Advocates of Ukraine. Without quotas set by the BCU, the regions are effectively deprived of the ability to independently initiate elections, even in cases where the terms of office of BSG bodies have clearly expired.

This problem remained relevant during the reporting period. In 2025, the Bar Council of the Khmelnytskyi Region, for the fourth time since 2022, appealed to the BCU to approve the representation quota and the procedure for electing delegates for the Conference of Advocates of the Region.[1326] However, the elections have still not been held.

1325 On the Public Appeal of the High Council of Justice to the Ukrainian National Bar Association and the Bar Council of Ukraine: Decision of the High Council of Justice No. 1476/0/15-26 of 16.07.2026. ↗

1326 On Convening the Conference of Advocates of Khmelnytskyi Region: Decision of the Bar Council of Khmelnytskyi Region No. 2-2/25 of 29.01.2025. Bar Council of Khmelnytskyi Region. ↗

This model contradicts the fundamental principles of self-governance set out in Recommendation No. R (2000)[1327] 21 of the Committee of Ministers of the Council of Europe on the freedom of exercise of the profession of lawyer, according to which bar associations and other professional organisations of lawyers should be self-governing bodies, independent of public authorities and the public at large. The centralisation of powers within the self-governance system itself creates internal vertical dependencies that undermine the democratic nature, competitiveness and accountability of BSG bodies to the legal profession.

The problem of the absence of a requirement for **secret voting in the election of governing BSG bodies** remains unresolved. In practice, voting takes place openly by a show of hands, which creates scope for pressure and group influence and deprives delegates of freedom of expression of will.[1328] **It is therefore essential that a comprehensive reform of legislation on the Bar precedes the holding of new elections to BSG bodies**. The election of self-governance bodies under updated, transparent and democratic rules — in line with the recommendations of the European Commission — is the only way to ensure the establishment of legitimate and accountable Bar self-governance institutions.

An analysis of contemporary models for organising elections to BSG bodies in EU Member States demonstrates a consistent trend towards the introduction of electronic voting as an institutional standard. For example, in France (with more than 70,000 advocates), electronic voting for elections to the *Conseil national des barreaux* has been introduced at the level of state regulation through amendments to the 1991 decree by governmental acts adopted in 2022–2023, which centralised and digitalised the electoral process.[1329] The first elections held in 2023 demonstrated the stability of the procedure, the timely counting of votes and improved organisational discipline compared to the previous model, which had been characterised by delays and procedural irregularities.

In Germany (with more than 167,000 advocates), the transition to remote voting was initiated through legislation — by reform of the *Bundesrechtsanwaltsordnung* adopted by the Bundestag in 2017, which made remote voting mandatory and enabled the use of electronic systems.[1330] Some regions have opted for postal voting, while others have introduced online systems. The practice of individual bar chambers shows that online voting significantly increases the participation of advocates in elections and enhances the legitimacy of self-governance bodies.

Thus, the introduction of an independent, transparent and technologically secure online voting system is not only a tool for modernisation but also a necessary condition for ensuring the democratic nature of Bar self-governance bodies in Ukraine, where there are more than 70,000 advocates.[1331]

1327 Recommendation No. R (2000) 21 of the Committee of Ministers to member states on the freedom of exercise of the profession of lawyer. ↗

1328 Reporting and Electoral Congress of Advocates of Ukraine in Kyiv. YouTube channel 'Pershyi Zakarpatskyi', 13:51, 15:04. ↗

1329 Décret n° 2022-1323 du 14 octobre 2022 modifiant l'article D. 432-10 du code de l'action sociale et des familles. ↗

1330 Kleine BRAO-Reform: Briefwahl für Kammervorstand kommt. Anwaltsblatt, 2017. ↗; Elektronische Wahl zur Satzungsversammlung war wirksam. Bundesrechtsanwaltskammer, 2022. ↗

1331 Official: There are over 70,000 advocates in Ukraine. Ukrainian National Bar Association, 2024. ↗

The response of BSG bodies to information requests is revealing. In preparing this report, the NGO 'Tomorrow's Lawyer' submitted a request to the UNBA for information needed to monitor and assess Ukraine's progress in the field of the Bar. In its official response,[1332] however, the UNBA refused both to provide the requested information and to cooperate.

Instead of providing the information, the UNBA, referring to BCU Decision No. 65,[1333] stated that it was the sole entity authorised to represent the Bar, noting that: 'By virtue of the functions (competence) conferred by the Law of Ukraine "On the Bar and Practice of Law", the professional organisation Ukrainian National Bar Association, as regulator of the legal profession, is the only entity authorised by its status and capable of representing the Bar in any projects, including those related to the development of consolidated documents of institutional significance.'

However, the refusal to provide information on the activities of BSG bodies is inconsistent with the principle of accountability applicable to bodies to which the state has delegated public functions — admission to the profession and disciplinary functions. BSG bodies thus display the highest level of institutional closedness and resistance to external dialogue among institutions of the justice system.

Delegation of Representatives to the Competition Commission for the Selection of Members of the High Qualification Commission of Judges of Ukraine

In 2025, the BCU delegated three representatives to the Competition Commission responsible for forming the composition of the HQCJ: Oleksii Shevchuk — former Head of the UNBA Committee on Information Policy and Interaction with the Media, Hanna Kolesnyk — Head of the UNBA Committee on Human Rights, and Oksana Kadenko — member of the BCU.[1334] This selection raised justified concerns among civil society, as the outcome of the selection process was directly affected by a non-transparent and non-competitive procedure, a critical analysis of which is provided in the Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the 2024 EU Enlargement Package[1335] (Shadow Report 2025).

Moreover, the delegation was carried out by the BCU, whose mandate has been expired since 2022. The nomination of its delegates to this Competition Commission effectively legitimises both the BCU itself and the practice of bypassing the Congress of Advocates of Ukraine, thereby creating a dangerous precedent. Until the BCU is reformed and democratic and competitive elections to it are held, the right to delegate representatives to the Competition Commission for the selection of members of the HQCJ should be removed from the provisions of the Law of Ukraine 'On the Judiciary and the Status of

1332 Letter of the Ukrainian National Bar Association No. 1431/0/2-26 of 03.07.2026.

1333 On Approval of the Official Position of the Ukrainian National Bar Association on the Shadow Report on Chapter 23 'Justice and Fundamental Rights' of the European Commission's 2023 Report on Ukraine: Decision of the Bar Council of Ukraine No. 65 of 21.09.2024. ↗

1334 The BCU selected candidates for membership of the Competition Commission for the selection of HQCJ members. Ukrainian National Bar Association, 2025. ↗

1335 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the 2024 EU Enlargement Package, 2025, pp. 892, 900. ↗

Judges'.[1336] Draft Law No. 13382[1337] pursues this objective and provides for the continued participation of international experts in such a Competition Commission.

Transparency of Acts of BSG Bodies

A distinct systemic problem is the absence of a statutory requirement to publish decisions of BSG bodies. Law No. 5076-VI[1338] provides only a general rule that such decisions enter into force from the date of their adoption unless otherwise specified. It does not impose any obligation to make these acts public. While the Regulation on the BCU[1339] stipulates that its decisions are to be published on the official website of the UNBA, this requirement is not anchored at the legislative level and is not consistently complied with.

In practice, a significant number of BCU decisions are not published. Moreover, some decisions of the BCU have effectively been classified, although neither the law nor the relevant regulations provide for this. For example, in response to a request by advocate and member of the BCU Serhii Osyka for photocopies of BCU decisions of 05–06 September 2022[1340] concerning the convening of the Sixth Reporting and Electoral Congress of Advocates of Ukraine, the approval of its procedure and the convening of Conferences of Advocates of the Regions for the nomination and election of delegates to the Congress, the UNBA stated that the requested decisions had not been published on the official website and constituted restricted information for the duration of martial law. The refusal was based on BCU Decision No. 51 'On the Non-Disclosure of Confidential Information by Bar Self-Governance Bodies during Martial Law' and Order of the Head of the UNBA and the BCU No. 91 'On Approval of the List of Confidential Information during Martial Law', which are likewise not available on the UNBA website and are not public.

The response provided by the UNBA is indicative for several reasons:

1) decisions on convening the Congress of Advocates of Ukraine and regional conferences directly concern the exercise of advocates' electoral rights and are binding on the entire legal profession and therefore cannot be classified as confidential information;

2) neither Law No. 5076-VI nor the Regulation on the BCU grants the BCU or the Head of the UNBA the authority to classify their own decisions of general application;

3) the classification of decisions determining the procedure for elections to BSG bodies effectively precludes oversight of the electoral process by the legal profession and creates conditions for its manipulation;

1336 On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016, Article 95[1]. ↗

1337 On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' regarding the improvement of the competition procedure for the position of member of the High Qualification Commission of Judges of Ukraine: Draft Law of Ukraine, registration No. 13382 of 18.06.2025. ↗

1338 On the Bar and Practice of Law: Law of Ukraine No. 5076-VI of 05.07.2012, Article 57. ↗

1339 Statute of the non-governmental, non-profit professional organisation 'Ukrainian National Bar Association': Decision of the Founding Congress of Advocates of Ukraine of 17.11.2012. ↗

1340 Publication by S. Osyka on the social network Facebook, 2026. ↗

4) such practice is contrary to the Law of Ukraine 'On Access to Public Information',[1341] which establishes an exhaustive list of grounds for restricting access and requires compliance with the 'three-part test' — the existence of a legitimate aim, a real risk of harm from disclosure and the predominance of such harm over the public interest in access to information. The UNBA and the BCU, as obliged entities, shall comply with these requirements when classifying information as confidential. In the present case, none of these justifications were provided: decisions on convening the Congress of Advocates and on the procedure for electing delegates cannot pose a threat to national security or other protected interests, while the public interest of the legal profession in access to such acts is clear and overriding.

Alongside the problem of the non-publication of decisions of BSG bodies, the **absence of online streaming of meetings of the BCU and the Bar Councils of the Regions (BCR)** remains unresolved. In circumstances where technical means for video broadcasting are widely available, the continued refusal to use them indicates not technical constraints but a deliberate lack of willingness to ensure openness and accountability in the activities of BSG bodies. As a result, the fundamental right of advocates to participate in Bar self-governance and to access information on the activities of the bodies they establish and maintain through annual contributions is undermined. Without access to both the content of decisions and the process of their adoption, advocates are deprived of the ability to exercise meaningful oversight of the bodies they have elected, to assess whether their actions correspond to the interests of the legal profession and to respond in a timely manner to potential abuses.

Recommendations

1. Amend the Law of Ukraine 'On the Bar and Practice of Law' to provide for:

- the abolition of the quota-based system of representation in the formation of BSG bodies and the introduction of a model of direct participation of advocates in electoral processes, ensuring the exercise of active voting rights by each advocate;
- the introduction of mandatory online voting in the formation of BSG bodies at all levels based on the 'one advocate — one vote' principle, using secure electronic identification and authentication platforms independent of the UNBA, selected through public procurement procedures or state digital services and subject to mandatory independent audit;
- the establishment of the mandatory principle of secret voting in the election of BSG bodies regardless of the form of voting (remote or hybrid), including where online voting is combined with in-person congresses and conferences, with an explicit prohibition of open voting, including by a show of hands, and with mandatory technical and procedural safeguards to ensure the secrecy of the vote;
- guaranteeing equal conditions for the exercise of active and passive voting rights of advocates, through open and competitive nomination procedures, including the right of self-nomination and the prohibition of additional barriers not provided by law; mandatory publication of information on candidates, their programmes and

1341 On Access to Public Information: Law of Ukraine No. 2939-VI of 13.01.2011, Article 6. ↗

professional experience; ensuring equal opportunities for the public presentation of programmes and participation in debates;

- regulating the electoral cycle of BSG bodies, by establishing clear mandatory timeframes for the initiation, preparation and conduct of elections; providing for the automatic launch of the electoral process upon expiry of terms of office, regardless of decisions of the BCU and with the participation of the BCR;
- defining an exhaustive list of exceptional grounds for extending the term of office of BSG bodies where elections cannot be held, as well as establishing a maximum duration for such extension, which must not exceed one year;
- reducing terms of office in line with best European practices to no more than three years, with a prohibition on holding leadership positions within the same bodies for more than two consecutive terms. During the first formation of BSG bodies under the new legislation, the application of the two-term limit should consider periods of service under the previous legal framework to ensure the effective operation of term limits, periodic rotation and the prevention of concentration of powers;
- prohibiting the accumulation of key leadership positions within BSG bodies, including within the UNBA, the BCU and other bodies, to prevent the concentration of power, ensure institutional balance and separate managerial, representative and oversight functions;
- clearly defining powers and delineating competences between the BCU and the BCR to eliminate the BCU's monopoly over electoral procedures, strengthen regional autonomy and restore the system of checks and balances within Bar self-governance;
- introducing mandatory transparency of the activities of BSG bodies, including through online streaming of meetings of the BCU, the BCR and other central and regional bodies; timely publication of minutes, decisions and voting results; and ensuring advocates' access to electronic registers of BSG body decisions.

2. The Parliament should revise and adopt by May 2026 Draft Law No. 13382, which provides for the continued participation of international experts in the Competition Commission for the selection of members of the HQCJ and for the removal from the BCU's powers of the right to delegate representatives to this Commission until democratic and competitive formation of BSG bodies is ensured.

Access to the Legal Profession

Progress and issues

During the reporting period, no changes occurred in the area of access to the legal profession, and all the problems identified in the Shadow Report 2025 remain relevant.[1342] In particular, the following persist: the lack of transparency and the formalistic nature

1342 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the 2024 EU Enlargement Package, 2025, pp. 245-249. ↗

of the qualification examination, the absence of unified assessment criteria and public access to examination materials; the non-transparent procedure for completing traineeship; the absence of an effective mechanism for appealing decisions of the Qualification and Disciplinary Commission of the Bar (QDCB) refusing admission to the examination or confirming its failure; and the non-functioning of regional QDCBs in a duly constituted composition, which prevents proper access to the profession.

The European Commission has consistently noted the lack of progress in reforming the Bar in Ukraine and has criticised the qualification procedures for access to the profession. The Rule of Law Roadmap provides for the introduction of a unified, standardised digitalised examination to ensure equal access and objectivity. It is important to emphasise that reform of access to the legal profession cannot be limited to the qualification examination and traineeship alone.

At least equally critical is the issue of assessing the moral and ethical qualities of candidates seeking admission to the examination. Law No. 5076-VI[1343] establishes only formal requirements: a complete higher legal education, at least two years of professional experience in the field of law and proficiency in the state language. At the same time, requirements concerning the moral and ethical qualities of candidates as a condition for access to the profession are absent from the legislation and, despite this gap having been previously identified,[1344] it has not yet been addressed.

By contrast, in the legislation of most EU Member States, moral integrity constitutes an independent and mandatory condition for entry into the legal profession. For example, the Law on the Bar of the Republic of Lithuania[1345] explicitly requires persons seeking admission to have an impeccable reputation and to be free from dependence on alcohol, narcotic or psychotropic substances. The Law of the Republic of Latvia[1346] contains a similar requirement regarding reputation as a precondition for membership in the Bar. The Polish Law on the Bar[1347] requires candidates to demonstrate impeccable character and conduct as a guarantee of the proper exercise of legal practice. The Federal Lawyers' Act of the Federal Republic of Germany[1348] provides, among the grounds for refusal of admission to the legal profession, conduct incompatible with the dignity of the profession.

Currently in Ukraine, a person applying for admission to the qualification examination must submit a criminal record certificate and a medical certificate confirming that they have undergone a psychiatric examination, including in relation to the use of psychoactive substances.[1349] These requirements are necessary but insufficient: the formal

1343 On the Bar and Practice of Law: Law of Ukraine No. 5076-VI of 05.07.2012. ↗

1344 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the 2024 EU Enlargement Package, 2025, pp. 247–249. ↗

1345 Lietuvos Respublikos advokatūros įstatymas Nr. IX-2066 of 18.03.2004. ↗

1346 Latvijas Republikas Advokatūras likums. ↗

1347 Ustawa z dnia 26 maja 1982 r. Prawo o adwokaturze. ↗

1348 Bundesrechtsanwaltsordnung (BRAO). 01.08.1959. ↗

1349 Procedure for Admission to the Qualification Exam, Procedure for Conducting the Qualification Exam and the Methodology for Assessing Its Results for Obtaining the Right to Practise Law in Ukraine: Decision of the Bar Council of Ukraine No. 270 of 17.12.2013 (as amended). ↗

absence of a criminal record or medical contraindications does not sufficiently confirm a person's integrity or fitness to practise law.

A useful reference point for improving this system may be the risk-based model for assessing candidates introduced by the Solicitors Regulation Authority of England and Wales (SRA). It covers several categories of assessment: criminal history, including spent convictions; conduct and integrity outside criminal prosecution, including dishonesty or abuse of trust; academic integrity; financial conduct and the candidate's regulatory and disciplinary history.[1350] None of these circumstances automatically leads to refusal. Instead, each case is assessed individually, considering the passage of time, the degree of insight and evidence of behavioural change. The burden of proving fitness to practise rests with the candidate, while the obligation to disclose relevant information continues throughout the period of entry on the Roll of Solicitors.[1351] This model is a valuable example of what a systemic integrity check at the stage of access to the profession may look like and deserves detailed consideration in the context of reforming the relevant procedures in Ukraine.

On 13 December 2025, by Decision No. 153,[1352] the BCU introduced amendments to the existing Procedure for Admission to the Qualification Examination concerning the process for forming examination tickets. To ensure a strict confidentiality regime and prevent the uncontrolled circulation of such information, the tickets are now formed and approved by QDCBs on a quarterly basis due to changes in the tasks. Formally, this measure is aimed at reducing the corruption risk associated with the prior knowledge of ticket content — a problem identified in the Shadow Report 2025.[1353]

However, in practice, the mechanism introduced is ineffective. A public Facebook page titled 'Qualification Examination for the Right to Practise Law'[1354] clearly demonstrates that ready-made case scenarios, that is, the tickets themselves together with model answers, continue to circulate openly and are actively sold. Thus, the quarterly rotation of tickets does not eliminate the corruption risk but merely reduces the period during which the tickets remain valid, without addressing the source of the leak. As long as the examination is conducted in paper form and QDCBs independently generate and store the tickets, the systemic vulnerability remains.

It is precisely for this reason that the Rule of Law Roadmap establishes the requirement to introduce a unified, standardised nationwide digitalised examination designed to ensure equal access for all candidates, as well as the objectivity and impartiality of the process.

Alongside the challenges caused by the full-scale war, Ukraine continues to face the problem of corruption, which directly affects access to the legal profession. In this context, the exposure in March 2026 in Kyiv of an advocate who, according to law enfor-

1350 Assessment of Character and Suitability Rules. ↗

1351 Access to the Bar: How Integrity Assessment Works in the United Kingdom. Tomorrow's Lawyer, 2026. ↗

1352 On Amendments to the Procedure for Admission to the Qualification Examination, Procedure for Taking the Qualification Examination and Methodology for Assessing the Results of the Qualification Examination for Obtaining the Right to Practise Law in Ukraine: Decision of the Bar Council of Ukraine No. 153 of 13.12.2025. ↗

1353 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the 2024 EU Enlargement Package, 2025, p. 247. ↗

1354 Page 'Qualification Examination for the Right to Practise Law' on the social network Facebook. ↗

cement authorities, offered assistance in successfully passing the qualification examination in exchange for payment, claiming to have influence over members of QDCBs, is illustrative.[1355] Such practices, which involved a clearly defined mechanism for the transfer of funds and the creation of artificial obstacles for candidates who refused to 'cooperate', demonstrate the existence of significant corruption risks in the procedure for access to the profession that will not be eliminated without structural reform of the examination itself.

Reference to the experience of EU Member States allows several established models for organising the examination procedure to be identified: Germany integrates the Bar examination into a unified system of legal training with mandatory two-year practical training;[1356] Poland places emphasis on practical skills in drafting legal documents following a three year traineeship;[1357] while the French model is characterised by a centralised unified standard for the entrance examination, with written tasks being identical for all candidates nationwide, thereby eliminating regional disparities in difficulty and reducing corruption risks.[1358]

A separate analysis is warranted of the **consistency and transparency of access to the profession across regions, made possible through analysis of the Unified Register of Advocates of Ukraine (URAU) as an open data set**. A comparison of two extracts from the URAU (as of 15 August 2024 and 27 January 2026[1359]) reveals regional anomalies that indicate the absence of unified standards for access to the legal profession and structural distortions in the functioning of qualification bodies.

As of 15 August 2024, the URAU contained 69,382 records of advocates. As of 27 January 2026, the URAU included 72,839 records, of which 52,999 (72.8%) relate to active advocates and 19,840 (27.2%) concern the suspension or termination of the right to practise law.

In terms of the number of new entries for the period August 2024 to January 2026, the top seven are the Bar Councils of the Kyiv (811), Odesa (415), Dnipropetrovsk (357), Poltava (252), Lviv (225), Zakarpattia (202) and Zaporizhzhia (141) regions.

The Bar Council of Kyiv City is not included in this list, as it has in practice not exercised its powers since 2022.[1360] At the same time, the Bar Council of the Zakarpattia Region ranks sixth despite being one of the least populous regions of the country.

Absolute figures take on a different dimension when recalculated per 100,000 population (based on estimates as of the beginning of the full-scale invasion by the Russian Federation): Poltava region (≈1.37 million) — approximately 18.4 new certificates per

1355 Promised successful passing of the Bar examination for money: Kyiv law enforcement officers detained a lawyer. Suspilne Kyiv, 2026. ↗

1356 German Judiciary Act (Deutsches Richtergesetz, DRiG). ↗

1357 Law of the Republic of Poland of 26.05.1982 on the Bar (Ustawa z dnia 26 maja 1982 r. Prawo o adwokaturze). ↗

1358 Arrêté du 20 juin 2024 fixant le programme et les modalités de l'examen du certificat d'aptitude à la profession d'avocat ↗

1359 Open Data Portal. ↗

1360 The BCU appointed acting heads of the Kyiv City Bar Council and QDCB amid the impossibility of holding a conference of advocates of the capital during martial law. Ukrainian National Bar Association, 2022. ↗

100,000 population; Odesa region (≈2.35 million) — approximately 17.7; Zakarpattia region (≈1.25 million) — approximately 16.2; Dnipropetrovsk region (≈3.1 million) — approximately 11.5; Lviv region (≈2.5 million) — approximately 9.

Poltava and Zakarpattia regions issue new Bar admission certificates at almost twice the rate per capita compared to Lviv region. No objective factors that would explain such figures — such as the concentration of nationally recognised law faculties, the presence of a large legal services market or strong demand from business — are observed in these regions. This provides reasonable grounds to conclude that different conditions of access to the profession exist within the respective QDCBs, making them attractive to candidates regardless of the location of their actual legal practice.

Of the 202 new entries recorded in the URAU extract for the Bar Council of the Zakarpattia region, 104 (51.5%) relate to Mukachevo district (the city of Mukachevo has a population of approximately 85,000); 76 (37.6%) to Uzhhorod district (the regional centre); and 22 to other localities of the region. A district centred on a city of district significance accounts for 1.4 times more new Bar admission certificates than the district of the regional centre. Under any rational model of geographical distribution of the legal profession — including the concentration of courts, prosecution bodies, law faculties and business activity — the regional centre would be expected to lead by a clear margin.

An indirect but illustrative indicator is the opening in Kyiv of a representative office of the Bar Council of the Zakarpattia Region.[1361] The establishment of a representative office of a territorial BSG body outside its own region — in the capital, where no functioning Bar self-governance has existed for more than four years — indicates that a significant proportion of advocates who formally obtained qualification through the Zakarpattia QDCB are in fact oriented towards the Kyiv legal services market.

Recommendations

Amend the Law of Ukraine ‘On the Bar and Practice of Law’ to provide for:

- the introduction of moral and ethical requirements for persons seeking admission to the legal profession, including requirements of impeccable reputation and the absence of circumstances incompatible with the practice of law, with an obligation on QDCBs to carry out a thorough assessment of candidates at the stage of admission to the qualification examination;
- the requirement for candidates, at the stage of admission to the qualification examination, to submit a declaration of integrity as an instrument of personal accountability confirming the absence of circumstances indicating potential breaches of professional ethics, conflicts of interest or corruption risks;
- the introduction of a unified, standardised nationwide digitalised examination to be conducted in a centralised, specially equipped centre in Kyiv using specialised software and video recording of the examination process, ensuring equal conditions for all candidates and eliminating regional corruption practices, while regional QDCBs would perform exclusively administrative functions related to the receipt and verification of documents;

1361 Page of the Representative Office of the Bar Council of Zakarpattia Region in Kyiv on the social network Facebook. ↗

- the improvement of the traineeship procedure by adopting practices from EU Member States to prevent its formalisation and ensure a balance between the educational, practical and ethical components of traineeship.

Continuous Professional Development

Progress and issues

The situation in the field of continuous professional development of advocates did not change during the reporting period, and all previously identified issues[1362] remain relevant. In particular, the following persist: the continued de facto monopolistic position of the UNBA HSB as the administrator of the professional development process; the absence of genuine competition among providers of professional development services; the refusal of the UNBA HSB to disclose information about its activities, citing its status as a private institution not subject to public information disclosure obligations; a complex and at the same time unclear procedure for the accreditation of providers; regional disparities in access to educational activities; and the effective absence of duly constituted BSG bodies in Kyiv, which prevents the proper organisation of such activities for advocates in the capital.

The Rule of Law Roadmap[1363] identifies, among the strategically important measures for ensuring a transparent, accountable and professional Bar, the improvement of the system of professional development of advocates to guarantee continuous learning. In its report under the 2025 EU Enlargement Package,[1364] the European Commission once again emphasised that comprehensive reform of the Bar in Ukraine must include substantial improvement of the system of continuous professional development of advocates.

The system of continuous professional development of advocates in Ukraine currently operates based on the Procedure for the Professional Development of Advocates of Ukraine of 13 December 2024.[1365] Despite certain improvements in specific procedural aspects, the overall state of the system has not undergone significant change and continues to be characterised by the same systemic problems as in previous years.

The founding documents of the UNBA HSB warrant separate attention. For a long time, the Statute of the UNBA HSB was effectively unavailable to the legal profession, while the institution consistently refused to disclose information about its activities, referring to its status as a private legal entity that is not an information holder under public-information legislation. However, in March 2026, BCU member S. Osyka published[1366] photocopies of the Statute of the UNBA HSB. Given that the document was published by a serving member of the BCU — the body that approves the Statute — there are no reasonable grounds to doubt its authenticity.

1362 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the 2024 EU Enlargement Package, 2025, pp. 250–256. ↗

1363 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

1364 Ukraine 2025 Report. Communication on EU Enlargement Policy. ↗

1365 On Amendments to the Procedure for the Professional Development of Advocates of Ukraine: Decision of the Bar Council of Ukraine No. 131 of 12.12.2025. ↗

1366 Publication by members of the Bar Council of Ukraine S. Osyka on social network Facebook, 2026. ↗

The content of the Statute makes it possible, for the first time, to assess the scope of the UNBA HSB's powers in substantive terms and confirms that the institution's monopolistic position is not merely de facto but is also enshrined in its Statute. The Statute expressly designates the HSB as both administrator and operator of the professional development process (para. 1.3.2). Its principal tasks include quality control over the activities of all operators (para. 1.6.6), accreditation of third-party operators (para. 1.6.7), accreditation of activities and certification of lecturers (paras. 1.6.8–1.6.9) and organising the work of inspectors to monitor competitors (para. 1.6.14). Thus, the HSB's regulatory functions are not merely delegated under the Procedure for the Professional Development of Advocates of Ukraine but are embedded in its Statute. At the level of the institution's founding document, this combines the roles of market regulator and leading market participant, making the structural conflict of interest inherent in the institution's design rather than an incidental consequence of its activities.

The conflict of interest is also reflected in the financial structure. Under para. 2.2.7 of the Statute, the BCU approves the list of UNBA HSB services that are mandatory for advocates and other persons, meaning that the founding body has the power to make the paid services of a private institution compulsory for the entire profession. At the same time, the BCU decides on the distribution of the UNBA HSB's income remaining after expenses have been paid (paras. 2.2.8 and 7.11 of the Statute). As a result, a single institution simultaneously acts as market regulator, its key service provider and recipient of mandatory payments from participants in that market and — through the right to initiate disciplinary proceedings for failure to comply with the relevant obligation (paras. 20–21 of the Procedure for the Professional Development of Advocates of Ukraine[1367]) — as an entity with coercive leverage.

A comparison of the Statute and the Procedure also reveals a number of discrepancies that are striking in themselves, given that both acts were approved by the BCU. First, the Statute (2019 version) consistently uses the term 'advanced training', whereas the title of the Procedure was changed in this respect to 'professional development' to align it with Law No. 5076-VI. The founding document of the system administrator therefore remains inconsistent with the terminology of the sectoral law. Second, the Statute designates the Director as the sole executive body (para. 5.1.1), acting under a contract concluded with the UNBA. However, other provisions of the Statute also provide for the positions of Rector and Vice-Rectors, appointed by the BCU (paras. 2.2.3–2.2.4), without clearly delineating their powers.

The way in which the HSB presents its own institutional status in the Statute also warrants attention. The institution states that its activities are governed by the Laws of Ukraine 'On Education', 'On Higher Education' and 'On Scientific and Scientific-Technical Activities' (para. 1.3.5). It lists among its tasks the training of specialists at master's and/or Doctor of Philosophy level (para. 1.6.17) and among its rights the establishment of specialised academic councils and the adoption of final decisions on the award of academic degrees (paras. 3.2.1.5–3.2.1.6). However, the UNBA HSB is not a licensed higher education institution, does not hold a licence from the Ministry of Education and Science of Ukraine to conduct educational activities and is not integrated in any way into the

1367 Procedure for the Professional Development of Advocates of Ukraine: Decision of the Bar Council of Ukraine No. 63 of 03.07.2021 (as amended). ↗

higher education quality assurance system. In substance, it is an ordinary private legal entity whose founding document attributes to it features of a higher education institution and research institution without an actual legal basis. This discrepancy between its declared and actual status not only calls into question the justification for the UNBA HSB's monopolistic powers but also undermines the rationale by which a private institution with an uncertain educational status performs quasi-regulatory functions in relation to the entire legal profession.

Notably, in December 2025, the BCU reacted sharply[1368] to an analytical note of the National Institute for Strategic Studies, which proposed considering the inclusion of the Bar within the scope of activity of a future National School of Justice and the transfer to this state institution of functions related to the organisation of professional development of advocates. The BCU categorically rejected these proposals, invoking guarantees of Bar self-governance, international standards and the self-governing nature of the Bar. It further concluded that a model in which a single state institution simultaneously trains representatives of the justice system — namely judges, prosecutors and advocates — does not correspond to the general direction of development of legal systems in the EU.

At the same time, this line of argument raises justified doubts in light of the lack of a clear correlation with the actual models for organising continuous professional development of advocates in EU Member States. It remains unclear which European practice underpins the approach whereby Ukraine effectively operates an institutionally entrenched monopoly in the provision of educational services for the professional development of advocates.

Comparative analysis shows that in no EU Member State does a model exist in which a single institution under a BSG body simultaneously performs the functions of administrator of the continuous professional development system and acts as the dominant or effectively sole provider of such educational services. On the contrary, even in countries with more centralised approaches to the regulation of the Bar, including Portugal, Poland and Croatia, professional organisations primarily perform coordinating and supervisory functions while ensuring an open market for a wide range of education providers, including higher education institutions, private entities and international organisations.

By contrast, the Ukrainian model, under which the UNBA HSB combines administrative powers with the function of a key provider of educational activities and where regulatory constraints, including the requirement to obtain a substantial proportion of CPD credits from accredited providers, effectively limit opportunities for alternative market participants, has no direct analogue in EU Member States and runs counter to the general European trend towards competition, pluralism of educational approaches and institutional openness in the professional training of advocates.

Such a response by the BCU is indicative: BSG bodies systematically block any initiatives that may challenge their monopolistic control over the system of continuous professional development, regardless of whether such initiatives originate from state authorities or civil society. At the same time, issues such as the actual quality of professional

1368 On Consideration of the Request of the Secretariat of the CMU regarding Taking into Account in its Work the Letter of the National Institute for Strategic Studies: Decision of the Bar Council of Ukraine No. 130 of 12.12.2025. ↗

development activities, openness of the market to independent providers and effective monitoring of compliance by advocates with their professional obligations remain outside the agenda of the UNBA and the BCU.

On 31 March 2026, the first meeting of the UNBA working group subgroup on 'Professional development and continuous professional development of advocates' was held.[1369] In practice, the participants outlined a model under which the law would enshrine the institutional role of the UNBA HSB and the general framework of the professional development system, while all substantive detail would remain within the exclusive competence of BSG bodies through internal acts. Such an approach raises serious concerns, as the legislative enshrinement of the status of the UNBA HSB without simultaneously establishing, at the level of law, open and competitive principles for the market of educational services would in effect not constitute reform but rather legitimise the monopoly of this institution. At the same time, retaining the power to define the detailed rules within the same body that holds a dominant position precludes any meaningful external oversight of the conditions governing the professional development market.

Attention should also be given to the issue of accreditation of providers of educational activities in the field of professional development of advocates. The current Accreditation Procedure,[1370] in force since 2024, has not undergone any changes.

In practice, the accreditation procedure remains complex, overly formalised and insufficiently transparent, creating barriers to entry for new providers, including universities, independent educational platforms and international organisations. At the same time, there are no clear and objective criteria for assessing the quality of professional development programmes or the cost of accreditation, which increases the risk of a subjective approach in accreditation decisions. In these circumstances, the accreditation mechanism effectively performs not only a regulatory but also a restrictive function, hindering the development of a competitive environment.

At the same time, despite the systemic shortcomings of the accreditation mechanism, the list of accredited providers of professional development for advocates continues to expand. Two new entities have recently been included — the Charitable Foundation 'Right to Protection' and the Academy of the Legal Aid Centre.[1371] While the former does not raise obvious concerns, the inclusion of the latter in the register of accredited educational providers gives rise to serious questions regarding the accreditation procedure itself.

The Academy of the Legal Aid Centre has repeatedly been the subject of journalistic investigations,[1372] in which the organisation has been characterised as a structure displaying signs of fraudulent activity. Its operating model is typical of similar pseudo-legal entities: clients are offered 'free' consultations that serve merely as an entry point for the subsequent imposition of paid services at exorbitant prices. Promises of invol-

1369 Professional Development: Subgroup Defines Areas of Work. Ukrainian National Bar Association, 2026. ↗

1370 Accreditation and Certification Procedure approved by L. Izovitova, Head of the Expert Council on Accreditation and Certification of the Ukrainian National Bar Association, on 30.12.2024. ↗

1371 Accredited providers of professional development for advocates. UNBA HSB Accreditation Centre. ↗

1372 These Lawyers Are Taking Your Money! Pseudo-Protection from TCR and SS and a 'Pyramid' of Free Assistance. YouTube, 2025. ↗

ving the police, mobile groups and the Security Service of Ukraine create an illusion of influence; however, according to client accounts, the outcome is limited to financial losses and disappointment.

On its official website, the Academy of the Legal Aid Centre[1373] offers a wide range of training courses — from contract and military law to personal brand development — yet the cost of the vast majority of these courses is not disclosed. Potential participants are invited to apply and await a follow-up call, which does not meet the transparency standards typical of educational platforms. A separate section of the website is dedicated to professional development; however, it contains no substantive information: neither a list of activities nor their cost nor the number of credit hours. The inclusion of the Academy of the Legal Aid Centre indicates not only deficiencies in the accreditation procedure itself but also the risks that arise in the absence of proper verification of the reputation and actual activities of applicants.

The monopolistic position of the UNBA HSB and the limited access to accreditation continue to have a direct impact on the quality and accessibility of professional development activities. The vast majority of such activities remain fee-based, while free-of-charge events are in practice provided almost exclusively by Bar Councils, without any statutory requirement as to their number or regularity.

In addition, the current Procedure[1374] retains a provision requiring an advocate who has been held disciplinarily liable for a breach of the Rules of Legal Ethics[1375] to complete additional professional development in the relevant area amounting to four credit hours exclusively at the UNBA HSB. At the same time, this requirement is not established at the level of law, which calls into question its compliance with the principle of legality and the limits of the powers of BSG bodies. The content of the relevant additional professional development activity, the procedure for its design, the criteria for assessing its results, as well as the fee for participation remain undefined and effectively undisclosed, which makes it impossible to assess its appropriateness, substantive quality and alignment with its stated purpose.

Recommendations

Amend the Law of Ukraine ‘On the Bar and Practice of Law’ to ensure the right of advocates to freely choose the forms and providers of professional development, including the possibility of undertaking training abroad and/or with foreign education providers, except providers from a state recognised as an aggressor state.

1373 Academy of the Legal Aid Centre. ↗

1374 Accreditation and Certification Procedure approved by L. Izovitova, Head of the Expert Council on Accreditation and Certification of the Ukrainian National Bar Association, on 30.12.2024. ↗

1375 Rules of Legal Ethics approved by the Reporting and Electoral Congress of Advocates of Ukraine of 09.06.2017. ↗

Disciplinary Liability

Progress and issues

Disciplinary liability is traditionally regarded as one of the key elements of ensuring professional standards, compliance with the Rules of Legal Ethics and public trust in the Bar. At the same time, as established in the Shadow Report 2025,[1376] this institution has not only failed to undergo systemic improvement but continues to exhibit persistent signs of structural dysfunction. The European Commission's Ukraine 2025 Report under the EU Enlargement Package report[1377] confirmed the absence of tangible progress in Bar reform and highlighted the continued existence of systemic problems related to potential abuses of disciplinary mechanisms against advocates and inconsistencies in disciplinary practice. In this context, particular attention should be paid to the importance of enshrining in the Rule of Law Roadmap[1378] the priority of introducing transparent and effective disciplinary procedures.

One of the most telling indicators of the state of the disciplinary system is the rate at which decisions of regional QDCBs are overturned by the High Qualification and Disciplinary Commission of the Bar (HQDC). Thus, based on the outcomes of the HQDC's regular meetings in March 2026, out of 44 disciplinary cases considered:

- in 11 cases, the complaint was dismissed and the decision of the regional QDCB was upheld;
- in 26 cases, the decision of the QDCB was overturned and a new decision was adopted;
- in 7 cases, the decision of the QDCB was overturned and the case was remitted for reconsideration;
- 1 decision concerning the qualification examination was overturned and remitted for reconsideration.[1379]

Accordingly, the rate of overturning decisions of regional QDCBs reached approximately 75%. Such a high rate of overturned decisions may indicate, above all, the absence of consistent legal approaches to disciplinary cases at the regional level. At the same time, the absence of a public electronic register of disciplinary decisions of QDCBs and the HQDC makes it impossible for the legal profession, complainants and independent researchers to verify these figures, analyse legal reasoning and assess the soundness of both initial decisions and their review. This perpetuates the problem and prevents the development of a consistent and predictable disciplinary practice.

The root cause of this problem lies in the closed nature of the disciplinary procedure. Predictability of disciplinary liability is a practical necessity — an advocate must understand for which specific acts or omissions they may realistically be held liable. However,

1376 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the 2024 EU Enlargement Package, 2025, pp. 257–264. ↗

1377 Ukraine 2025 Report. Communication on EU Enlargement Policy. ↗

1378 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

1379 HQDC, 19–20 March 2026: Figures that Raise Questions. Dmytro Yahunov, 2026. ↗

due to the absence of a Register of disciplinary proceedings against advocates and the lack of systematisation of decisions of QDCBs and the HQDC, advocates are deprived of the ability to navigate the actual standards applied in practice.[1380]

The issue of the institutional dependence of the HQDC itself must also be addressed. The current Head of the HQDC, Andrii Misiats, was appointed by the BCU in November 2024 in violation of the Law,[1381] which provides that the Head of the HQDC is elected exclusively by the Congress of Advocates of Ukraine.[1382] The Law does not grant the BCU any authority to independently appoint an acting Head of the HQDC.

A person whose appointment was unlawfully made by the very body whose members regularly initiate disciplinary proceedings is placed in a situation of a serious institutional conflict of interest, which structurally prevents the independent exercise of disciplinary oversight over decisions of all regional QDCBs. This is further reinforced by the Rules of Procedure of the HQDC,[1383] under which the Head is vested with significant, and often decisive, powers.

A separate problem is the misalignment between the actual functioning of the disciplinary system and its intended purpose. As noted by the acting Head of the HQDC, Andrii Misiats,[1384] a **significant proportion of disciplinary proceedings concern not the substance of legal practice or breaches of professional standards in relations with clients, but rather failures to comply with basic organisational obligations of advocates — primarily the non-payment of annual contributions and non-compliance with continuous professional development requirements**. In other words, a body intended to uphold standards of legal assistance devotes a substantial share of its resources to collecting fees and monitoring the accumulation of CPD credits, which indicates that the disciplinary system does not fulfil its function either for advocates or for their clients.

It is particularly telling that a considerable proportion of such 'organisational' disciplinary proceedings arise from rules established by BSG bodies beyond the scope of Law No. 5076-VI — in relation to professional development with a de facto monopolistic provider. This creates a closed cycle: BSG bodies introduce rules not provided for by law; the UNBA HSB, established by the UNBA, acts as complainant; BSG bodies impose disciplinary liability for non-compliance and at the same time act as financial beneficiaries of a system in which the 'closure' of proceedings requires the purchase of paid services from the same UNBA HSB.[1385]

The prevalence of 'organisational' disciplinary proceedings — for non-payment of contributions and failure to meet CPD requirements — does not indicate a lack of

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1380 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the 2024 EU Enlargement Package, 2025, pp. 257–264. ↗

1381 On the Bar and Practice of Law: Law of Ukraine No. 5076-VI of 05.07.2012. ↗

1382 Andrii Misiats to Perform the Duties of Head of the HQDC. High Qualification and Disciplinary Commission of the Bar, 2024. ↗

1383 Rules of Procedure of the High Qualification and Disciplinary Commission of the Bar: Decision of the Bar Council of Ukraine No. 87 of 13.12.2024 (as amended). ↗

1384 Disciplinary Reform of the Bar: What Actually Needs to Change. Yurydychna Gazeta, 2026. ↗

1385 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the 2024 EU Enlargement Package, 2025, pp. 257–264. ↗

integrity on the part of advocates but rather the problematic nature of the rules themselves. If a significant proportion of advocates systematically fail to comply with the requirements imposed by BSG bodies, this should prompt a reassessment of their legislative basis and justification rather than an increase in disciplinary pressure. As a result, the disciplinary system departs from its primary function — protecting clients from misconduct by advocates — and effectively becomes a mechanism for enforcing financial and organisational discipline within the BSG system itself.

One of the most critical problems previously identified **remains the use of disciplinary proceedings as a tool of pressure on advocates**.[1386]

Alongside the systemic shortcomings described above, other issues identified in previous reports also persist: the appeal of a disciplinary decision does not suspend its execution, depriving the advocate of an effective remedy during the review of the complaint; the absence of a public electronic register of disciplinary decisions, which prevents any external monitoring of disciplinary practice; the charging of fees for the administrative processing of complaints by QDCBs and the HQDC, which creates a financial barrier to access to the disciplinary mechanism. In addition, the limited range of disciplinary sanctions provided for in Law No. 5076-VI does not allow for compliance with the principle of proportionality when determining the type of disciplinary sanction. None of these issues has been addressed at the normative level.

A further manifestation of the distorted use of disciplinary mechanisms by BSG bodies in 2025–2026 has been the **practice of the BCU initiating disciplinary proceedings against individuals holding positions in judicial governance bodies — the HCJ and the HQCJ**. A characteristic feature of these proceedings is that they have been directed at individuals who were not delegated to these bodies by the Bar and whose right to practise law has been suspended pursuant to Article 31 of Law No. 5076-VI[1387] due to the exercise of functions incompatible with the status of a practising advocate.

It should be recalled that since 2022 the Bar in Ukraine has not delegated its representatives to the HCJ[1388] — two quotas remain vacant due to the systemic failure to convene the Congress of Advocates of Ukraine. In these circumstances, Bar self-governance has used disciplinary mechanisms against members of the HCJ and the HQCJ appointed under other quotas as a means of influencing their professional activities in bodies where the Bar has no representation of its own.

On 12 August 2025, the BCU adopted Decision No. 82,[1389] in which it alleged a 'violation of guarantees of the practice of law' by HCJ member Roman Maselko during the HCJ's consideration of the appointment of a candidate to the position of judge of the Commercial Court of the Zaporizhzhia Region. Based on this decision, on 24 November 2025 a complaint was submitted to the QDCB of the Zakarpattia Region and, following its consideration, on 02.03.2026 R. Maselko was held disciplinarily liable in the form of

1386 Ibid, pp. 260-261.

1387 On the Bar and Practice of Law: Law of Ukraine No. 5076-VI of 05.07.2012. ↗

1388 On the High Council of Justice: Law of Ukraine No. 1798-VIII of 21.12.2016, Part 1 Article 5. ↗

1389 On the Violation of the Professional Rights and Guarantees of the Practice of Law of Advocate O. V. Vikhrov during an Interview before the High Council of Justice: Decision of the Bar Council of Ukraine No. 82 of 12.08.2025. ↗

a warning.[1390] At the same time, his right to practise law has been suspended since 18 August 2022 due to his election as a member of the HCJ. In its decisions, the HCJ qualified the actions of BSG bodies as interference in the activities of a member of a constitutional body and as discrediting his decisions.[1391]

On 8 July 2026, the Lviv District Administrative Court annulled[1392] the QDCB decision holding R. Maselko disciplinarily liable. The Court found that the conduct giving rise to the proceedings had been undertaken by R. Maselko not as an advocate, but solely in the exercise of his powers as an HCJ member. Relying on the Law of Ukraine 'On the High Council of Justice', the Court noted that the conduct of an HCJ member may be assessed only by an exhaustive list of bodies under a special procedure, and that QDCBs are not among those bodies. The judgment effectively confirmed the HCJ's position: the BCU's initiation of disciplinary proceedings in respect of actions performed by a person as an HCJ member, and the subsequent actions of the QDCB, constituted an unlawful form of external influence on a member of a constitutional body. BSG bodies are not vested with powers to exercise disciplinary control over the activities of HCJ members.

On 29 July 2025, the BCU adopted a decision to apply to the HCJ with a request to initiate disciplinary proceedings against members of the HQCJ Roman Sabodash and Ruslan Sydorovych, as well as to initiate their disciplinary liability as advocates before regional QDCBs. The disciplinary proceedings were based on questions they had asked during an interview with advocate Zhanna Hrushko, a candidate for the position of judge of an administrative court of appeal, concerning clients, fees and the specifics of legal practice. The BCU characterised these questions as 'identification of an advocate with the client', 'disclosure of advocate–client privilege' and 'bringing the Bar into disrepute'. At the same time, the right to practise law of both Sabodash and Sydorovych has been suspended for the duration of their mandates as members of the HQCJ. Both were appointed to the HQCJ not under the quota of the Bar.

Under para. 1 Part 1 Article 31 of Law No. 5076-VI, the right to practise law is suspended upon an advocate's application, which is a mandatory consequence of appointment to positions incompatible with the status of a practising advocate, including membership of the HCJ or the HQCJ, judicial office or civil service. A person whose right to practise law is suspended does not, in practice, provide legal assistance to clients. Accordingly, the Rules of Legal Ethics[1393] — which govern the **professional conduct of an advocate in the exercise of legal practice** — cannot be applied to actions performed outside that scope and while exercising functions as a member of a constitutional body or a judicial governance body.

However, Article 2 of the Rules of Legal Ethics provides that these Rules apply even to advocates whose right to practise law has been suspended in accordance with the procedure established by law. This provision creates an instrument of pressure on indi-

1390 Publication by HCJ member R. Maselko on the social network Facebook, 2026. ↗

1391 The HCJ adopted a decision to take measures to ensure the independence of HCJ member Roman Maselko in connection with the actions of Bar self-governance bodies. High Council of Justice, 2026. ↗

1392 Decision of the Lviv District Administrative Court of 08.07.2026 in case No. 380/4669/26. ↗

1393 Rules of Legal Ethics approved by the Reporting and Electoral Congress of Advocates of Ukraine of 09.06.2017. ↗

viduals exercising functions in constitutional bodies and judicial governance bodies: while formally retaining the status of advocates, they remain subject to disciplinary control by BSG bodies even in respect of activities that are in no way related to the provision of legal assistance. At the same time, suspension of the right to practise law is also mandatory for judges, prosecutors and civil servants who previously held the status of an advocate. Extending the application of the Rules of Legal Ethics to such persons means that BSG bodies retain a potential lever of disciplinary influence over a wide range of representatives of the judiciary and the prosecution. This creates a systemic risk of the use of disciplinary mechanisms of the Bar as a tool of pressure beyond their lawful purpose, which is already occurring in practice.

Attention should be paid to the circumstances under which these disciplinary proceedings were brought before regional QDCBs located outside the registered place of legal practice of the individuals concerned. Members of the HCJ and the HQCJ — R. Maselko, R. Sabodash and R. Sydorovych — according to the URAU, have their registered place of work in the Lviv region. As a rule,[1394] disciplinary proceedings against an advocate are conducted by the QDCB at the address of their place of work, that is, the QDCB of the Lviv region. However, at present, the QDCB of the Lviv region, like several other regional QDCBs, lacks the quorum required to conduct disciplinary proceedings.[1395]

In such circumstances, the provisions of the Rules of Procedure of the HQDC[1396] apply, under which the Head of the HQDC assigns complaints for consideration to a QDCB of another region where the regional QDCB lacks a quorum or its composition has not been formed. It was through this mechanism that the complaint against R. Maselko was referred to the QDCB of the Zakarpattia Region, while complaints against members of the HQCJ were assigned to other regional QDCBs at the discretion of the Head of the HQDC. Accordingly, the Head of the HQDC effectively determines which regional QDCB will consider a given disciplinary case, creating risks of targeted selection of a disciplinary body (forum shopping) in sensitive cases.

This problem is significantly aggravated by the unlawful appointment of the current Head of the HQDC, as noted above. Such an appointment calls into question the legitimacy of one of the key functions of the Head of the HQDC — the allocation of disciplinary complaints among regional QDCBs.

The QDCB of the Vinnytsia Region terminated the proceedings against R. Sydorovych.[1397] However, in the case of R. Sabodash, members of the Disciplinary Chamber of the QDCB of Vinnytsia Region recused themselves, and therefore the HQDC must reelect a new QDCB to consider the complaint. R. Sabodash appealed the decision to initiate disciplinary proceedings in court, arguing that the activities of a member of the HQCJ had been incorrectly classified as legal practice, that the guarantees of independence of HQCJ members had not been taken into account, that the principle governing the allocation of complaints had been violated, and that the decision to open the

1394 On the Bar and Practice of Law: Law of Ukraine No. 5076-VI of 05.07.2012, Article 34. ↗

1395 Letter of the Qualification and Disciplinary Commission of the Bar of Lviv Region of 05.08.2025, ref. No. 155.

1396 Rules of Procedure of the High Qualification and Disciplinary Commission of the Bar: Decision of the Bar Council of Ukraine No. 87 of 13.12.2024 (as amended), paras. 2.3.17 and 2.3.18. ↗

1397 Publication by HCJ member R. Sydorovych on the social network Facebook, 2026. ↗

disciplinary case prematurely established the fact of a disciplinary offense before the merits of the case had been examined.[1398]

Overall, the systemic inability of a number of regional QDCBs to secure a quorum, the absence of clear and transparent criteria for allocating complaints among regional QDCBs in such circumstances and the unlawful appointment of the Head of the HQDC, who exercises this allocation power unilaterally, effectively make the disciplinary process within the Bar dependent on the BCU, whose decisions formed the basis for the disciplinary complaints themselves. **This creates a systemic conflict of interest: the same institution (the BCU) adopts a 'finding' of a violation, initiates disciplinary proceedings and is, in practice, capable of influencing the determination of the disciplinary body that will examine the case.**

Such practice is detrimental to the system of checks and balances in the justice sector and requires legislative regulation.

Recommendations

Amend the Law of Ukraine 'On the Bar and Practice of Law' to provide for:

- the establishment of a public electronic register of disciplinary proceedings against advocates, including decisions of QDCBs and the HQDC, modelled on registers of disciplinary decisions in the judiciary and the prosecution;
- the suspension of the execution of a disciplinary decision for the duration of its appeal before the competent body, including a court;
- the definition of a disciplinary offence of an advocate and the establishment of an exhaustive list of entities entitled to lodge complaints regarding the conduct of an advocate;
- the expansion of the range of disciplinary sanctions, allowing for differentiated and proportionate application of disciplinary measures;
- the revision of the Rules of Legal Ethics with a view to improving ethical standards by removing vague evaluative provisions and establishing the principle of freedom of expression for advocates, as well as preventing abuse of these Rules or their use as a tool of pressure on advocates;
- the clarification of Article 34 of Law No. 5076-VI as regards the scope of disciplinary liability of an advocate, with an explicit provision that actions of a person whose right to practise law is suspended, performed outside the scope of legal practice and in the course of exercising functions in positions incompatible with the status of a practising advocate, cannot be subject to disciplinary proceedings;
- ensuring the principle of openness in disciplinary proceedings, including by providing, upon the advocate's request, for the streaming of QDCB hearings;
- ensuring the independence of disciplinary bodies.

1398 The information was obtained from the statement of claim provided by R. Sabodash.

Finances of the Bar

Progress and issues

As of 2026, the situation in financial management within the system of BSG bodies remains unchanged compared to the previous year and largely reflects the state described in detail in the Shadow Report 2025.[1399] None of the key shortcomings has been addressed — financial reporting of BSG bodies has not been published since 2022 and remains inaccessible on the basis of BCU Decision No. 50 of 20 May 2023 'On Restricting Access to the Financial Reporting of Bar Self-Governance Bodies During Martial Law', access to which is itself restricted.[1400] In other words, access to financial reporting is restricted by a decision that advocates are themselves unable to access.

Funds of BSG bodies are managed without proper external or independent oversight and mechanisms such as open procurement, audits and transparent expenditure approval procedures are not used. Annual contributions by advocates to support Bar self-governance continue to be set at the maximum level permitted by law — one subsistence minimum for able-bodied persons as of 1 January of the relevant year — without any publication of the justifications or cost calculations underlying such expenditures.

BCU Decision No. 92[1401] on changing the procedure for the distribution of annual contributions between the UNBA and the BCRs, adopted in 2024 without the publication of any financial or economic calculations or justification, was effectively implemented in 2025. According to approximate estimates based on URAU data, the UNBA secured around UAH 12 million in additional revenue compared to the previous model,[1402] without any public reporting on the actual use of these funds. These contributions are distributed between the BCRs and the UNBA.

In 2026, a report by the NGO 'Armada' entitled 'The UNBA in the Context of the Rule of Law and European Integration' was widely disseminated in the public domain. The materials of this report have been systematically promoted through the official information resources of the UNBA.[1403] One of the key conclusions of the report is a proposal to revise the legislative cap on the maximum amount of the annual contribution payable by advocates to support Bar self-governance. The report argues that the statutory limit on the maximum contribution 'is neither necessary nor appropriate'.

The analysis disregards the dynamics of both the number of contributors and the amount of the contribution. Since 2012, the number of advocates has increased from approximately 12,000 to more than 70,000, nearly a sixfold rise, while the nominal contribution has grown from approximately UAH 1,100 to UAH 3,028, nearly threefold. As a

1399 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the 2024 EU Enlargement Package, 2025, pp. 265–267. ↗

1400 Letter of the Ukrainian National Bar Association of 19.03.2026, ref. No. 528/0/2-26.

1401 On the Payment of the Annual Contribution to Ensure the Implementation of Bar Self-Governance for 2025 and 2026: Decision of the Bar Council of Ukraine No. 92 of 14.12.2024. ↗

1402 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the 2024 EU Enlargement Package, 2025, p. 266. ↗

1403 Report of NGO 'Armada' 'The Ukrainian National Bar Association in the Context of the Rule of Law and European Integration', 2026. ↗

result, the aggregate revenues of BSG bodies have increased many times over, even when accounting for inflation. The argument concerning the expansion of the 'regulatory functions' of BSG bodies is not consistent with the actual level of institutional activity — the Congress of Advocates of Ukraine has not been convened since 2019, nor have conferences or assemblies been held.

Overall, **expanding the financial autonomy of bodies that have, since 2022, failed to meet basic requirements for the publication of mandatory financial reporting creates a risk of further weakening the accountability of the Bar to the professional community**.

An illustrative example of the level of financial opacity of the UNBA[1404] is the response provided by the UNBA to advocate Dmytro Ostapenko following his request. After making another annual contribution, the advocate addressed the Head of the BCU and the UNBA, Lidiia Izovitova, requesting information on the financial expenditures incurred by the UNBA during 2022–2025. In his request, the advocate emphasised that the obligation of each advocate to contribute financially to the collective costs of maintaining the institutional capacity of the Bar must necessarily be accompanied by the right to be informed about the effectiveness of such expenditures.

In response, the Head of the Secretariat of the UNBA (Secretariat of the BCU) refused to provide the requested information,[1405] referring to BCU Decisions No. 50 and No. 51 of 20 May 2023 'On the Non-Disclosure of Confidential Information by Bar Self-Governance Bodies during Martial Law', as well as to Order No. 91 of 12 June 2023 of the Head of the UNBA and the BCU 'On Approval of the List of Confidential Information during Martial Law'. The refusal was justified by reference to the so-called 'three-part test' under the Law of Ukraine 'On Access to Public Information'[1406] and the application of the martial law regime. The advocate was informed that financial reporting of BSG bodies would be published only 'within three months following the termination or lifting of martial law or a state of war'.

Such an approach demonstrates a systemic problem — an advocate who has fulfilled their obligation to pay the annual contribution has no practical means of verifying the justification and efficiency of the use of those funds, either through the official website of the UNBA or by way of an individual request. At the same time, the application of restrictions on access to information with reference to martial law lacks proper justification, as the financial reporting of BSG bodies does not constitute information the disclosure of which could harm national security, territorial integrity or public order. What is at issue is the reporting of a self-governing professional organisation whose funds are generated from mandatory contributions of its members and are intended to be used for the performance of public functions delegated by the state.

The combination of two parallel processes — the active promotion of an initiative to remove the statutory cap on the annual contribution and the systemic refusal to provide advocates with information on the use of funds they have already paid — indicates an attempt to expand the financial autonomy of BSG bodies without a corresponding

1404 Letter of the Ukrainian National Bar Association of 19.03.2026, ref. No. 528/0/2-26.

1405 Ibid.

1406 On Access to Public Information: Law of Ukraine No. 2939-VI of 13.01.2011, Article 6. ↗

strengthening of accountability to the professional community. Such an approach is contrary to the fundamental principles governing self-regulated professional organisations and to Council of Europe standards on the transparency of the Bar.

Recommendations

1. In order to ensure genuine financial transparency and accountability of BSG bodies, the current statutory cap on the maximum annual contribution of advocates should be maintained at the level of one subsistence minimum for able-bodied persons as of 1 January of the relevant year.

2. Amend the Law of Ukraine 'On the Bar and Practice of Law' to provide for:

- the obligation of BSG bodies at all levels to annually publish detailed budgets;
- the obligation of the BCU to annually publish a justification of the amount of the annual contribution payable by advocates to support Bar self-governance, including cost calculations to be covered by such contributions;
- the obligation of the BCU to publish financial reports of BSG bodies at all levels for the period 2022–2025 within three months from the entry into force of the relevant amendments;
- the standardisation and detailed breakdown of financial reporting by expenditure categories, types of costs, contracts, remuneration and other relevant items;
- the obligation of BSG bodies at all levels to ensure advocates' access to information substantiating expenditures at the level of the BCRs and the UNBA, including through the publication of key terms of contracts for the supply of goods and services and access to primary accounting documents;
- the introduction of transparent and competitive procedures for the procurement of goods, works and services by BSG bodies at all levels, applying principles analogous to those set out in public procurement legislation, including openness of notices, qualification requirements, evaluation criteria and the publication of concluded contracts;
- the mandatory conduct of an annual external independent audit of the financial reporting of the UNBA, the BCU and the BCRs, with the results of such audit to be published on the official website of the UNBA.

Judicial Control over Decisions, Actions and Omissions of BSG Bodies

State of play

Law No. 5076-VI[1407] enshrines Bar self-governance as a state-guaranteed right of advocates to independently resolve issues relating to the organisation and functioning of the

1407 On the Bar and Practice of Law: Law of Ukraine No. 5076-VI of 05.07.2012, para. 3 Part 1 Article 1. ↗

Bar, defining it as a non-state self-governing institution. At the same time, the exercise of this right is expressly subject to the requirement to act in accordance with the law. However, the mechanisms for reviewing the legality of decisions, actions or omissions of BSG bodies remain insufficiently effective.

In current practice, three systemic problem areas have emerged in the functioning of the UNBA and the BCU, directly affecting the rights of advocates and the functioning of the legal system. First, the rule-making activity of BSG bodies has effectively acquired quasi-normative character: their decisions are binding and regulate a wide range of issues, including aspects of advocates' conduct outside professional activity, such as under the Rules of Legal Ethics, while an effective mechanism for judicial review of their legality is lacking. Second, the disciplinary procedure is characterised by the concentration of regulatory and quasi-judicial functions within a single institutional framework, whereby the same bodies define the rules and adjudicate individual cases. Third, in practice there exists the possibility of direct influence over regional BSG bodies, including early termination of the powers of regional BSG bodies, which undermines the principles of electiveness and institutional autonomy.

Despite the existence of other issues, these three areas are the most systemic and have persisted throughout the entire period since the 2012 reform. They share a common feature — the absence of an effective mechanism to ensure that decisions, actions or omissions of BSG bodies comply with Law No. 5076-VI. As a result, a situation has emerged in which such decisions are effectively removed from meaningful state and judicial oversight, creating risks of abuse and arbitrary.

Ukrainian courts have consistently adopted a position of non-interference in matters concerning the rule-making activity of BSG bodies, recognising their broad discretion, the limited scope of judicial review and the exclusive right of advocates to regulate matters of self-governance. Judicial review is therefore largely confined to procedural compliance, without assessing the substance of acts for conformity with the law, effectively leaving the Bar and individual advocates without adequate judicial supervision.

The practice of adjudicating such disputes is formed primarily within the administrative courts, although certain 'corporate' disputes are referred to commercial jurisdiction. In particular, in case No. 640/3541/21[1408] concerning the procedure for maintaining the URAU, the court confirmed that it cannot assume the functions of the BCU or the UNBA, as these bodies are vested with the exclusive power to adopt decisions within their competence, including on internal organisation, the maintenance of registers and rules on professional development or legal ethics. Decisions of the BCU were characterised as normative acts adopted by a BSG body endowed with broad discretion in rule-making. The courts further concluded that there is no state body empowered to exercise oversight over the quality of acts of the UNBA and the BCU and therefore no basis for reviewing the contested provisions of the Procedure for Maintaining the URAU for compliance with the relevant laws or with Article 2 of the Code of Administrative Procedure of Ukraine.[1409]

1408 Ruling of the Supreme Court composed of a panel of judges of the Administrative Cassation Court of 25.04.2024 in case No. 640/3541/21. ↗

1409 Code of Administrative Procedure of Ukraine No. 2747-IV of 06.07.2005. ↗

At the same time, this approach undermines fundamental principles of law, as limiting review to procedural aspects disregards the substantive impact of such acts on the activities of advocates. It runs counter to the principle that legal norms must comply not only with the letter but also with the spirit of the law. In assessing decisions of BSG bodies, courts emphasise the narrow scope of intervention, reviewing only procedural legality, such as competence and compliance with internal rules, without examining the substance or proportionality of the decisions, even where they concern specific advocates. As a result, BSG bodies are effectively afforded a wide margin of discretion, including in situations involving potentially disproportionate interference with rights or arbitrary interpretation of the law. This problem is particularly acute in the absence of any oversight by the MoJ over acts of Bar self-governance.

Progress and issues

The established judicial position of non-interference in the substance of decisions of BSG bodies results in any decision of the BCU being effectively legitimised through the 'silent acquiescence' of the judiciary, even where it contradicts the law. This undermines an advocate's right to protection against unfounded decisions within the professional community and weakens the independence of regional BSG bodies: bodies elected by advocates may be removed at any time on grounds determined by the UNBA or the BCU, while elected delegates may be subjected to disciplinary sanctions without an assessment of proportionality by an independent arbiter.

The absence of judicial review of the substance of decisions of BSG bodies leads to the dominance of central bodies over regional ones. Two entrenched practices of interference have emerged: (1) the premature termination of the mandates of regional bodies elected by advocates through decisions of the BCU and (2) the blocking of entries concerning advocates in the URAU, including by placing profiles in an inactive status or effectively removing them from the public part of the register (hereinafter 'shadowing'), thereby preventing their participation in electoral processes. The UNBA justifies the latter by reference to its powers as the administrator of the register to oversee the legality of acquiring advocate status. As a result, a significant number of advocates in Kyiv,[1410] who found themselves at the centre of the conflict within the system of BSG bodies, which the courts have characterised as 'intra-corporate',[1411] have lost the ability to practise effectively, as the absence of data on an advocate in the URAU is often interpreted by courts as the absence of authority.

In case No. 826/16854/14,[1412] the courts found unlawful the blocking of entries relating to advocates in the URAU on the grounds of non-payment of contributions, characterising the transfer of a profile to inactive status as a concealed disciplinary sanction, as the establishment of sanctions for non-payment of contributions falls within the exclusive competence of the Congress of Advocates of Ukraine. This precedent demonstrated that the URAU may be used as a tool of influence over electoral processes.

1410 System Failure: Kyiv Advocates Disappeared from the URAU. Yurydychna Gazeta, 2024. ↗

1411 Ruling of the Supreme Court composed of a panel of judges of the Administrative Cassation Court of 23.02.2019 in case No. 826/17484/16. ↗

1412 Ruling of the Higher Administrative Court of Ukraine of 18.06.2015 in case No. K/800/8976/15. ↗

Through a series of decisions, the BCU[1413] effectively removed a body previously elected by advocates and created the conditions for holding two parallel conferences, resulting in the duplication of a regional BSG body. In the related dispute (No. 826/17484/16),[1414] the courts classified the conflict as intra-corporate rather than public-law in nature, declining to assess the limits of the UNBA's interference with the electoral rights of advocates.

On 28 January 2022,[1415] the BCU, based on the findings of its own working group, declared the reporting and electoral conference of advocates of the city of Kyiv held on 7 November 2021 to be invalid and its decisions devoid of legal effect. This confirms the position that the functioning of regional BSG bodies is, in practice, determined by the discretionary decisions of the central body.

Law No. 5076-VI[1416] provides that relations concerning the adoption, entry into force, administrative appeal, enforcement and termination of administrative acts in the field of the Bar and practice of law are regulated by the Law of Ukraine 'On Administrative Procedure',[1417] considering the specific features established by Law No. 5076-VI. At the same time, Law No. 5076-VI contains provisions that directly indicate the possibility of appealing decisions of QDCBs and the HQDC (Articles 8, 9, 31, 32, 39, 42, 50, 52 and 59). In relation to other acts of the UNBA and the BCU, advocates are forced to rely on the general principles of legislation and established court practice.

Advocates win a significant proportion of cases concerning omissions of BSG bodies, including claims seeking to oblige the UNBA to enter information in the URAU[1418] and cases seeking the annulment of disciplinary sanctions.[1419] However, this practice concerns exclusively procedural aspects, while abuses in the substance of rules remain beyond judicial control. It is precisely the substantive rule-making of the UNBA and the BCU that places advocates in complete dependence on BSG bodies.

1413 On the Establishment of a Special Temporary Commission to Review the Activities of Bar Self-Governance Bodies of the City of Kyiv: Decision of the Bar Council of Ukraine No. 101 of 23.04.2016. ↗; On Approval of the Opinion of the Special Temporary Commission to Review the Activities of Bar Self-Governance Bodies of the City of Kyiv: Decision of the Bar Council of Ukraine No. 153 of 11.06.2016. ↗; On Certain Issues of Implementing the Opinions of the Special Temporary Commission to Review the Activities of Bar Self-Governance Bodies of the City of Kyiv: Decision of the Bar Council of Ukraine No. 156 of 11.06.2016. ↗

1414 Ruling of the Supreme Court composed of a panel of judges of the Administrative Cassation Court of 23.02.2019 in case No. 826/17484/16. ↗

1415 On the Lack of Authority of the Reporting and Electoral Conference of Advocates of the City of Kyiv to Adopt Decisions of 07.11.2021 and the Absence of Legal Facts: Decision of the Bar Council of Ukraine No. 5 of 28.01.2022. ↗

1416 On the Bar and Practice of Law: Law of Ukraine No. 5076-VI of 05.07.2012, para. 3 Part 1 Article 1. ↗

1417 On Administrative Procedure: Law of Ukraine No. 2073-IX of 17.02.2022. ↗

1418 For example: Ruling of the Sixth Administrative Court of Appeal of 13.08.2025 in case No. 640/18899/22. ↗; Decision of the Kyiv District Administrative Court of 28.04.2025 in case No. 640/18899/22. ↗; Ruling of the Supreme Court composed of a panel of judges of the Administrative Cassation Court of 02.05.2024 in case No. 460/49246/22. ↗; Ruling of the Supreme Court composed of a panel of judges of the Administrative Cassation Court of 10.09.2020 in case No. 826/2079/18. ↗

1419 For example: Ruling of the Supreme Court composed of a panel of judges of the Administrative Cassation Court of 18.03.2026 in case No. 320/19157/23. ↗; Ruling of the Second Administrative Court of Appeal of 08.10.2024 in case No. 20/38196/23. ↗; Ruling of the Supreme Court composed of a panel of judges of the Administrative Cassation Court of 21.12.2021 in case No. 640/2600/19. ↗

In case No. 320/50642/24[1420] which is currently pending, BCU Decision No. 51[1421] of 20 September 2024 is being challenged. This decision allows a regional QDCB to reconsider a disciplinary complaint after a court has annulled its previous decision. Such a model permits the endless 'rectification of procedural deficiencies' and effectively nullifies the purpose of judicial appeal.

In case No. 380/25348/23,[1422] the court rejected the HQDC's position that it is not an information holder within the meaning of para. 5 Part 1 Article 13 of the Law of Ukraine 'On Access to Public Information'. In case No. 640/1859/22,[1423] the courts indicated the need to review the Procedure for the Professional Development of Advocates as a normative legal act for compliance with Part 2 Article 2 of the Code of Administrative Procedure of Ukraine.

In case No. 816/2353/17,[1424] the court found that the BCU had exceeded its powers: reliance on para. 6 Part 1 Article 58 of the Law of Ukraine 'On the Bar and Practice of Law' (other sources of funding not prohibited by law) does not empower BSG bodies to establish mandatory payments at their own discretion where such payments are not provided for by legislation. In the same case, the court recalled that the purpose of legal procedure is to ensure that public authorities act in accordance with legal norms that meet the criteria of natural law, morality, reasonableness and justice. However, such findings remain the exception rather than the rule.

Recommendation

Amend the Law of Ukraine 'On the Bar and Practice of Law' to provide for the possibility of judicial appeal against decisions of BSG bodies that display the characteristics of a normative legal act and should be assessed and reviewed against the criteria set out in Part 3 Article 2 of the Code of Administrative Procedure of Ukraine.

Rights and Guarantees of Advocates: Violations and the Need for Strengthening

Progress and issues

The state of compliance with the professional rights of advocates during the reporting period (August 2025 – July 2026) did not undergo any qualitative changes compared to the previous period.[1425] All key categories of violations — unjustified searches and covert investigative actions against advocates, obstruction of access to clients

1420 Ruling of the Kyiv District Administrative Court of 17.03.2025 in case No. 320/50642/24. ↗

1421 On Consideration by a Regional Qualification and Disciplinary Commission of the Bar of a Complaint after Annulment by a Court of the QDCB Decision: Decision of the Bar Council of Ukraine No. 51 of 20.09.2024. ↗

1422 Ruling of the Supreme Court composed of a panel of judges of the Administrative Cassation Court of 25.03.2025 in case No. 380/25348/23. ↗

1423 Ruling of the Sixth Administrative Court of Appeal of 10.09.2024 in case No. 640/1859/22. ↗

1424 Ruling of the Supreme Court composed of a panel of judges of the Administrative Cassation Court of 21.12.2020 in case No. 816/2353/17. ↗

1425 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the 2024 EU Enlargement Package, 2025, pp. 268–273. ↗

on the premises of territorial centres for recruitment and social support (TCR and SS), including through the use of physical force, the use of mobilisation mechanisms as a tool for procedurally removing defence counsel, identification of advocates with their clients and systematic disregard of advocates' requests — continue to recur in the same forms and with the same intensity.

According to the UNBA Committee for the Protection of Advocates' Rights and Guarantees of the Practice of Law, the number of written complaints concerning violations of professional rights increased from 86 in 2024 to 97 in 2025 (+13%), which further confirms the absence of positive dynamics.[1426] The international and national regulatory framework outlined in the report under the 2025 EU Enlargement Package was supplemented during the current period by only one element — Ukraine's signing, on 9 March 2026, of the Council of Europe Convention for the Protection of the Profession of Lawyer.[1427]

Denial of Access by Advocates to Clients in TCR and SS

Obstruction of the activities of defence counsel on the premises of TCR and SS and during clients' medical military commission procedures remains systemic. The systemic nature of the problem has also been officially acknowledged by the Ukrainian Parliament Commissioner for Human Rights Dmytro Lubinets[1428] and documented in the report of the relevant UNBA committee,[1429] confirming its institutional scale.

During the reporting period, high-profile incidents of physical violence continued to be recorded. According to the Bar Council of the Kyiv Region, on 6 March 2026 advocate Yuliia Bohdan sustained bodily injuries while practising law on the premises of the Dniprovskyi TCR and SS in Kyiv.[1430]

Identification of Advocates with Their Clients and Its Consequences

The problem of identifying advocates with their clients or with the offences imputed to them remains systemic, as described in the Shadow Report 2025.[1431] The situation did not undergo any qualitative change during the reporting period.

Draft Law No. 12320,[1432] adopted by the Parliament on 16 July 2025, which proposes a new version of Article 185[16] of the Code of Ukraine on Administrative Offences (CUAO)

1426 Report of the Committee for the Protection of Advocates' Rights and Guarantees of the Practice of Law of 28.08.2025. ↗

1427 Ukraine Signed the Convention for the Protection of Lawyers' Rights. Tomorrow's Lawyer, 2026. ↗

1428 The Ombudsman Acknowledged the Violations of the Human Right to Legal Assistance in TCR and SS. Ukrainian National Bar Association, 2025. ↗

1429 The UNBA Presented a Report on Violations of Advocates' Rights in TCR and SS. Ukrainian National Bar Association, 2025. ↗

1430 Attack on an Advocate: Bar Council of Kyiv Region Demands Immediate Investigation into Incident at the Dniprovskyi TCR and SS. Bar Council of Kyiv Region, 2026. ↗

1431 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the 2024 EU Enlargement Package, 2025, pp. 268–273. ↗

1432 On Amendments to the Code of Ukraine on Administrative Offences, the Criminal Code and the Criminal Procedure Code of Ukraine regarding Ensuring Compliance with Guarantees of the Practice of Law: Draft Law of Ukraine, registration No. 12320 of 16.12.2024. ↗

and amendments to Article 397 of the Criminal Code of Ukraine (CC of Ukraine), has been awaiting the President's signature since July of last year. At the same time, the vague categories of 'identification' ('any identification, association or linking') and the evaluative criteria of liability ('biased attitude', 'negative pressure') contained in this draft law violate the principle of legal certainty, as noted in the conclusions of the Main Scientific and Expert Department of the Verkhovna Rada[1433] and the Council of Europe Project 'Safeguarding Freedom of Expression and Freedom of Media in Ukraine — Phase II'.[1434] Establishing liability for reporting the fact that legal assistance has been provided directly contradicts European standards on the publicity of justice and guarantees of freedom of expression under Article 6 § 1 of the Convention for the Protection of Human Rights and Fundamental Freedoms[1435] and effectively introduces mechanisms of censorship for the media, civil society organisations and citizens.

Under international standards, the principle of non-identification of an advocate with their client is intended primarily to protect defence counsel from systemic state pressure rather than from public reporting. The effective solution to this problem lies not in introducing legislative restrictions on freedom of expression but in ensuring the effectiveness of existing criminal law mechanisms. The current CC of Ukraine[1436] contains the necessary tools, namely Articles 397–399, for imposing liability for the real consequences of identification — threats, violence and obstruction of defence counsel's activity. The task of the state is not to criminalise speech but to ensure the inevitability of punishment for acts that have already been criminalised through the proper functioning of pre-trial investigation bodies, the prosecution and the courts.

Disregard of Advocates' Requests

The problem of failure to provide responses, or the late or incomplete provision of responses, to advocates' requests by state authorities, local self-government bodies and private entities remains systemic. Despite the formal establishment of administrative liability for such actions under Part 5 Article 212^3 of the CUAO,[1437] the practical effectiveness of this protection mechanism is critically low. Analysis of the reporting period indicates the systemic ineffectiveness of institutional mechanisms for ensuring administrative liability, largely due to the passive position of authorised BSG bodies.

According to a public statement by advocate and BCU member Serhii Osyka,[1438] BCRs, which have exclusive authority to draw up administrative offence protocols under the relevant article, in practice significantly complicate this process for advocates and fail to ensure an adequate response to complaints. As a result, the existing administrative law mechanism for protecting professional rights remains ineffective due to the inaction of BSG bodies themselves.

1433 Opinion of the Main Scientific and Expert Department of the Secretariat of the Verkhovna Rada of Ukraine on the Draft Law of Ukraine 'On Amendments to the Code of Ukraine on Administrative Offences, the Criminal Code and the Criminal Procedure Code of Ukraine regarding Ensuring Compliance with Guarantees of the Practice of Law'. ↗

1434 One Presidential Signature — and the Conflict between the Bar and Freedom of Speech Becomes Reality. Dzerkalo Tyzhnia, 2025. ↗

1435 Convention for the Protection of Human Rights and Fundamental Freedoms of 04.11.1950. ↗

1436 Criminal Code of Ukraine No. 2341-III of 05.04.2001. ↗

1437 Code of Ukraine on Administrative Offences No. 8073-X of 07.12.1984. ↗

1438 Statement by advocate and BCU member Serhii Osyka on the social network Facebook, 2026. ↗

Additional systemic obstacles include the **specific rules governing liability for certain categories of officials and procedural time limits**. Institutional immunity of law enforcement bodies and short procedural deadlines act as systemic barriers to effective response. Under the CUAO,[1439] service members, police officers, officers of the National Anti-Corruption Bureau of Ukraine, the Economic Security Bureau of Ukraine and the State Bureau of Investigation are liable under Article 212^3 of the CUAO exclusively under disciplinary statutes. Materials are referred to the relevant bodies, which turns the response into an internal service investigation without real sanctions and creates de facto impunity for the leadership of law enforcement bodies for disregarding advocates' requests.

At the same time, the three-month time limit for the imposition of an administrative sanction by a court under Article 38 of the CUAO expires in most cases before a decision on the merits is adopted. This is due to the length of the preliminary procedure, including submission of the complaint to the BCR, collection of evidence, summons of the person concerned and referral of materials to court, as well as court overload and opportunities for artificial delays in the proceedings. As a result, proceedings are closed due to the expiry of the time limits for bringing a person to liability.

To address this issue, Draft Law No. 13332[1440] on amendments to Article 38 of the CUAO regarding clarification of time limits for bringing persons to administrative liability for certain offences is under consideration in the Verkhovna Rada. The draft law proposes to extend the relevant limitation period. It has been under consideration by parliamentary committees since June 2025. However, adoption of this draft law would not eliminate the root cause of the problem, since extending the time limits for judicial review would have no practical effect if BCRs continue to fail to draw up administrative offence protocols.

Strengthening the Professional Rights and Guarantees of Advocates

A comparative analysis of the procedural rights of the parties to criminal proceedings demonstrates a systemic inequality that directly undermines the principle of adversarial proceedings under Article 22 of the Criminal Procedure Code of Ukraine (CPC of Ukraine). This imbalance persists in several key respects.

The current CPC of Ukraine links an advocate's acquisition of the full scope of rights of defence counsel, including the right to record a search using their own technical means, to the formal notification of suspicion against the client. As a result, the practice of 'fact-based' proceedings persists — criminal prosecution without the formal service of a notice of suspicion, which remains an effective tool for depriving advocates of the rights of defence counsel.

At the same time, the European Court of Human Rights has held[1441] that the concept of a 'charge' has an 'autonomous' meaning and may be defined as the official notification

1439 Code of Ukraine on Administrative Offences No. 8073-X of 07.12.1984, Part 1 Article 15. ↗

1440 On Amendments to Article 38 of the Code of Ukraine on Administrative Offences regarding Clarification of Time Limits for Bringing to Administrative Liability for Certain Offences: Draft Law of Ukraine, registration No. 13332 of 30.05.2025. ↗

1441 Judgment of the European Court of Human Rights in the case of Salov v. Ukraine of 06.09.2005, para. 65. ↗

given to an individual by a competent authority of an allegation that they have committed a criminal offence. Accordingly, an allegation that a person has committed a crime, set out in a ruling of an investigating judge authorising a search, already falls within the autonomous meaning of a charge and should automatically confer on the advocate the status of defence counsel. Since the Convention for the Protection of Human Rights and Fundamental Freedoms and the case law of the European Court of Human Rights are sources of law in Ukraine, this status arises from the moment the relevant ruling is reviewed. In practice, however, an advocate's admission as defence counsel depends solely on the will of the person conducting the search, allowing the prosecution to rely on the formal absence of a notice of suspicion as a separate document. As a result, an advocate acquires full procedural status only at the final stage of the pre-trial investigation.

Before the disclosure of case materials, an advocate is effectively deprived of the ability to influence the course of proceedings by initiating investigative actions. The CPC of Ukraine[1442] defines the collection and verification of evidence exclusively as a prerogative of investigative bodies and does not authorise an advocate to conduct any such actions independently. Therefore, even actions formally carried out within the framework of Law No. 5076-VI have no procedural basis for their results to be recognised by a court as admissible evidence, for example, video recording of events involving an advocate or the reconstruction by a defendant of circumstances at the scene.

In addition, a prosecutor has full access to the Unified Register of Pre-Trial Investigations and to case materials at any stage, as well as identified access to all state registers. By contrast, an advocate has only limited access even to information and data from registers and other databases directly concerning their client.

Taken together, these factors point to the dominant position of the prosecution in criminal proceedings. This asymmetry turns adversarial proceedings into a formal declaration, as an advocate is deprived of real tools to confront the state apparatus on an equal footing.

Recommendations

1. Develop and approve a unified interagency mechanism for interaction between TCR and SS and advocates, which would guarantee unimpeded access by defence counsel to the client, and enshrine in legislation a direct prohibition on the conscription of an advocate while they are performing professional duties, namely during participation in a court hearing, investigative actions or a meeting with a client in places of detention.

2. Prosecutorial and pre-trial investigation bodies should ensure the inevitability of liability under Article 397 of the CC of Ukraine in cases where public identification leads to real consequences, such as threats, physical violence or obstruction of professional activity.

3. The President should exercise the right of veto in respect of Draft Law No. 12320, as it poses a threat to freedom of expression and does not comply with the principle of legal certainty.

1442 Criminal Procedure Code of Ukraine No. 4651-VI of 13.04.2012. ↗

4. Hold a broad legal discussion with the participation of advocates, experts and scholars on mechanisms to ensure the effective exercise of BCR powers to draw up administrative offence protocols under Part 5 Article 212[3] of the CUAO (failure to respond to an advocate's request), as well as on the advisability and potential risks of transferring these powers directly to advocates.

5. Introduce comprehensive amendments to the Law of Ukraine 'On the Bar and Practice of Law' and the CPC of Ukraine to empower advocates to independently conduct certain procedural actions, while establishing a mechanism for recognising their results as evidence.

6. Provide advocates with identified access to state registers and databases, including the URPTI, the Unified State Register of Enforcement Proceedings and other registers, at a level that enables effective representation and defence of clients' interests.

7. Guarantee advocates unimpeded access to premises where their client is located, the unconditional right to participate in any investigative and procedural actions concerning the client and the free use of audio and video recording devices not prohibited by law.

8. Ensure at the legislative level guarantees for the protection of attorney-client privilege, preventing its disclosure or the conduct of investigative actions aimed at accessing it even with the client's consent, and establish the legal status of BCR representatives during searches of advocates, with a guaranteed right to record the investigative action.

Council of Europe Convention for the Protection of the Profession of Lawyer

Ukraine's signing of the Council of Europe Convention for the Protection of the Profession of Lawyer was an important step towards strengthening institutional guarantees for the practice of law.[1443] The official signing of the document on behalf of the state took place on 9 March 2026.[1444]

Ukraine became the 28th state to accede to this international treaty. At the same time, the Parliament must still give its consent to be bound by it in the form of a law. The procedure for ratification of the Convention by the Parliament should also be preceded by a comprehensive process of bringing national legislation into line with European standards.

The current state of legislation indicates that proper implementation of the Convention will require substantial amendments to the Law of Ukraine 'On the Bar and Practice of Law' and related legislation. The MoJ has also emphasised the need for prior legisla-

1443 Council of Europe Convention for the Protection of the Profession of Lawyer of 12.03.2025. ↗

1444 Comment by the Ministry of Foreign Affairs on the signing of the Council of Europe Convention for the Protection of the Profession of Lawyer. Ministry of Foreign Affairs of Ukraine. 2026. ↗

tive preparation. According to the UNBA,[1445] 'the Ministry of Justice recognised the importance of the international treaty but insisted on the need for a parallel process of amending national legislation'. This confirms that ratification of the Convention objectively requires prior or simultaneous improvement of legislation governing the Bar.

The materials of the 106th plenary meeting of the European Committee on Legal Co-operation (CDCJ)[1446] indicate that ratification of the Convention is a legally complex process even for the European Union. The representative of the European Union referred to 'complex issues' and legal difficulties arising in the process of signing and ratifying the Convention, while several delegations expressed serious concern about the unpredictability of the process and its impact on the Convention's entry into force. Accordingly, the procedure for ratifying the Convention should be synchronised with Ukraine's progress in fulfilling its European integration commitments in the field of the Bar. This approach would help ensure the genuine and effective application of the Convention in Ukraine and avoid potential inconsistencies with rules already being aligned with the EU acquis.

Recommendations

Ratification of the Council of Europe Convention for the Protection of the Profession of Lawyer (CETS No. 226) should take place simultaneously with the adoption of amendments to the Law of Ukraine 'On the Bar and Practice of Law' implementing its provisions, or after such reform has been completed. Ratification should not precede legislative reform, as this would create a gap between Ukraine's international obligations and its domestic regulatory framework and prevent the proper implementation of the Convention.

1445 Ukraine Signed the Convention for the Protection of the Profession of Lawyer. Ukrainian National Bar Association, 2026. ↗

1446 106th plenary meeting 2-4 June 2026: Meeting Report. European Committee on Legal Co-operation. ↗

АСОЦІАЦІЯ ПРАВНИКІВ УКРАЇНИ
UKRAINIAN BAR ASSOCIATION

Legal Education Reform



During the reporting period, certain progress was observed in the regulation of legal education. Several key changes were implemented during this period:

1) the Unified State Qualification Exam (USQE) was held for the third time for the specialities 'Law' and 'International Law'. The threshold score was set at 35 correct answers out of 114 test questions;[1447]

2) the minimum passing score for admission to bachelor's programmes was maintained at no less than 150 points for specialities D8 'Law' and D9 'International Law', in accordance with the Admission Procedure for Higher Education in 2026;[1448]

3) on 18 December 2025, the Parliament adopted the Law of Ukraine 'On Academic Integrity' at second reading and in its entirety, establishing uniform rules on academic integrity in the education and science system.[1449]

Despite positive developments, many aspects of legal education reform still require legislative consolidation and clear implementation mechanisms.

In the Ukraine 2025 Progress Report under the European Union Enlargement Package,[1450] the European Commission noted that its previous recommendations had largely remained unimplemented, namely: separating legal education from the training of specialists for law enforcement agencies; strengthening and unifying legal education standards; improving admission, licensing and funding rules for the training of legal professionals; and placing greater emphasis on the study of EU law, practical legal skills and academic integrity.

1447 Established the USQE Threshold Score for the Specialities Law and International Law for 2025. Ministry of Education and Science of Ukraine, 2025. ↗

1448 On Approval of the Admission Procedure for Higher Education in 2026 (registered with the Ministry of Justice of Ukraine on 20.03.2026 under No. 374/45768): Order of the Ministry of Education and Science of Ukraine No. 373 of 26.02.2026. ↗

1449 On Academic Integrity: Law of Ukraine No. 4742-IX of 18.12.2025. ↗

1450 Ukraine 2025 Report. Communication on EU Enlargement Policy. ↗

Status of Implementation of Strategic Documents in the Field of Legal Education

Progress and issues

The Rule of Law Roadmap[1451] contains seven tasks in the field of legal education reform, including the development and adoption of the Law 'On Higher Legal Education and Initial Access to the Legal Profession', the unification of standards and revision of the USQE programme with an emphasis on EU law, ethics and professional responsibility of legal professionals, as well as the institutional separation of the training of legal professionals from the training of specialists for law enforcement agencies. However, some of these tasks remain unimplemented despite the deadlines set for the second and third quarters of 2025.[1452]

In particular, implementation has been delayed with regard to measures to unify standards for legal education students and revise the USQE programme with an emphasis on the teaching of EU law, ethics and professional responsibility of legal professionals (second quarter of 2025), as well as extending the requirement to pass the USQE to graduates of all categories without exception by amending Resolution of the Cabinet of Ministers of Ukraine No. 497 of 19 May 2021[1453] (fourth quarter of 2025).

However, in July 2026, the Government amended the regulation of the USQE. By Resolution of the Cabinet of Ministers of Ukraine No. 915,[1454] the list of specialities for which the USQE is held was updated in line with the new classification to include D8 'Law' and D9 'International Law' at the second-cycle (master's) level of higher education. At the same time, exemptions from the mandatory USQE for certain categories of students were not abolished. For service members, police officers, rescuers and rank-and-file or commanding staff of the State Criminal Enforcement Service of Ukraine who study at the relevant departmental educational institutions, the possibility of certification without the USQE is limited until 1 September 2027. Thus, the 2026 amendments did not fully eliminate exemptions from the general USQE procedure but set a specific time limit for their application to some categories of students.

Of the measures whose implementation deadlines had fallen due by March 2026, only the task concerning the introduction of academic integrity has been partially implemented — the Law of Ukraine 'On Academic Integrity' was adopted on 18 December 2025, approximately six months late (the implementation deadline was the second quarter of 2025).[1455]

In February 2025, the Verkhovna Rada Committee on Legal Policy approved the Concept for the Draft Law of Ukraine on Higher Legal Education and Initial Access to the Legal

1451 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

1452 Legal Education Reform: How Are European Integration Tasks Being Implemented? Ukrainska Pravda. Life, 2025. ↗

1453 On Certification of Students Pursuing Professional Pre-Higher Education Degrees and First-Cycle (Bachelor's) and Second-Cycle (Master's) Higher Education Degrees in the Form of the Unified State Qualification Exam: Resolution of the Cabinet of Ministers of Ukraine No. 497 of 19.05.2021. ↗

1454 On Amendments to Resolution of the Cabinet of Ministers of Ukraine No. 497 of 19 May 2021: Resolution of the Cabinet of Ministers of Ukraine No. 915 of 15.07.2026. ↗

1455 On Academic Integrity: Law of Ukraine No. 4742-IX of 18.12.2025. ↗

Profession, which proposes a comprehensive transformation of the system of training legal professionals in line with European standards.[1456] However, the relevant draft law has still not been submitted to Parliament.

Between April and July 2026, work on the legislative model for legal education reform continued but did not result in the submission of the relevant draft law to the Verkhovna Rada. In late July 2026, representatives of the expert community involved in developing the reform confirmed that a draft Law on Legal Education and Initial Access to the Legal Profession was being prepared.[1457] The new model for training legal professionals, the quality of legal education, practical training and the separation of legal education from the training of personnel for law enforcement agencies are being discussed in professional forums.[1458] Thus, as of 31 July 2026, work on the legislative model for the reform was ongoing, while its legislative formalisation remained incomplete.

As noted earlier,[1459] at the beginning of 2025 the Ministry of Education and Science of Ukraine (MoES) developed the Draft law 'On Amendments to Certain Laws of Ukraine (Regarding the Creation of Preconditions for the Modernisation of the Educational Institutions Network)'.[1460] In July 2025, the MoES reported that the draft law had been approved by a number of central executive bodies, including State Regulatory Service of Ukraine, and was at the stage of preparation for submission to the Cabinet of Ministers of Ukraine (the Government).[1461] No information on the status of further revision of this draft law is currently available in the public domain. At the same time, the Rule of Law Roadmap provides that, in the fourth quarter of 2026, a law on modernising the network of higher education institutions (HEIs), including those providing training for legal professionals, should be developed and adopted.

On 3 December 2025, the Government, by Order No. 1383,[1462] approved the Operational Action Plan for the Implementation of the Strategy for the Development of Higher Education in Ukraine for 2022–2032 in 2025–2028 and amended the Strategy itself. Legal education reform is not identified in these documents as a separate area; the terms 'legal education', 'juridical education' and 'legal professional', as well as specialities D8 'Law' and D9 'International Law', are not mentioned in the document. Measures that could indirectly relate to the training of legal professionals, updating the procedure for certification in the form of the USQE and developing second-generation higher education standards, are formulated at the level of the entire higher education system without sectoral specification.

1456 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the European Union Enlargement Package 2024, 2025, pp. 280–282. ↗

1457 Lawyers as Bearers of the Principles of the Rule of Law. Why Ukraine Will Have to Reform Legal Education. NV. 2026. ↗

1458 Professional Discussion on Legal Education Reform Held in Lviv. Pravo-Justice. 2026. ↗

1459 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the European Union Enlargement Package 2024 / Agency for Legislative Initiatives [et al.]. Kyiv, 2025, p. 281. ↗

1460 Letter of the Ministry of Education and Science of Ukraine No. 1/1721-25 of 29.01.2025.

1461 Information Notice on the Implementation of the Decision of the Accounting Chamber No. 54-1 of 26.11.2024. ↗

1462 On Approval of the Operational Action Plan for the Implementation of the Strategy for the Development of Higher Education in Ukraine for 2022–2032 in 2025–2028 and Amendments to the Strategy for the Development of Higher Education in Ukraine for 2022–2032: Order of the Cabinet of Ministers of Ukraine No. 1383 of 03.12.2025. ↗

A separate gap during the reporting period remains the absence of an approved Strategy for the Development of the Justice System and Constitutional Court Proceedings for 2025–2029, despite the deadline set for this in the second quarter of 2025 under the Rule of Law Roadmap. The Strategy was intended to cover, among other things, legal education reform. As of March 2026, this document had not been approved.

On 30 March 2026, the Cabinet of Ministers of Ukraine approved the Government's Priority Action Plan for 2026, which includes a separate operational objective, 'Development and Reform of Higher Education'.[1463] Legal education reform is not included as a separate area. In particular, the MoES tasks for 2026 do not include the development and submission to the Verkhovna Rada of a draft law on higher legal education and initial access to the legal profession, the institutional separation of the training of legal professionals from the training of specialists for law enforcement agencies, revision of the USQE programme with an emphasis on EU law or the development of higher education standards for specialities D8 'Law' and D9 'International Law'.

The list of draft laws aimed at implementing the Plan,[1464] in the part falling within the responsibility of the MoES, covers only four documents, none of which concerns legal education. Only two measures may indirectly relate to it: the development and submission to the Government, by June 2026 inclusive, of a draft resolution amending Resolution No. 497[1465] (a measure carried over from the fourth quarter of 2025 under the Rule of Law Roadmap, without specifying the scope of amendments), as well as amendments planned for March 2026 to the Licensing Conditions for Educational Activity and to the procedure for licensing programmes for professions subject to additional regulation — without sectoral specification for legal education programmes.

Thus, the Government's Priority Action Plan for 2026 did not fully align Government planning with the measures set out in the Rule of Law Roadmap in the area of legal education. This is particularly important given that some of the measures envisaged by the Roadmap should already have been implemented by the time the Plan was approved. The absence of the corresponding set of tasks in the Government's Priority Action Plan creates a risk of further delay in the legislative implementation of legal education reform.

The structural transformation of the system for training legal professionals, described in the Shadow Report 2025,[1466] did not receive legislative development during the reporting period. At the same time, the Admission Procedure for Higher Education in 2026[1467] provides only for full-time study for specialities D8 'Law' and D9 'International Law'.

1463 On Approval of the Government's Priority Action Plan for 2026: Order of the Cabinet of Ministers of Ukraine No. 306 of 30.03.2026. ↗

1464 List of Draft Laws Aimed at Implementing the Operational Objectives of the Government's Priority Action Plan for 2026: Annex to Order of the Cabinet of Ministers of Ukraine No. 306 of 30.03.2026. ↗

1465 On Certification of Students Pursuing Professional Pre-Higher Education Degrees and First-Cycle (Bachelor's) and Second-Cycle (Master's) Higher Education Degrees in the Form of the Unified State Qualification Exam: Resolution of the Cabinet of Ministers of Ukraine No. 497 of 19.05.2021. ↗

1466 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the European Union Enlargement Package 2024, 2025, pp. 281–282. ↗

1467 On Approval of the Admission Procedure for Higher Education in 2026: Order of the Ministry of Education and Science of Ukraine No. 373 of 26.02.2026, Annex 3. ↗

The institutional separation between legal professional education and the training of personnel for law enforcement agencies — the second fundamental area of reform envisaged by the Concept for the Draft Law of Ukraine on Higher Legal Education and Initial Access to the Legal Profession[1468] — had not been implemented as of July 2026. The Rule of Law Roadmap provided that the relevant measure was to be completed no later than the first quarter of 2026. However, no draft law introducing such separation has been submitted to the Verkhovna Rada. HEIs with specific learning conditions under the authority of the Ministry of Internal Affairs of Ukraine (MoIA), the Ministry of Defence of Ukraine (MoD) and the Security Service of Ukraine (SSU) continue to train specialists in speciality D8 'Law'.

The content of the Concept[1469] — special requirements for the licensing of educational programmes, a phased USQE system, the professional qualification of 'Legal Professional' and strengthened practical training — was not implemented in legislation during the reporting period. The USQE programme, updated by MoES Order No. 503 in April 2024, has not undergone any further amendments.[1470]

It is important to note that the risks of the Concept's implementation facing complex challenges at various levels remain, namely:

1. Political resistance from departmental institutions (the MoIA, the MoD and the SSU), which are likely to actively oppose losing the right to train lawyers in HEIs with specific learning conditions, relying on arguments about the 'uniqueness' of their programmes and lobbying for amendments that could weaken the effect of the reform.

2. Challenges to the implementation of the reform, including political resistance from relevant departmental institutions, institutional resistance from HEIs, both departmental and regional, and the need to retrain lecturers in legal disciplines.[1471] In the 2025 admission campaign, the passing score for the political and legal cluster (full-time study funded from the state or local budget) was 182.896 — the highest among all fields of study,[1472] confirming that legal programmes remain highly financially attractive for HEIs.

As of July 2026, the Concept for the Reform of Legal Education, which proposes a systemic vision for transforming legal education through an interconnected framework of strategic objectives and detailed tasks for achieving them, has still not been officially approved by the Verkhovna Rada Committee on Legal Policy.[1473]

1468 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the European Union Enlargement Package 2024, 2025, p. 282. ↗

1469 Draft Concept for the Reform of Legal Education. Verkhovna Rada Committee on Legal Policy, 2024. ↗

1470 On Amendments to the Programme of the Unified State Qualification Exam for Specialities 081 Law and 293 International Law at the Second-Cycle (Master's) Level: Order of the Ministry of Education and Science of Ukraine No. 503 of 11.04.2024. ↗

1471 The issue, described in detail in the Shadow Report 2025 (p. 282), remains relevant. ↗

1472 Which Specialities Had the Highest Passing Scores for State-Funded Places This Year. 24 Kanal, 2025. ↗

1473 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the European Union Enlargement Package 2024, 2025, pp. 282–284. ↗

Recommendations[1474]

1. The Verkhovna Rada Committee on Legal Policy should consider the Concept for the Reform of Legal Education and decide whether to approve it or revise it, given that some of its provisions effectively duplicate those of the already approved Concept for the Draft Law of Ukraine on Higher Legal Education and Initial Access to the Legal Profession.

2. Finalise the development of and submit to the Verkhovna Rada the Draft Law of Ukraine 'On Higher Legal Education and Initial Access to the Legal Profession', providing, inter alia, for: a list of legal professions; requirements for institutions that train legal professionals; institutional separation of the training of legal professionals from the training of personnel for law enforcement agencies; specific features of accreditation of legal education programmes; and principles governing initial access to the legal profession.

3. During the next review of the Government's Priority Action Plan, separately include the unimplemented measures of the Rule of Law Roadmap concerning legal education, specifying a responsible implementing body, a specific deadline and a measurable result for each measure. Introduce annual public reporting by the MoES on the implementation of the relevant Roadmap measures.

Licensing and Accreditation of Law Schools

Progress and issues

Between September 2025 and March 2026, the process of reissuing HEI licences continued in connection with the transition to the new alphanumeric classification of specialities.[1475] However, during the reporting period, no separate section of the Licensing Conditions with enhanced requirements specifically for specialities D8 'Law' and D9 'International Law' was introduced, despite the MoES having published draft amendments to Government Resolution No. 1187 for public consultation in May 2025.[1476]

As of 31 March 2026, licences to carry out educational activities for the training of legal professionals under the new speciality codes D8 'Law' and D9 'International Law' were held by: at bachelor's level — 153 higher education institutions in the speciality 'Law' (D8) and 21 institutions in the speciality 'International Law' (D9); at master's level — 119 institutions in the speciality 'Law' (D8) and 16 institutions in the speciality 'International Law' (D9).[1477]

1474 Recommendations previously provided by civil society in the Shadow Report 2025 (p. 286) remain relevant.

1475 On the Specifics of Introducing Amendments to the List of Fields of Knowledge and Specialities for the Training of Applicants for Higher and Professional Pre-Higher Education, approved by Resolution of the Cabinet of Ministers of Ukraine No. 1021 of 30.08.2024: Order of the Ministry of Education and Science of Ukraine No. 1625 of 19.11.2024. ↗

1476 The MoES Proposes for Public Consultation the Draft Resolution of the CMU 'On Amendments to Resolution of the Cabinet of Ministers of Ukraine No. 1187 of 30 December 2015'. Ministry of Education and Science of Ukraine, 2025. ↗

1477 Data obtained from the Register of Educational Activity Entities as of 31.03.2026. ↗

The reissuance of licences is carried out in accordance with the Licensing Conditions for Educational Activity,[1478] taking into account the table of correspondence between specialities.[1479] Since the specialities 'Law' and 'International Law' are included in the list of specialities subject to additional regulation, a special licensing procedure applies: until the List of Specialities requiring a higher education degree for access to professions subject to additional regulation[1480] is aligned with the new list, licensing is carried out taking into account the table of correspondence and the current list. As of July 2026, this transitional regime remained in place.

An important aspect is the application of higher education standards. Until higher education standards for specialities D8 'Law' and D9 'International Law' are approved, the standards developed for specialities 081 'Law' and 293 'International Law' apply respectively. As of July 2026, the MoES had not developed new higher education standards for specialities D8 'Law' and D9 'International Law'; the standards for specialities 081 'Law' and 293 'International Law', approved in 2022–2024,[1481] remain in force.

The accreditation procedure for educational programmes in specialities D8 'Law' and D9 'International Law' does not differ from the procedure applied to other specialities.[1482] The Regulation on the Accreditation of Educational Programmes for the Training of Higher Education Students[1483] has not been amended as required in respect of legal specialities.

In the 2024/2025 academic year, accreditation activity in field of knowledge 08 'Law' increased significantly. According to the Analytical Report of the National Agency for Higher Education Quality Assurance[1484] (NAQA), published in October 2025, between September 2024 and June 2025 inclusive, NAQA conducted accreditation assessments and adopted decisions on 50 educational programmes in field 08 'Law' (3.17% of the total number of decisions during this period). Of these, 23 were first-cycle (bachelor's) programmes, 22 were second-cycle (master's) programmes and 5 were third-cycle (educational and scientific, PhD) programmes. The accreditation decisions in the field of law were distributed as follows: 40 programmes (80.0%) were accredited for the full term, 9 programmes (18.0%) received conditional accreditation, and 1 programme (2.0%) was refused accreditation.[1485] None of the legal education programmes during this period was recognised as 'exemplary'. All 10 educational programmes that received the 'exemplary' designation in the 2024/2025 academic year — 4 bachelor's,

1478 On Approval of the Licensing Conditions for Educational Activity: Resolution of the Cabinet of Ministers of Ukraine No. 1187 of 30.12.2015. ↗

1479 On Specifics of Introducing Amendments to the List of Fields of Knowledge and Specialities for the Training of Applicants for Higher and Professional Pre-Higher Education, approved by Resolution of the Cabinet of Ministers of Ukraine No. 1021 of 30.08.2024: Order of the Ministry of Education and Science of Ukraine No. 1625 of 19.11.2024. ↗

1480 On Approval of the List of Specialities Requiring an Education Degree for Access to Professions Subject to Additional Regulation: Order of the Ministry of Education and Science of Ukraine No. 673 of 22.05.2020. ↗

1481 Approved Higher Education Standards. Ministry of Education and Science of Ukraine. ↗

1482 The issue described in the Shadow Report 2025 (pp. 288–289) remains relevant. ↗

1483 On Approval of the Regulation on the Accreditation of Educational Programmes for the Training of Higher Education Students: Order of the Ministry of Education and Science of Ukraine No. 686 of 15.05.2024. ↗

1484 Analytical Report of the National Agency for Higher Education Quality Assurance on the Results of Accreditation of Educational Programmes from September 2024 to June 2025, 2025, p. 9. ↗

1485 Ibid, p. 11.

3 master's and 3 educational and scientific programmes — belonged to other fields of knowledge.

According to the NAQA Annual Report for 2025,[1486] a total of 48 decisions were adopted in field 08 'Law' under the full procedure during the 2025 calendar year, confirming a consistently high volume of assessments in this field compared with 2024 (27 decisions[1487]).

Based on the accreditation assessments of legal education programmes, the highest frequency of partial or full non-compliance with the Criteria for Assessing the Quality of Educational Programmes in field 08 'Law' was recorded under Criterion 6 'Human Resources' (12% of programmes in the field, or 6 out of 50) and Criterion 2 'Structure and Content of the Educational Programme' (10%, or 5 out of 50). At the same time, no non-compliance was identified under Criterion 3 'Access to the Educational Programme and Recognition of Learning Outcomes' or Criterion 7 'Educational Environment and Material Resources'. The most frequent significant shortcoming in legal education programmes was shortcoming 6.1.1, identified in 12% of programmes and relating to the academic and professional qualifications of academic staff. For third-cycle (educational and scientific, PhD) programmes in the field of 'Law', partial non-compliance with Criterion 10 'Learning through Research' was established in respect of one out of five programmes (20%).[1488]

The systemic shortcomings of the current accreditation model — the failure to take into account USQE results and graduate employment indicators, and the minimal involvement of the professional legal community in assessments[1489] — remained without a legislative response during the reporting period.

The Concept for the Draft Law of Ukraine on Higher Legal Education and Initial Access to the Legal Profession provides for the mandatory consideration of USQE results and graduate employment indicators when deciding on programme accreditation, as well as for the involvement of the professional legal community (advocates, judges, prosecutors and notaries) in accreditation procedures. The Concept for the Reform of Legal Education additionally proposes expanding the range of accreditation bodies by allowing foreign accreditation agencies and independent institutions for the evaluation and quality assurance of higher education, alongside NAQA, to accredit legal education programmes.[1490] As of July 2026, none of these innovations had been enshrined in legislation: the relevant draft law had not been submitted to the Verkhovna Rada, the Regulation on the Accreditation of Educational Programmes for the Training of Higher Education Students, approved by MoES Order No. 686, had not been amended and no foreign accreditation agency or independent institution for the evaluation and quality assurance of higher education had been accredited to conduct accreditation of legal education programmes in Ukraine.

1486 Annual Report of the National Agency for Higher Education Quality Assurance for 2025, 2026, p. 16. ↗

1487 Annual Report of the National Agency for Higher Education Quality Assurance for 2024, 2025, p. 51. ↗

1488 Analytical Report of the National Agency for Higher Education Quality Assurance on the Results of Accreditation of Educational Programmes from September 2024 to June 2025, 2025, pp. 18–26. ↗

1489 The issue described in the Shadow Report 2025 (p. 289) remains relevant. ↗

1490 Draft Concept for the Reform of Legal Education. Verkhovna Rada Committee on Legal Policy, 2024. ↗

On 20 November 2025, the USQE was held for specialities 081 'Law' and 293 'International Law' for students at the second (master's) level of higher education whose educational programmes end in the 2025/2026 academic year.[1491] The USQE was taken by students from 121 higher education institutions, including 76 state-owned, 43 private and 2 municipal institutions. Of the 9,017 persons who were due to take the exam, 8,602 attended, representing an attendance rate of 95.40%. The test set contained 120 tasks and the exam lasted 180 minutes. It was administered in computer-based format as an external independent assessment with in-person supervision, remote administration and video monitoring.

The USQE Expert Commission disqualified six test tasks and set the threshold score at 35 correct answers out of 114. The national average number of correct answers was 45.71. A total of 1,654 students (19.23%) did not meet the 'pass/fail' threshold, while 6,949 persons (80.77%) successfully passed the exam. The USQE retake was held on 18 December 2025 at 24 educational institutions in 21 Ukrainian cities, with the participation of 1,604 students from 109 educational institutions. A total of 678 persons failed to meet the threshold score.[1492]

Recommendations[1493]

With the aim of improving the licensing and accreditation of legal education programmes in terms of enhancing their effectiveness, transparency and results-orientation, it is necessary to:

1. Finalise the development and adopt amendments to the Licensing Conditions for Educational Activity. For specialities D8 'Law' and D9 'International Law', establish a minimum proportion of academic staff with practical experience in the legal professions; staffing requirements for mandatory legal disciplines; requirements for legal clinics and internship providers; and access to professional legal databases and other information resources.

2. Amend the Regulation on the Accreditation of Educational Programmes. For specialities D8 'Law' and D9 'International Law', provide for mandatory analysis of: USQE results over several years; graduate employment indicators; the quality of practical training; and the activities of the legal clinic. Provide for the involvement in expert groups of representatives of the Bar, the judiciary, the prosecution service, the notary services and other legal professions.

1491 Report on the Results of the Unified State Qualification Exam in Specialities 081 Law and 293 International Law, 2025. ↗

1492 Ibid.

1493 Recommendations previously provided by civil society in the Shadow Report 2025 (p. 291) remain relevant. ↗

State-Funded Legal Education and State Grants for Legal Studies

Progress and issues

In 2026, state budget funding for the training of legal professionals is provided through the state order system for specialities D8 'Law' and D9 'International Law' at bachelor's, master's and academic levels.

By Resolution No. 906, the Cabinet of Ministers of Ukraine[1494] approved the volumes of the state order for the training of specialists, scientific, academic and teaching staff and skilled workers in 2026. The total volume of the state order for admission at bachelor's level is 79,409 places, of which 73,161 are for full-time study. For speciality D8 'Law', 1,652 state-funded places are provided for bachelor's training, all for full-time study, which is 104 more than in 2025 (1,548 places[1495]).

At master's level, based on a bachelor's degree, the total volume of the state order in 2026 is 36,840 places, of which 32,845 are for full-time study. For speciality D8 'Law', 825 places are provided, all for full-time study, which is 108 fewer than in 2025 (933 places).

The 2026 state order for bachelor's training in speciality D8 'Law' is distributed among state customers as follows: the MoIA — 700 places, the MoES — 650, the MoD — 187, the SSU — 60, the Ministry of Finance of Ukraine (MoF) — 35, the Ministry of Justice of Ukraine (MoJ) — 10 and the Economic and Financial Department of the Secretariat of the Cabinet of Ministers of Ukraine — 10 places.

Compared with 2025, the MoES state order for bachelor's training in law remained unchanged (650 places), the MoIA allocation increased from 620 to 700 (+80), the MoF allocation decreased from 45 to 35 (–10) and the MoJ allocation decreased from 20 to 10 (–10). The SSU allocation decreased by 5 places (from 65 places in 2025 to 60 places in 2026), while the MoD allocation increased from 138 to 187 places (+49). The MoES share of the total bachelor's state order for D8 'Law' decreased from almost 42% in 2025 to 39.3% in 2026. Accordingly, the share of places outside the MoES system increased from 58% to 60.7%. In 2026, the MoIA again became the largest individual state customer for bachelor's training in law, with 700 places compared with 650 places for the MoES.

The distribution of the state order for master's training in speciality D8 'Law' based on a bachelor's degree in 2026 is as follows: compared with 2025, the MoES allocation decreased from 780 to 613 places, the SSU allocation from 75 to 71 places, while the MoD allocation increased from 43 in 2025 to 66 in 2026. At the same time, in 2026, master's places for the MoIA, MoF and MoJ are provided only under the previous clas-

1494 Certain Issues of Forecasting Demand for Specialists and Skilled Workers in the Labour Market, Demand for Applicants and the State Order for the Training of Specialists, Scientific, Academic and Teaching Staff and Skilled Workers, and for Advanced Training and Retraining of Personnel: Resolution of the Cabinet of Ministers of Ukraine No. 906 of 13.07.2026. ↗

1495 On the State Order for the Training of Specialists, Scientific, Academic and Teaching Staff and Skilled Workers and for Advanced Training and Retraining of Personnel in 2025: Resolution of the Cabinet of Ministers of Ukraine No. 812 of 07.07.2025. ↗

sification for speciality 081 'Law' (78, 6 and 3 places respectively). The MoES share of the master's state order changed only slightly — 81.7% compared with 83.6% in 2025.

For speciality D9 'International Law', 75 state-funded places are provided for bachelor's training in 2026 (MoES — 65, MoF — 10) and 70 places for master's training based on a bachelor's degree (MoES — 65, MoF — 5). Compared with 2025, the bachelor's state order for international law decreased from 85 to 75 places and the master's state order from 80 to 70 places.

Thus, in 2026, the departmental model of state funding for the training of legal professionals was retained. It is most pronounced at bachelor's level in D8 'Law', where 60.7% of the state order is allocated to customers outside the MoES system, with the MoIA being the largest individual customer. At master's level, by contrast, 81.7% of the state order is concentrated within the MoES system. Compared with 2025, the share of departmental customers in bachelor's training in law increased, indicating the continued significant role of the departmental model of training legal professionals despite the declared objective of institutionally separating legal education from the training of specialists for law enforcement agencies.

On 13 July 2026, by Resolution No. 906,[1496] the Cabinet of Ministers of Ukraine approved the volumes of the state order for the training of specialists in 2026. The state order for speciality D8 'Law' was retained at both bachelor's and master's levels. At the same time, the continued use of the departmental model of the state order is important for assessing implementation of legal education reform. Despite the Rule of Law Roadmap's objective of institutionally separating the training of legal professionals from the training of specialists for law enforcement agencies, in 2026 the state order for speciality D8 'Law' continues to be formed not only through the MoES system but also through other state customers. Thus, as of July 2026, a discrepancy remained between the declared objective of institutionally separating legal education from the training of legal professionals for law enforcement agencies and the actual model of state funding for the training of legal professionals.

Another innovation in 2026 was the Government's approval, by Resolution No. 906,[1497] of a forecast of the economy's demand for applicants for 2026–2030. For speciality D8 'Law', the projected demand for applicants to the first-cycle (bachelor's) level of higher education is: 9,987 persons in 2026, 10,183 in 2027, 10,384 in 2028, 2,712 in 2029 and 10,798 in 2030. For speciality D9 'International Law', the corresponding figures are: 944 persons in 2026, 963 in 2027, 982 in 2028, 256 in 2029 and 1,021 in 2030.

For the second-cycle (master's) level of higher education based on a bachelor's degree, the forecast of the economy's demand for applicants to speciality D8 'Law' for 2026–2030 is 6,761, 6,427, 6,109, 5,807 and 5,520 persons respectively, while for speciality D9 'International Law' the figures are: 384 persons in 2026, 365 in 2027, 347 in 2028, 330 in 2029 and 314 in 2030.

1496 Certain Issues of Forecasting Demand for Specialists and Skilled Workers in the Labour Market, Demand for Applicants and the State Order for the Training of Specialists, Scientific, Academic and Teaching Staff and Skilled Workers, and for Advanced Training and Retraining of Personnel: Resolution of the Cabinet of Ministers of Ukraine No. 906 of 13.07.2026. ↗

1497 Ibid.

The introduction of five-year forecasting creates the preconditions for forming the state order with due regard to the projected needs of the economy. At the same time, the state order volumes for 2026 set out above should be distinguished from the forecast of the economy's demand for applicants for 2026–2030. The forecast figures do not determine the number of state-funded places and are not a forecast of the number of vacancies for legal professionals in the labour market.

Government Draft Law No. 10399[1498] on financing higher education and providing state targeted support to higher education students, adopted at first reading back in March 2024, remained at the stage of preparation for second reading as of July 2026 and was awaiting consideration by Parliament at second reading. At the same time, on 8 July 2026, the Verkhovna Rada Committee on Education, Science and Innovation recommended that Draft Law No. 10399 be adopted at second reading and in its entirety.[1499]

Draft Law No. 10399 proposes the introduction of state grants, which would make it possible to significantly expand financial support for students enrolling in fee-paying programmes. Grants would be awarded to applicants based on the results of the National Multi-Subject Test, while the grant amount would depend on the scores achieved and the speciality chosen. The draft law also provides for changes to the preferential loan mechanism: preferential terms would be preserved for vulnerable categories of students, who would continue to study under the state order.

In 2026, implementation continued of the experimental project on the provision of state grants for higher education introduced by Resolution of the Cabinet of Ministers of Ukraine No. 822.[1500] A state grant is targeted non-repayable financial assistance funded from the State Budget and used to cover all or part of the tuition fees of higher education students whose studies are funded by individuals.[1501]

The state grant mechanism was retained for the 2026 admission campaign. The Admission Procedure for Higher Education in 2026 provides for the possibility of full or partial payment of tuition fees from state grants for persons admitted to study at the expense of individuals. Thus, grant funding continues to be used alongside the traditional state order as a separate instrument of state support for higher education students.[1502]

At the same time, as of 31 July 2026, the current Procedure for the Implementation of the Experimental Project contains separate rules for determining the amount of state grants established for students who commenced their first year of study in 2024 and 2025. Therefore, the grant amounts, threshold entrance examination results, field-specific and regional coefficients established for the 2025 admission campaign cannot

1498 On Amendments to Certain Laws of Ukraine Regarding the Financing of Higher Education and the Provision of State Targeted Support to Higher Education Students: Draft Law of Ukraine, registration No. 10399 of 10.01.2024. ↗

1499 Conclusion on the Draft Law of Ukraine 'On Amendments to Certain Laws of Ukraine Regarding Financing Higher Education and Providing State Targeted Support to Higher Education Students' (registration No. 10399 of 10.01.2024) (second reading). Verkhovna Rada Committee on Education, Science and Innovation. 2026. ↗

1500 On the Implementation of an Experimental Project on the Provision of State Grants for Higher Education: Resolution of the Cabinet of Ministers of Ukraine No. 822 of 18.07.2024. ↗

1501 Ibid.

1502 On Approval of the Admission Procedure for Higher Education in 2026: Order of the Ministry of Education and Science of Ukraine No. 373 of 26.02.2026. ↗

automatically be regarded as the conditions for awarding state grants to applicants in 2026.[1503]

At the same time, in 2026, state education grants were identified as one of the areas of medium-term state policy in education. The Budget Declaration for 2027–2029, approved by Resolution of the Cabinet of Ministers of Ukraine No. 793 of 17 June 2026,[1504] provides, among the tasks for 2027–2029, for financing higher education through state education grants, including for students who require state support, with a view to building human capital in areas critical to the recovery of the national economy. Thus, grant funding is identified as one of the areas of state higher education policy in the medium term.

For legal education, retaining the grant mechanism is important in the context of the gradual combination of two models of budget funding for higher education: funding HEIs through the state order and targeted financial support for individual students studying on a fee-paying basis. At the same time, as of 31 July 2026, the regulatory framework does not provide grounds for concluding that new special conditions or increased state grant coefficients were introduced for applicants to D8 'Law' in 2026.

Recommendations[1505]

1. Review the procedure for forming and distributing the state order for speciality D8 'Law'. Determine its volume based on the forecast demand for applicants, labour market needs, USQE results and graduate employment indicators. Separately review the expediency of training civilian legal professionals under the state order of the MoIA, MoD, SSU and other agencies in the context of the planned institutional separation of legal education from the training of personnel for law enforcement agencies.

2. Parliament should adopt Draft Law No. 10399 at second reading to enshrine the grant-based system and the principle of 'money follows the student' in legislation, thereby completing the transition from the experimental grant regime to a systemic mechanism for financing higher education.

Updating and Modernising Legal Education Programmes

Progress and issues

Updating legal education programmes is a key element of legal education reform. Ukrainian law schools have been criticised for excessive theorisation, insufficient practical training, a lack of skills in working with clients and public registers, as well as insufficient

1503 On the Implementation of an Experimental Project on the Provision of State Grants for Higher Education: Resolution of the Cabinet of Ministers of Ukraine No. 822 of 18.07.2024. ↗

1504 On Approval of the Budget Declaration for 2027–2029: Resolution of the Cabinet of Ministers of Ukraine No. 793 of 17.06.2026. ↗

1505 Some of the recommendations were previously provided by civil society in the Shadow Report 2025 (p. 294) and remain relevant.

soft skills, including communication, analytical thinking and negotiation. Between September 2025 and July 2026 inclusive, actual changes in legal education mainly concerned the regulatory framework; there was no substantive update of higher education standards for legal specialities.

During the reporting period, the regulatory framework for practical training of higher education students in the speciality 'Law' in justice bodies, courts and prosecution bodies was partially developed. In September 2025, the MoES and the MoJ, by Order No. 1204/2406/5,[1506] approved the Model Internship Programme in Justice Bodies for Higher Education Students in Speciality 081 'Law'/D8 'Law'. The document was developed to implement the Rule of Law Roadmap and subparagraph 2 of paragraph 22 of the Action Plan for the Implementation of the European Commission Recommendations Presented in the Ukraine 2024 Progress Report within the European Union Enlargement Package.[1507] The Programme covers bachelor's and master's levels, recommends an internship workload of at least 3 ECTS credits for the first level and at least 10 ECTS credits for the second level and sets out typical requirements for internship providers, a list of competences, programme learning outcomes and the procedure for organising, assessing and summarising internship results.

As already noted, despite the transition to the new classification of specialities,[1508] the higher education standards for specialities 081 'Law' (for bachelor's, master's and Doctor of Philosophy levels) and 293 'International Law' (for bachelor's and master's levels) still apply to specialities D8 'Law' and D9 'International Law'. As of July 2026, new higher education standards for D8 and D9 had not been developed, although the methodological basis for this is already in place — the updated Methodological Recommendations for the Development of Higher Education Standards.[1509]

Similarly, the USQE Programme for specialities 081 'Law' and 293 'International Law'[1510] has not been amended. The Programme contains 13 sections, including 'Fundamentals of European Union Law' and 'General Ethical Requirements of the Legal Profession'. On 20 November 2025, the USQE was held under the current Programme.

On 18 November 2025, the MoES approved[1511] the dates for the USQE in 2026: the main exam date is 12 November 2026 and the retake is scheduled for 10 December 2026.

1506 On Approval of the Model Internship Programme in Justice Bodies for Higher Education Students in Speciality 081 'Law'/D8 'Law': Order of the Ministry of Education and Science of Ukraine and the Ministry of Justice of Ukraine No. 1204/2406/5 of 03.09.2025. ↗

1507 On Approval of the Action Plan for the Implementation of the European Commission Recommendations Presented in the Ukraine 2024 Progress Report within the European Union Enlargement Package: Order of the Cabinet of Ministers of Ukraine No. 300 of 28.03.2025, measure 2 of recommendation 22. ↗

1508 On the Specifics of Introducing Amendments to the List of Fields of Knowledge and Specialities for the Training of Applicants for Higher and Professional Pre-Higher Education, approved by Resolution of the Cabinet of Ministers of Ukraine No. 1021 of 30.08.2024: Order of the Ministry of Education and Science of Ukraine No. 1625 of 19.11.2024. ↗

1509 On Approval of Methodological Recommendations for the Development of Higher Education Standards: Order of the Ministry of Education and Science of Ukraine No. 512 of 27.03.2025. ↗

1510 On Approval of the Programme of the Unified State Qualification Exam in Specialities 081 'Law' and 293 'International Law' for Higher Education Students at the Second-Cycle (Master's) Level: Order of the Ministry of Education and Science of Ukraine No. 503 of 11.04.2024. ↗

1511 On Conducting the Unified State Qualification Exam in 2026: Order of the Ministry of Education and Science of Ukraine No. 1516 of 18.11.2025. ↗

In 2026, the subject test of the Unified Professional Entrance Examination (UPEE), 'Law and International Law', continues to be used for admission to the second-cycle (master's) level of higher education in specialities D8 'Law' and D9 'International Law'. The subject test programme was approved by MoES Order No. 107[1512] in February 2022 and has not been updated. In view of the legislative changes adopted since its approval, as well as the stronger European integration dimension of legal education reform, the need to review the content of the UPEE programme remains relevant, particularly with regard to ensuring that EU law is properly reflected in it.

On 29 October 2025, the Government, by Resolution No. 1387, approved the Procedure for the Creation, Amendment and Maintenance of the Unified Register of Qualifications — Classifier of Professions, which entered into force on 2 May 2026.[1513] In July 2026, the regulatory framework of the National Qualifications System was further updated: Resolution of the Cabinet of Ministers of Ukraine No. 894[1514] amended, inter alia, the Procedure for Maintaining the Unified Register of Qualifications — Classifier of Professions and the Procedure for Developing, Introducing and Reviewing Professional Standards. The amendments clarified certain information to be entered in the Register and provided for the use of the International Standard Classification of Occupations (ISCO) and, where available, the European Skills, Competences, Qualifications and Occupations classification (ESCO). These amendments create additional institutional preconditions for aligning educational and professional qualifications but had no direct impact on the content of training for legal professionals in specialities D8 'Law' and D9 'International Law' during the reporting period.

The development of professional standards for the legal professions is also ongoing. On 27 February 2026, the Ukrainian National Bar Association announced the launch of work on the professional standards 'Advocate' and 'Advocate's Assistant'.[1515] The 'Advocate' standard is expected to establish a competence model for the representation and protection of rights and freedoms, the provision of legal advice, the drafting of procedural documents and participation in judicial and out-of-court procedures.

Practical training for law students remains one of the most problematic elements of legal education. According to the study 'Internships During Studies at Law Schools',[1516] problems have been identified with ensuring the quality of internship providers, formalism in the completion of internships and weak monitoring by HEIs. The analytical review 'Evaluation of Law School Lecturers'[1517] also found that domestic practices for evaluating law school teaching staff do not correspond to European approaches to internal quality assurance in higher education.

1512 On Approval of the Subject Test Programme of the Unified Professional Entrance Examination in Law and International Law: Order of the Ministry of Education and Science of Ukraine No. 107 of 03.02.2022. ↗

1513 Certain Issues Concerning the Functioning of the Unified Register of Qualifications — Classifier of Professions: Resolution of the Cabinet of Ministers of Ukraine No. 1387 of 29.10.2025. ↗

1514 On Amendments to Certain Resolutions of the Cabinet of Ministers of Ukraine Regarding Improvement of the Functioning of the National Qualifications System: Resolution of the Cabinet of Ministers of Ukraine No. 894 of 08.07.2026. ↗

1515 UNBA Has Started Developing the Professional Standards 'Advocate' and 'Advocate's Assistant'. PRAVO, 2026. ↗

1516 Report on the Results of the Study 'Internships During Studies at Law Schools'. DEJURE Foundation, 2025. ↗

1517 Evaluation of Law School Lecturers: Analytical Review. DEJURE Foundation, 2025. ↗

Recommendations

1. The MoES should:

- comprehensively update the USQE and UPEE 'Law and International Law' programmes and align them with the new standards for D8 'Law' and D9 'International Law' once those standards are approved. Review the content of the programmes in light of legislative changes and ensure that they properly reflect European Union law, professional ethics and responsibility and the practical application of law. Separately review exemptions from the mandatory USQE to ensure uniform requirements for the state certification of legal professionals;
- develop and approve new standards for D8 'Law' and D9 'International Law', aligning them with the professional standards for the legal professions and the National Qualifications System. Provide for mandatory learning outcomes in EU law, professional ethics, legal writing and legal research, modern digital technologies and the responsible use of AI. Establish requirements for practical training and ensure that learning outcomes correspond to the competences defined in professional standards;
- update the external assessment programme for future legal professionals, in particular the UPEE subject test programme 'Law and International Law', approved in 2022, taking into account legislative changes and the need to strengthen knowledge and competences in European Union law.

2. Adopt a new Regulation on Practical Training for Higher Education Students to replace the 1993 Regulation.[1518] For legal specialities, establish minimum requirements for the duration and outcomes of practical training, criteria for selecting internship providers and requirements for supervisors. Expand opportunities for practical training in the Bar, the notary services, courts, the prosecution service, justice bodies and legal departments and recognise legal clinics as a full-fledged form of practical training.

3. Introduce regular monitoring of the professional trajectories of graduates of specialities D8 'Law' and D9 'International Law', including employment rates in the relevant speciality, areas of employment and the extent to which acquired competences meet employers' needs, with the possibility of taking such data into account in the accreditation of educational programmes and the formation of the state order.

4. NAQA, together with the MoES, should develop and approve unified methodological recommendations on the internal evaluation system for law school teaching staff. These recommendations should include standardised criteria for assessing the academic and professional qualifications of academic staff teaching in specialities D8 'Law' and D9 'International Law', in line with European approaches to quality assurance in higher education. Once approved, the methodological recommendations should serve as a mandatory reference point for HEIs when developing internal quality assurance systems and should be taken into account by NAQA during the accreditation of educational programmes in these specialities.

1518 On Approval of the Regulation on Internships for Students of Higher Education Institutions of Ukraine: Order of the Ministry of Education and Science of Ukraine No. 93 of 08.04.1993. ↗

Fighting Corruption and Academic Integrity

Progress and issues

The problem of corruption in the educational process and dishonesty in academic works has long undermined the quality and reputation of Ukrainian legal education. One of the tasks envisaged in the Draft Concept for the Reform of Legal Education is to establish an effective system for preventing corruption and academic dishonesty in higher legal education.

A key development in the field of academic integrity was the adoption by the Verkhovna Rada of the Law of Ukraine 'On Academic Integrity'[1519] on 18 December 2025. The Law entered into force on 1 February 2026 but was put into effect on 31 July 2026, except for certain provisions.

The Law defines academic integrity as a set of values, principles and rules based on them that must guide subjects of academic activity. The core values are honesty, trust, respect for authorship and dignity, fairness, responsibility, resilience and determination in upholding integrity practices. For the first time, the Law establishes a single comprehensive legislative framework for academic integrity in the education and science system — from general secondary to higher education, scientific research, expert assessment and the awarding of scientific degrees and academic titles.

The document defines a list of breaches of academic integrity, including plagiarism, fabrication and falsification of results, contract cheating, manipulation during assessment and undue influence in academic activity. Sanctions range from warnings and remedial measures to temporary bans, with a distinction made between personal and institutional responsibility.[1520] For law schools, this means introducing uniform procedures for responding to breaches, which had not previously been enshrined at the legislative level.

A separate section of the Law regulates the use of artificial intelligence (AI) systems in academic activity. Ukraine has become one of the first countries to regulate this issue in legislation. Materials created with the assistance of AI cannot be considered works of authorship without proper disclosure. The author must indicate the methodology used to create the material and the AI system applied. At the same time, the Law does not cover all aspects of AI use in the educational process, such as its use for assessing works or for administrative purposes, leaving scope for further regulation through secondary legislation and internal HEI policies.

The USQE remains an important mechanism of external quality control in legal education and of reducing corruption risks at the graduation stage.

The minimum competitive score of 150 for admission to specialities D8 'Law' and D9 'International Law' was maintained in the Admission Procedure for Higher Education in 2026.[1521] A high competitive score prevents persons with insufficient preparation from

1519 On Academic Integrity: Law of Ukraine No. 4742-IX of 18.12.2025. ↗

1520 Ibid.

1521 On Approval of the Admission Procedure for Higher Education in 2026 (registered with the Ministry of Justice of Ukraine on 20.03.2026 under No. 374/45768): Order of the Ministry of Education and Science of Ukraine No. 373 of 26.02.2026. ↗

entering legal specialities, contributes to the formation of a high-quality student cohort and has an anti-corruption effect.

The integrity of scholarly works in the field of law remains one of the most acute problems. According to NAQA,[1522] in 2025 the Agency received 50 complaints concerning academic plagiarism, fabrication and falsification in dissertations. Following their review, academic plagiarism was confirmed in 10 dissertations. According to the MoES,[1523] 8 persons were stripped of their scientific degrees.

During 2025, the NAQA Ethics Committee accepted for consideration a number of complaints concerning possible plagiarism specifically in dissertations for the degree of Candidate of Legal Sciences (Doctor of Philosophy), including works on administrative, commercial and criminal law.[1524] Separate independent studies conducted by the academic community in 2025 showed that, among 52 reviewed dissertations for a scientific degree in law defended by persons holding positions in the judiciary, 36 (approximately 70%) showed signs of academic plagiarism.[1525] These data are not official but indicate the scale of the problem.

Law schools whose ad hoc specialised academic councils examined such dissertations bear institutional responsibility for this under the Procedure for Awarding the Doctor of Philosophy Degree.[1526] The institution is obliged to ensure the necessary conditions for verifying the candidate's compliance with academic integrity and has the right to cancel the decision of the ad hoc council if academic plagiarism, fabrication or falsification is identified in the dissertation and/or scientific publications presenting the dissertation's research findings, regardless of the time that has elapsed since the degree was awarded.

Recommendations

1. Ensure the effective implementation of the Law of Ukraine 'On Academic Integrity', in relation to law schools. HEIs should update their academic integrity policies, introduce uniform procedures for considering breaches and provide training for teaching staff on the application of the new rules.

2. Develop secondary legislation and internal HEI policies that extend the principles laid down in the Law of Ukraine 'On Academic Integrity' to aspects of AI use not directly regulated by the Law, including the assessment of works, administrative purposes and the learning process. Specialised courses should be introduced into legal education, such as 'Legal Technologies and AI', 'Critical Thinking and AI in Jurisprudence' and a course on the ethical and legal aspects of AI use.

1522 NAQA and the Ministry of Education: In 2025, Plagiarism Was Detected in 10 Dissertations, 8 Persons Were Stripped of Scientific Degrees. Interfax-Ukraine, 2026. ↗

1523 Ibid.

1524 Complaints/Reports Concerning Academic Plagiarism, Fabrication and Falsification Accepted for Consideration by the Ethics Committee of the National Agency. National Agency for Higher Education Quality Assurance, 2025. ↗

1525 Judges on Allowances: The State Spends Hundreds of Millions of Hryvnias on Payments to Judges-Academics. Yet Plagiarism Is Often Found in Their Dissertations. NGL.media, 2026. ↗

1526 On Approval of the Procedure for Awarding the Doctor of Philosophy Degree and Cancelling the Decision of an Ad Hoc Specialised Academic Council of a Higher Education Institution or Scientific Institution on Awarding the Doctor of Philosophy Degree: Resolution of the Cabinet of Ministers of Ukraine No. 44 of 12.01.2022, paras. 23, 45, 46. ↗

3. The MoES should maintain the practice of high admission requirements, by keeping the minimum competitive score of 150 for admission to legal specialities as an effective anti-corruption measure and a guarantee of a high-quality student cohort.

4. Strengthen mechanisms for detecting breaches of academic integrity in scholarly works in the field of law by increasing the responsibility of the institution where the defence took place and expanding NAQA's powers to consider reports of breaches of academic integrity in dissertations.

Agency for Legislative Initiatives

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War-Related Justice



The justice system for the most serious international crimes in Ukraine requires further development. The adoption of the implementing law following the ratification of the Rome Statute of the International Criminal Court (ICC) marked the beginning of the process of aligning Ukrainian legislation with international criminal law. However, subsequent steps — including harmonising definitions, adopting a comprehensive list of war crimes, resolving the issue of the retroactive application of provisions on crimes against humanity and addressing procedural shortcomings related to the in absentia mechanism — have not yet been taken. In addition, effective investigation of international crimes continues to be hindered by unresolved amendments to the Criminal Procedural Code of Ukraine (CPC of Ukraine) regarding the admissibility of open-source and intelligence information as evidence, as well as the need to establish investigative jurisdiction alternative to the Security Service of Ukraine (SSU) for the National Police of Ukraine (NPU). There is also a pressing need to develop and adopt legislation providing for a comprehensive system of support and protection for victims and witnesses of the most serious international crimes.

The institutional architecture of the justice system likewise requires further progress. Pre-trial investigation bodies, courts and the defence system operate under significant strain, facing staff shortages, high turnover and heightened security risks. Investigations into international crimes are further complicated by the absence of a unified strategic vision (state policy) in this area. The new Strategy for the Exercise of the Powers of Prosecution Authorities in the Criminal Prosecution of International Crimes for 2026–2028, developed by the prosecution authorities and approved in April 2026, is aimed at strengthening the capacity of the law enforcement system to investigate international crimes and restore victims' rights, but requires a clear implementation plan. Overall, while individual institutions are developing internal strategies and approaches to consolidating, systematising and prioritising proceedings, these efforts should be unified. They must ensure a clear allocation of competences and effective interagency coordination. The Ukrainian justice system should also consider the role and capacity of international mechanisms — in particular the International Criminal Court and the prospective Special Tribunal for the Crime of Aggression (Special Tribunal) — within the broader accountability architecture, to avoid duplication of efforts and ensure an effective division of responsibilities.

The prolonged absence of any changes in legislation and approaches to accountability for criminal offences against the foundations of national security that border on international crimes — as consequences of the war — remains a concern. This exacerbates

previously identified problems, including inconsistent application of legislative provisions, insufficient assessment of the social harm of the conduct and the intent to harm national security, as well as the failure to take into account standards of international humanitarian law, the conditions of occupation and the specific circumstances in which the accused were placed. Both pre-trial investigation and judicial consideration of proceedings related to collaboration activities should be based on uniform and predictable standards — considering the minor nature of the act where applicable, assessing the actual harm to national security and considering the coercive nature of occupation and the specific circumstances of each case. The system of liability for collaboration activities should provide for the exclusion of criminal liability for acts related to ensuring basic living conditions under occupation, as well as incorporate lustration mechanisms.

National System of Prosecution for Crimes Committed in the Context of War: International Crimes, Collaboration Activities and Other Crimes Against the Foundations of National Security

Progress and issues

Harmonisation of Ukrainian Criminal Legislation with International Law

The process of aligning Ukrainian legislation with the norms of international criminal law remains ongoing. The implementing law[1527] adopted on 9 October 2024 introduced liability for crimes against humanity, the principle of universal jurisdiction, the concepts of 'war crimes' and 'command responsibility', as well as amendments to provisions concerning the crime of aggression and the crime of genocide. The need for further legislative changes to ensure full compliance with international criminal law standards has been emphasised in the Ukraine Progress Report 2025,[1528] as well as in the Shadow Report 2025.[1529]

This concerned **the need to improve the wording of Article 438 of the Criminal Code of Ukraine** (CC of Ukraine) (**'War Crimes'**), including replacing its blanket nature with a defined list of specific offences. The recommendations also emphasised the **need to align the definition of the crime of aggression** in Article 437 of the CC of Ukraine ('Planning, Preparation, Initiation and Waging of an Aggressive War') with the corresponding provision of the Rome Statute of the International Criminal Court, in particular

1527 On Amendments to the Criminal Code and the Criminal Procedure Code of Ukraine in Connection with the Ratification of the Rome Statute of the International Criminal Court and Its Amendments: Law of Ukraine No. 4012-IX of 09.10.2024. ↗

1528 Ukraine 2025 Report. Communication on EU Enlargement Policy, p. 35. ↗

1529 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the European Union Enlargement Package 2024, 2025, pp. 566–567. ↗

by **clarifying the subject of the crime** — persons in a position to effectively exercise control over or direct the political or military actions of a state[1530] — as well as by **determining approaches to the retroactive application of provisions on crimes against** humanity and command responsibility.

A number of repeatedly highlighted procedural issues remain unresolved,[1531] including the exclusive investigative jurisdiction over the most serious international crimes assigned to security investigation bodies; the lack of regulation governing the use of certain types of information (intelligence data, open-source information) as evidence, as well as their proper verification and preservation;[1532] and the undefined status of international experts in proceedings, except in cases involving chemical, biological, radiological, nuclear or other weapons.[1533]

To address these issues, an Interagency Working Group (IWG) on the harmonisation of legislation in the context of law enforcement practice following Ukraine's ratification of the Rome Statute of the ICC[1534] was established on 14 January 2025 under the Prosecutor General's Office (PGO). The IWG, which includes representatives of relevant state authorities — the PGO, the Ministry of Justice of Ukraine (MoJ), the Ministry of Internal Affairs of Ukraine (MoIA) and the Supreme Court (SC) — as well as national and international experts, is tasked with developing proposals for amendments to Ukrainian legislation in connection with the ratification of the Rome Statute.

The work of the IWG has primarily focused on delineating specific offences within Article 438 of the CC of Ukraine, structured according to the protected legal interest — war crimes against the person, war crimes against property, crimes related to the use of prohibited methods and means of warfare and crimes against cultural property. The proposed list, aligned with international criminal law standards, also includes offences such as 'unjustified delay in the repatriation of a prisoner of war or other protected person, including a child' and 'the imposition of citizenship by an occupying power'.

The IWG proposals also refine the definition of the crime of aggression. However, the wording 'aggressive war' and 'conduct of aggressive military actions', which is not reflected in Article 8bis of the Rome Statute,[1535] has been retained. No proposals have been developed to address the issue of retroactive application. In terms of procedural aspects, amendments have been proposed only with regard to investigative jurisdiction. At the

1530 Rome Statute of the International Criminal Court of 17.07.1998. ↗

1531 Shadow Report on Chapter 23 'Justice and Fundamental Rights' of the European Commission's Ukraine Report 2023, 2024, pp. 392–396. ↗; Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the European Union Enlargement Package 2024, 2025, pp. 566–567. ↗

1532 Needs Assessment of Ukraine's Legal System: Ensuring Quality Justice for War-Affected Persons and Survivors. ULAG, 2025. ↗

1533 On Amendments to the Code of Ukraine on Administrative Offences, the Criminal Code and the Criminal Procedure Code of Ukraine Concerning the Optimisation of the Work of Specialists in Criminal Proceedings: Law of Ukraine No. 4009-IX of 09.10.2024. ↗

1534 On the Establishment of an Interagency Working Group on the Harmonisation of Legislation in the Context of Law Enforcement Practice Following the Ratification by Ukraine of the Rome Statute of the International Criminal Court: Order of the Prosecutor General of Ukraine No. 12 of 14.01.2025. ↗

1535 Rome Statute of the International Criminal Court of 17.07.1998. ↗

same time, these proposals do not provide for a clear allocation of jurisdiction, instead retaining an alternative approach — subject to a prosecutor's decision.[1536]

The draft law developed by the IWG was presented by the Prosecutor General and submitted to the Verkhovna Rada Committee on Law Enforcement and the Office of the President of Ukraine.[1537] However, none of the subjects of the right of legislative initiative has yet submitted it to Parliament. As of July 2026, the future of these proposals, including the prospects for registration and adoption of the relevant law by the Verkhovna Rada, remains unclear.[1538]

On 17 June 2025, **amendments were introduced to Part 1 Article 438 of the CC of Ukraine**,[1539] providing for **additional war crimes**, in particular the unlawful transfer or deportation of a child, unjustified delay in the repatriation of a child and the recruitment or use of a child to participate in an armed conflict or hostilities.

No significant progress has been made in establishing a system to ensure the safety and protection of witnesses and victims of the most serious crimes.

According to the Rule of Law Roadmap, adopted within the framework of the EU integration process,[1540] Ukraine has undertaken to develop and adopt laws and secondary legislation aimed at aligning national legislation with Directive 2012/29/EU,[1541] which establishes minimum standards on the rights, support and protection of victims of crime. At the same time, existing legislative initiatives aimed at reforming the victim protection system[1542] have not been adopted and, as of July 2026, no new initiatives have been proposed.

Despite certain developments, in particular those related to the harmonisation of Ukrainian legislation with international criminal law and proposals to develop a system of support for victims and witnesses, the prospects for their adoption and implementation remain uncertain.

1536 Information provided by a representative of the NGO 'Ukrainian Legal Advisory Group' during an interview conducted on 17.03.2026.

1537 'The Law Is Becoming Clearer and the Charges More Specific': New Draft Law on Punishment for International Crimes Presented. Center for Civil Liberties, 2026. ↗

1538 Information provided by a representative of the NGO Ukrainian Legal Advisory Group during an interview conducted on 17.03.2026.

1539 On Amendments to Article 438 of the Criminal Code of Ukraine Concerning the Establishment of Liability for the Unlawful Transfer, Deportation, Unjustified Delay in the Repatriation of a Child and the Recruitment and Use of a Child for Military Purposes: Law of Ukraine No. 4499-IX of 17.06.2025. ↗

1540 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025, para. 3.8 Section III 'Fundamental Rights'. ↗

1541 Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crimes and replacing Council Framework Decision 2001/220/JHA. ↗

1542 On Ensuring the Security of Participants in Criminal Proceedings and Other Persons in the Interests of Justice: Draft Law of Ukraine, registration No. 5751 of 12.07.2021. ↗; On Amendments to Certain Legislative Acts of Ukraine Concerning the Security of Participants in Criminal Proceedings and Other Persons in the Interests of Justice: Draft Law of Ukraine, registration No. 5752 of 12.07.2021. ↗; On Amendments to the Criminal Procedure Code of Ukraine Concerning the Improvement of the Procedure for Conducting Pre-Trial Investigation and Judicial Consideration in Criminal Proceedings Related to Sexual Violence Committed in the Context of Armed Conflict: Draft Law of Ukraine, registration No. 9351 of 05.06.2023. ↗

Institutional Capacity of the National System for the Prosecution of International Crimes, Specialisation of Prosecutors. Implementation of the Strategy for Countering International Crimes

Throughout 2025, Ukraine continued to develop its institutional framework for the prosecution of international crimes at both the central and regional levels. A key role in this system is played by the specialised Department for Combating Crimes Committed in the Context of Armed Conflict,[1543] as well as by relevant units within regional prosecution offices and other law enforcement bodies,[1544] given that prosecutors act as procedural supervisors in such proceedings.

Following his appointment as Prosecutor General in June 2025, Ruslan Kravchenko reaffirmed the investigation of war crimes as one of the priority areas of activity for the prosecution service.

According to the Prosecutor General, **as of early 2026, more than 252,000 crimes related to the Russian Federation's aggression against Ukraine had been documented**, of which over 247,000 constitute war crimes (as of July 2026)[1545]; 1,191 individuals have been notified of suspicion, and more than 254 persons have already received court convictions (as of May 2026).[1546]

On 29 January 2026, the Department for Combating Crimes Committed in the Context of Armed Conflict published its regular report on activities carried out in 2025.[1547] In 2025, one of the key areas of strengthening institutional capacity was the continued implementation of unified standards for the investigation of war crimes, aligned with international practice and adapted to the conditions of armed conflict. In particular, standards for the investigation of crimes related to unlawful deportation and forced transfer were approved, which constitute some of the most systemic crimes committed in the context of armed aggression.

At the same time, standards for the investigation of the forced mobilisation of protected persons have been submitted for consideration by the Methodological Council of the PGO, indicating a further expansion of typologised approaches to the investigation of international crimes.[1548] The development of unified standards is aimed at ensuring consistency of practice, improving the quality of the evidentiary base and aligning national approaches with international criminal law.

1543 Department for Combating Crimes Committed in the Context of Armed Conflict — the so-called 'War Crimes Department'; the Specialised Environmental Prosecutor's Office includes a unit for organising procedural guidance of pre-trial investigations and supporting public prosecution in criminal proceedings in the field of environmental protection related to armed aggression. It is primarily responsible for prosecuting the crime of ecocide (Article 441 of the CC of Ukraine). Crimes related to the unlawful deportation or transfer of children fall within the remit of the Department for the Protection of Children's Interests and Countering Domestic Violence of the PGO.

1544 Specialised units operate in 12 regional prosecutor's offices, with a total staff of over 200 persons. This number also includes specialised prosecutors on CRSV. Results of activities in combating crimes committed in the context of armed conflict for 2025. Prosecutor General's Office. 2026. 29 p. ↗

1545 Crimes Committed during the Full-Scale Invasion, as of 31.07.2026. Prosecutor General's Office, 2026. ↗

1546 International Conference 'United for Justice' Held in Kyiv. Prosecutor General's Office, 2026. ↗

1547 Results of activities in combating crimes committed in the context of armed conflict for 2025. ↗

1548 Ibid, p. 22.

In 2025, the implementation of the Strategic Plan for the Prosecution of International Crimes for 2023–2025[1549] was completed. On 23 April 2026, the **Strategy for the Exercise of the Powers of Prosecution Authorities in the Criminal Prosecution of International Crimes for 2026–2028 (Strategy) was approved**.[1550] It takes into account the progress already achieved in harmonising Ukrainian legislation with international standards, the national practice developed in prosecuting international crimes and the importance of active engagement and cooperation with other states and justice mechanisms, including non-governmental human rights organisations. Its strategic objectives and tasks include, in particular:

1) ensuring structured and effective criminal prosecution of international crimes by developing and adapting the structure of the relevant bodies, clearly delineating their powers and coordinating their activities, prioritising cases during pre-trial investigations and applying uniform investigative standards;

2) strengthening the capacity of the national system for the criminal prosecution of international crimes by developing proposals to harmonise legislation with international and European standards, enhancing the professional development of prosecutors with due regard to specialisation, developing analytical capacity and communicating the work of prosecution authorities to the public;

3) promoting appropriate support and protection for victims and witnesses of international crimes by developing a comprehensive mechanism for their support in criminal proceedings, applying human-centred and trauma-informed approaches, establishing an effective referral mechanism enabling victims to access social, economic, psychological or medical support and developing tools to prevent retraumatisation during investigations and trials, among other measures.

The objectives identified represent a positive development in the investigation of international crimes. However, the success of the Strategy will depend on the capacity to implement it. In particular, further legislative amendments concerning harmonisation and the development of a system for supporting and protecting victims depend not only on the readiness and efforts of prosecution authorities.

The least clearly defined aspect of the Strategy appears to be the means of achieving the objective of maintaining sustainable partnerships and cooperation with international organisations, foreign partners and civil society, as these are formulated mainly in terms of 'strengthening cooperation/interaction'. This makes both implementation and assessment of the effectiveness of this objective more difficult.

Furthermore, in light of the experience of the previous Strategic Plan for 2023–2025, the new Strategy requires a detailed implementation plan clearly specifying the measures, implementation deadlines, responsible actors and expected results. Such a plan would make it possible to conduct periodic assessments, for example annually, of the state of implementation.

1549 On Approval of the Strategic Plan for the Implementation of the Powers of Prosecutor General's Office in the Area of Prosecution for International Crimes for 2023–2025: Order of the Prosecutor General of 15.09.2023. ↗

1550 Strategy for the Exercise of the Powers of Prosecution Authorities in the Criminal Prosecution of International Crimes for 2026–2028 / Prosecutor General's Office. 2026. ↗

Activities of the Coordination Centre for Victims and Witness Support

An important element in the development of a victim-oriented justice system in Ukraine, particularly in the context of international crimes, is the activity of the Coordination Centre for Victims and Witness Support (the Centre), which operates under the PGO. The Centre's practice demonstrates the introduction of modern approaches to the protection of persons involved in criminal proceedings, particularly in cases concerning war crimes.

At the same time, despite the existence of positive practices, the system for the protection of victims and witnesses in Ukraine faces several significant challenges. Among the key issues are limited funding, which complicates the provision of basic protection measures (including accommodation and physical protection), as well as the fragmented institutional model, under which different law enforcement bodies maintain their own witness protection units without a single coordination centre. Additional challenges include insufficient inter-agency coordination, risks of personal data disclosure in the media and limited capacity to engage witnesses from temporarily occupied territories.[1551]

Since 2024, nine regional units of the Centre have been operating within the structures of the Donetsk, Zaporizhzhia, Kyiv, Luhansk, Mykolaiv, Sumy, Kharkiv, Kherson and Chernihiv regional prosecution offices. In 2026, a further three units[1552] commenced operations in the Lviv, Odesa and Chernivtsi regions (competitions for the respective positions have been announced).

As of February 2026, the Centre was supporting 4,134 victims (2,859 adults and 1,275 children) and 139 witnesses (125 adults and 14 children).[1553] At the same time, a significant share of support programmes continues to be administered by civil society organisations.

A referral system is in place, involving more than 130 partners and over 250 institutions included in referral pathways. Coordinators not only inform and refer individuals but also accompany them and monitor the provision of assistance throughout the entire proceedings.[1554] Unified approaches to the support measures for victims and witnesses are set out in Order of the Prosecutor General No. 263[1555] and aligned with European standards.

Pre-Trial Investigation of International Crimes

The CPC of Ukraine establishes the exclusive jurisdiction of the SSU over crimes envisaged by Chapter XX of the CC of Ukraine. At the same time, in practice, the initial documentation of the consequences of such crimes is predominantly carried out by the NPU.

1551 Can Ukraine Protect Witnesses to War Crimes? Institute for War and Peace Reporting. ↗

1552 Publication by the Coordination Centre for Victims and Witnesses on the social network Facebook, 2026. ↗

1553 Publication by the Coordination Centre for Victims and Witnesses on the social network Facebook, 2026. ↗

1554 Publication by the Coordination Centre for Victims and Witnesses on the social network Facebook, 2026. ↗

1555 On the Organisation of the Activities of Prosecutor's Offices on Issues of Support for Victims and Witnesses: Order of the Prosecutor General No. 263 of 28.10.2024. ↗

Given the legal qualification applied in criminal proceedings concerning the consequences of the armed conflict, **the main investigative burden remains with the SSU, to whose jurisdiction these criminal offences are assigned**:[1556]

CC of Ukraine[1557]	2022	2023	2024	2025	2026 (First half)
Article 437 (crime of aggression)	60	24	29	5	0
Article 438 (war crimes)	49,483	53,463	26,322	50,929	36,177
Article 442	16	5	2	3	3
Article 442[1] (crimes against humanity)[1558]	–	–	–	5	0

At the same time, **the resources of the SSU are insufficient to ensure the effective investigation of crimes of such scale. In most cases, SSU personnel are not investigators**, and the territorial structure of the security service is less extensive, operating primarily at the regional level, which limits the number of personnel involved. By comparison, the regional structure of the NPU includes investigative units at the regional level as well as territorial units at the local level. While an SSU investigator may need to travel from a regional centre to various parts of the region to attend a crime scene, police investigators are able to arrive more quickly from cities, towns or districts.

Criminal proceedings classified as criminal offences against peace, the security of humanity and international legal order may be registered by other pre-trial investigation bodies; however, they are ultimately transferred to the SSU. Compared to other proceedings falling within the jurisdiction of the SSU, priority in its activities remains focused on investigating crimes against the foundations of national security, both in territories not affected by active hostilities and in liberated areas.[1559]

Following the introduction of the possibility to establish inter-agency investigative groups, the primary outcome has been the facilitation of the collection of initial evidence at the scene. At the same time, the establishment of such inter-agency investigative groups does not alter the fact that proceedings remain under the authority of the SSU as the main pre-trial investigation body. This model of cooperation between law enforcement bodies within criminal proceedings has not replaced the procedure for transferring proceedings between different pre-trial investigation bodies in accordance with Part 5 Article 36 of the CPC of Ukraine.

1556 Criminal Procedure Code of Ukraine No. 4651-VI of 13.04.2012, Article 216. ↗

1557 Data by year are based on information on registered criminal offences and the results of their pre-trial investigation: Prosecutor General's Office. ↗

1558 Criminalised by the Law of Ukraine No. 4012-IX of 09.10.2024 'On Amendments to the Criminal Code and the Criminal Procedure Code of Ukraine in connection with the ratification of the Rome Statute of the International Criminal Court and amendments thereto' in the context of the preparation for and subsequent ratification of the Rome Statute of the International Criminal Court.

1559 The SSU, in accordance with its main tasks, is required to: facilitate the enforcement of the legal regime of martial law and a state of emergency, in the event of their declaration, as well as the elimination of the consequences of natural disasters, major accidents, catastrophes, epidemics, epizootics and other emergency situations: On the Security Service of Ukraine: Law of Ukraine No. 2229-XII of 25.03.1992, para. 11, Part 1 Article 24. ↗

At the same time, strategic documents, in particular the Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027 and the Action Plan for its Implementation, as well as the Rule of Law Roadmap, provide for several measures aimed at improving the procedure for investigating international crimes. These include clarifying the rules of jurisdiction, ensuring a clear delineation of jurisdiction among different pre-trial investigation bodies and expanding the discretionary powers of prosecutors in determining the jurisdiction of criminal proceedings.

One of the objectives of the Rule of Law Roadmap by the fourth quarter of 2027 is the adoption and implementation of amendments to the CPC of Ukraine and other laws to improve the institute of jurisdiction. This includes the **consolidation of pre-trial investigation of criminal offences affecting the foundations of national and state security** — including crimes against peace, the security of humanity and international legal order, terrorist offences and offences related to the protection of state secrets — under the jurisdiction of the **SSU**.

Thus, state policy provides that jurisdiction over international crimes will remain with the SSU. The Service itself has stated that it has sufficient resources for this purpose and does not support the introduction of dual (alternative) jurisdiction between the SSU and the NPU.[1560] Accordingly, state policy and the actual situation — where a significant share of international crimes is investigated by the NPU — continue to diverge.

At the same time, in January 2025, the **Main Investigation Department of the NPU presented its five-year Strategy 'Management of the Investigation of International Crimes Committed in the Context of Armed Conflict'**. The strategic objectives include strengthening the capacities and competencies of pre-trial investigation bodies involved in documenting and investigating international crimes committed in the context of armed conflict; harmonising national legislation with international humanitarian law; introducing technological innovations in pre-trial investigation processes — including a unified integrated analytical platform; and ensuring accountability of the command of the armed forces of the Russian Federation.[1561]

The introduction of dual (alternative) jurisdiction over international crimes between the SSU and the NPU could eliminate procedural uncertainties regarding the effective investigation of such criminal offences and would formalise the existing practice, under which not only the SSU conducts pre-trial investigations of international crimes.

Adjudication of International Crimes

According to statistics for 2025, **four** criminal proceedings under Article 437 of the CC of Ukraine (crime of aggression) were submitted to local courts, with 19 proceedings pending (three judgments delivered). A total of **164** proceedings under Article 438 of the CC of Ukraine (war crimes) were submitted, with 391 pending, resulting in 72

1560 The position was provided by representatives of the Security Service of Ukraine during an interview on 17.03.2026.

1561 Representatives of the Committee on Law Enforcement took part in the presentation by the National Police of Ukraine of the Strategy of the Main Investigation Department 'Management of the Investigation of International Crimes Committed in the Context of Armed Conflict'. Verkhovna Rada of Ukraine, 2025. ↗

judgments, while no proceedings under Article 442 of the CC of Ukraine (genocide)[1562] were recorded. Appellate courts reviewed **25** judgments under Article 438 of the CC of Ukraine during the same period, of which 21 were upheld and four were amended.[1563]

In 2025, court decisions concerning 41 individuals for criminal offences against peace, the security of humanity and international legal order were reviewed in cassation proceedings (representing 10% of the total number of individuals in criminal proceedings concerning war crimes and military criminal offences whose court decisions were subject to cassation review). Of these, under Article 438 of the CC of Ukraine, the cassation court reviewed and upheld the court decision in respect of one individual.[1564]

Under the special procedure of criminal proceedings (pre-trial investigation and trial) conducted in absentia, 32 procedural applications and criminal proceedings were considered in cassation proceedings in 2025. Of these, 22 criminal proceedings were examined on the merits. Over the past year, there was an 88% increase both in the number of incoming criminal proceedings concerning offences against the foundations of national security, crimes against peace, the security of humanity and international legal order and military criminal offences, and in their adjudication. Thus, while **212** such criminal proceedings were considered in cassation proceedings during the period from 24 February 2022 to 31 December 2024 inclusive, as of 31 December 2025 their total number had reached **399**.[1565]

Complete judicial statistics for the first half of 2026 are unavailable. However, according to separate Reporting Form No. 1-VZ,[1566] which records the consideration of criminal proceedings under Article 438 of the CC of Ukraine (war crimes), **99** criminal proceedings were received by the courts during the six-month period, while **401** proceedings were under consideration in total. In the reporting period, the courts delivered **36 judgments** in proceedings under this Article. During the same period, appellate courts reviewed **11** judgments under the Article, leaving 10 unchanged and setting aside one.[1567]

A notable case in 2025 was case No. 369/6338/23,[1568] in which a **Ukrainian court, for the first time, acquitted a Russian service member** whom the prosecution had accused of looting a house during the occupation of the Kyiv region in March 2022. The court found that there was insufficient evidence to establish that the accused had committed the offence. This once again demonstrates that the availability of sufficient evidence remains one of the key challenges in the investigation of war crimes and other

1562 Data were calculated based on information contained in the reports of first instance courts published on the official web portal 'Judicial Power of Ukraine' under the section 'Judicial statistics' in 2025. ↗

1563 Ibid.

1564 Analysis of the Administration of Justice by the Criminal Cassation Court within the Supreme Court in 2025. Supreme Court. 2026, p. 30. ↗

1565 Ibid.

1566 Operational Information on the Consideration by Local General Courts of Criminal Proceedings under Article 438 of the Criminal Code of Ukraine 'War Crimes': Reporting Form No. 1-VZ (January–June 2026) / Judiciary of Ukraine. ↗

1567 Data calculated on the basis of information contained in reports of first-instance courts published in 2026. See: Court Statistics. Judiciary of Ukraine. ↗

1568 Judgment of the Borodianka District Court of Kyiv Region in case No. 369/6338/23 of 30.10.2025. ↗

international crimes.[1569] Overall, according to information from the SC, there have already been at least two acquittals in war crimes cases.[1570]

Given the limited number of proceedings concerning international crimes that have been examined by courts, clear positions and consistent practice have not yet been established, and the approaches developed to date may become outdated in light of legislative changes — in particular the replacement of the blanket provision in Article 438 of the CC of Ukraine with a defined list of offences.

As of July 2026, the European Union Advisory Mission (EUAM Ukraine), with funding from the Ministry of Foreign Affairs of the Kingdom of the Netherlands, had launched a project to establish victim and witness support units for war crimes cases in pilot courts. The project had remained unimplemented following the termination of projects funded by the United States Agency for International Development.[1571] At the same time, the project to develop an electronic database of judgments delivered by Ukrainian courts in war crimes cases remains unimplemented due to a lack of funding.

Throughout 2025, the National School of Judges of Ukraine conducted a series of seminars for judges addressing issues of criminal liability for war crimes, compensation for damage caused by the Russian Federation's war crimes, the administration of justice in wartime conditions and other related topics.[1572] In addition, nine standardised lectures for judges and methodological materials were prepared, including on the topic 'Conduct of Trial in Special Criminal Proceedings *in absentia*', and the preparation of a training manual on the same subject is ongoing.[1573]

In the first half of 2026, the National School of Judges of Ukraine, together with its partners, continued implementing the War Crimes Cases Lab Project. The project included a series of specialised seminars for judges specialising in criminal matters who hear cases involving international crimes,[1574] training with an enhanced psychological component for judges hearing cases related to the consequences of armed aggression and crimes committed against victims[1575] and an update of the Guide for Judges on Drafting Judgments in War Crimes Cases, originally developed in 2024.[1576]

At the end of May 2026, the training and methodological manual 'Conducting Criminal Proceedings in absentia' was also presented. It provides a comprehensive examination of the procedure for conducting criminal proceedings in the absence of the suspect or

1569 Court in Kyiv region has acquitted a Russian serviceman for the first time after he was charged in absentia with looting. Zmina, 2025. ↗

1570 Publication by the Supreme Court on the social network Facebook, 2026. ↗

1571 Council of Judges of Ukraine and the 'Trust through Justice' Project Discuss Support for Victims and Witnesses of War Crimes. Council of Judges of Ukraine, 2026. ↗

1572 Information and Analytical Report on the Activities of the National School of Judges of Ukraine in 2025, 2026, p. 21. ↗

1573 Ibid, p. 11.

1574 International Crimes in the Practice of Ukrainian Courts: NSJU and EUAM Agree on Training Initiatives. National School of Judges of Ukraine, 2026. ↗

1575 Ibid.

1576 Inevitability of Punishment for War Crimes: NSJU Strengthens Cooperation with European Partners. National School of Judges of Ukraine, 2026. ↗

accused (in absentia) and is intended for judges, prosecutors, advocates and investigators.[1577]

With the support of the international legal organisation Global Rights Compliance, a mock hearing simulating the trial of a criminal case concerning violations of the laws and customs of war was conducted.[1578] A joint initiative of the T.M.C. Asser Institute and EU Advisory Mission Ukraine resulted in the establishment of a Knowledge Hub on international criminal law for Ukrainian judges, aimed at promoting consistency in the application of international humanitarian law and international criminal law by Ukrainian courts.[1579]

A separate issue concerns **ensuring the right to defence in cases involving international crimes**, particularly where **defence counsel adopt a position aligned with the prosecution** or merely comply formally with the requirements of the CPC of Ukraine, especially in in absentia proceedings.[1580] The ability of defence counsel to provide effective representation is further undermined by the **growing practice of conflating defence counsel with their clients** and the lack of effective protection mechanisms, including on the part of Bar self-governance bodies.[1581]

For first-instance courts, conducting a special trial in the absence of the accused (in absentia proceedings) also remains a challenge. Some courts seek to use adaptive approaches to ensure that accused persons are properly notified, including by sending documents to email addresses or using contacts on social media, mainly in cases involving crimes against the foundations of national security. At present, however, such steps depend entirely on the individual judge's discretion and lack a clear legislative basis.[1582]

The most pressing systemic problem remains the resources available to the defence.[1583] In practice, advocates generally perform the defence function alone, while the prosecution has significantly greater human and material resources at its disposal. This imbalance is attributable not so much to legislative restrictions as to insufficient resources and the absence of appropriate funding mechanisms that would allow advocates to engage the necessary specialists and provide an effective defence. Proposals currently under discussion include introducing a mechanism for funding analytical and expert support for the defence from public funds, while ensuring that such support is institutionally independent of both the prosecution authorities and the body appointing defence counsel and guaranteeing the confidentiality of the support provided to the defence.

1577 Judge of the Grand Chamber of the Supreme Court Mykola Mazur spoke about the rights of the defence during trial and presented a manual on the in absentia procedure. Supreme Court. 2026. ↗

1578 Information and Analytical Report on the Activities of the National School of Judges of Ukraine in 2025, 2026, p. 12. ↗

1579 Ibid.

1580 Needs Assessment of Ukraine's Legal System: Ensuring Quality Justice for War-Affected Persons and Survivors. ULAG, 2025. ↗

1581 Information provided by a defence counsel during an interview conducted on 20.03.2026.

1582 Institutional Challenges and Standards of Justice in War Crimes Cases: Judge of the Criminal Cassation Court within the SC Discusses the Specific Features of Adjudicating Such Cases. Supreme Court, 2026. ↗

1583 Support for Lawyers in Criminal Proceedings Related to the Armed Conflict in Ukraine (April 2026 Update): strategic report / Asser Institute. 2026, p. 4. ↗

Common challenges faced by all actors involved in ensuring accountability for international crimes include **excessive workload**, **limited human resources**, including staff losses and turnover, dangerous working conditions, particularly in regions close to hostilities and the need for additional training, considering differing levels of prior experience and the need for continuous professional development. At the same time, some judges note[1584] that, despite acute staff shortages, lack of time and excessive workloads, Ukrainian judges remain highly motivated. Through systematic training projects, judges are successfully developing their knowledge of sources of international humanitarian law. This significantly improves the overall quality of justice despite the difficult security situation.

The following issues identified in the 2025 Shadow Report[1585] remain relevant and were not resolved during the reporting period, namely:

1) the adjudication of the majority of war crimes cases in absentia, which may adversely affect the rights of the defence;

2) the adoption at first reading of Draft Law No. 7033-d, which establishes restrictions on the disclosure of certain information in the texts of court decisions related to the war;

3) the adoption at first reading of Draft Laws No. 11538 and No. 11539, which propose that international crimes be adjudicated at the national level under a special law to be applied to facts occurring after its adoption, while the CC of Ukraine and the CPC of Ukraine would apply to earlier facts, creating risks of these draft laws being found unconstitutional;

4) the adoption at first reading of Draft Law No. 10301, which provides for amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' regarding the introduction of judicial specialisation in cases concerning military criminal offences and criminal offences against peace, the security of humanity and international legal order, which may lead to an additional workload for courts and judges;

5) the suspension of funding for projects aimed at establishing victim and witness support units in pilot courts and developing an electronic database of Ukrainian court decisions in war crimes cases.

Problems in the Prosecution of Collaboration Activities and Other Crimes against the Foundations of National Security

As of July 2026, more than **25,000 criminal proceedings had been registered for crimes against the foundations of national security**. Of these, more than 3,000 were initiated under Article 110 of the CC of Ukraine (encroachment on the territorial integrity and inviolability of Ukraine), more than 5,000 under Article 111 (treason), more than 11,000 under Article 111[1] (collaboration activities) and almost 2,000 under Article 111[2]

1584 Institutional Challenges and Standards of Justice in War Crimes Cases: Judge of the Criminal Cassation Court within the SC Discusses the Specific Features of Adjudicating Such Cases. Supreme Court, 2026. ↗

1585 The issues previously identified by civil society in the 2025 Shadow Report (pp. 152–154) remain relevant. ↗

(aiding the aggressor state), among others.[1586] **Proceedings related to collaboration activities continue to constitute the largest share**. At the same time, 4,078 judgments in proceedings under Article 111[1] of the CC of Ukraine (since collaboration was criminalised in March 2022) are recorded in the Unified State Register of Court Decisions. Compared to the previous period, the distribution of judgments across the different parts of this article has shifted: the largest number of judgments now concerns parts providing for serious criminal offences rather than misdemeanours.[1587] This may indicate progress in prioritising the investigation of serious criminal offences over misdemeanours within the framework of Article 111[1] of the CC of Ukraine.

As in the previous period, **no progress has been made with regard to legislative amendments to the CC of Ukraine concerning liability for collaboration activities**. **The shortcomings in legislative** drafting and the resulting problems in its application identified in the previous period remain relevant.[1588]

These trends are clearly reflected in the **practice of the SC**. Rulings adopted during the reporting period have reaffirmed a formalistic approach whereby the mere fact of holding a position in an occupation authority is sufficient to establish liability for collaboration activities, a narrow interpretation of voluntariness and coercion in the context of occupation and a failure to take into account the standards of international humanitarian law when assessing conduct under occupation.

At the same time, examples of a new approach are emerging. In particular, **when assessing coercion, the SC has taken into account the findings of the European Court of Human Rights in Ukraine and the Netherlands v. Russia**[1589] concerning administrative practices of violations committed by the occupying authorities in the occupied territory of Ukraine. These findings indicate that **claims by convicted and/or accused persons that they were subjected to ill-treatment and coerced into cooperating with the occupying authorities may be well-founded.**[1590] In one case, the SC set aside the decisions of the lower courts because the facts concerning coercion had not been properly examined. It also reiterated that voluntariness is an essential element of the criminal offence under Article 111[1] of the CC of Ukraine and must be proved by the prosecution beyond reasonable doubt.

The United Nations Human Rights Monitoring Mission in Ukraine has reiterated its concerns that Ukrainian authorities continue to prosecute individuals for collaboration activities based on work which, under international humanitarian law, may be lawfully

1586 Crimes committed during the period of the full-scale invasion by the Russian Federation, as of 23.07.2026. Prosecutor General's Office. ↗

1587 As of 31.12.2025, according to information from the ZMINA Human Rights Centre, the highest number of convictions was recorded under Part 5 (voluntary acceptance of a position involving organisational, executive or administrative-economic functions in illegal authorities) — 924 convictions and Part 7 (voluntary acceptance by a Ukrainian citizen of a position in illegal judicial or law enforcement bodies as well as voluntary participation of a Ukrainian citizen in illegal armed or paramilitary formations) — 765 convictions of Article 111[1] of the CC of Ukraine.

1588 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the European Union Enlargement Package 2024, 2025, p. 56 ↗

1589 Case of Ukraine and the Netherlands v. Russia. European Court of Human Rights (Grand Chamber). ↗

1590 Ruling of the Supreme Court of 07.04.2026 in case No. 642/1023/23. ↗; Ruling of the Supreme Court of 02.06.2026 in case No. 642/1281/23. ↗; Ruling of the Supreme Court of 12.05.2026 in case No. 201/619/24. ↗

required by an occupying power.[1591] This issue has also been highlighted by the Independent International Commission of Inquiry on Ukraine, which noted in its report that the broad definition of 'collaboration activities' in the CC of Ukraine has led to legal uncertainty and the imposition of liability for conduct that does not harm national security.[1592]

An analysis of judicial practice shows that, in the fourth year of application of Article 111[1] of the CC of Ukraine, its **declared objective — preventing cooperation with occupation authorities — has not been achieved**. At the same time, no clear boundaries of permissible conduct for individuals under occupation have been established.[1593]

The practice of prosecuting collaboration activities should be based on uniform and predictable standards at both the pre-trial investigation stage and the stage of judicial review, taking into account the minor nature of the conduct (such as short-term occupancy of a position or non-performance of duties), assessing the actual harm to national security[1594] and considering the coercive nature of occupation and the specific circumstances of each case.[1595] Legislative amendments should also provide for the exclusion of liability for activities related to ensuring basic living conditions under occupation, as well as a broader approach to assessing conduct in occupied territories through the introduction of lustration mechanisms.

Recommendations

1. Continue amending the CC of Ukraine (clarifying definitions and ensuring the retroactive application of provisions on international crimes) on the basis of the work of the IWG under the PGO, taking into account international criminal law standards, in order to ensure proper harmonisation of Ukrainian legislation with international criminal law and international humanitarian law and the CPC of Ukraine (including expanding investigative jurisdiction over the most serious international crimes, providing for the legal recognition of open-source and intelligence information as evidence and enabling the participation of international experts).[1596]

2. Develop and adopt legislative acts aimed at establishing a comprehensive system for the support and protection of victims and witnesses in cases concerning the most serious international crimes, taking into account Directive 2012/29/EU.

3. Amend Article 216 of the CPC of Ukraine to introduce dual (alternative) jurisdiction of the NPU over international crimes.

4. Ensure implementation of the Strategy for the Exercise of the Powers of Prosecution Authorities in the Criminal Prosecution of International Crimes for 2026–2028

1591 Report on the human rights situation in Ukraine, 1 June – 30 November 2025. Office of the United Nations High Commissioner for Human Rights, 2025. ↗

1592 Report of the Independent International Commission of Inquiry on Ukraine. UN Human Rights Council, A/HRC/61/61 from 09.03.2026. ↗

1593 Information provided by a judge of the Supreme Court during an interview conducted on 20.03.2026.

1594 Information provided by the Deputy Head of the Department for Oversight of Cases of Security Bodies of the Prosecutor General's Office during an interview conducted on 18.03.2026.

1595 Information provided by a judge of the Supreme Court during an interview conducted on 20.03.2026.

1596 The recommendation previously provided by civil society in the Shadow Report 2025 (p. 570) remains relevant.

by developing a clear action plan, implementation indicators and monitoring mechanisms.

5. Strengthen coordination between prosecution bodies, law enforcement bodies and other entities involved in documenting international crimes, through the establishment of unified information platforms and the standardisation of data exchange procedures.

6. Address the fragmentation of the current model of the Coordination Centre for Victims and Witness Support by establishing a single coordination mechanism for witness protection and introducing clear standards of interaction among all relevant bodies.

7. Develop and implement systematic training programmes to enhance the qualifications and competence of investigators, with a view to ensuring the effective application of international humanitarian law and international criminal law standards in criminal proceedings related to the consequences of the armed conflict in Ukraine.

8. To ensure the proper adjudication of criminal proceedings conducted in absentia:

- review procedures for notifying individuals of suspicion and initiating court proceedings. For example, as an alternative to publication in the 'Uriadovyi Kurier' newspaper, consider the creation of a dedicated international online platform for the publication, systematisation and consolidation of such information;[1597]
- amend the CPC of Ukraine to provide for the possibility of appealing a court judgment if a person in respect of whom a judgment in absentia has been delivered appears on the territory of Ukraine (by analogy with default judgments in civil proceedings);[1598]
- ensure systematic training of judges on the adjudication of international crimes cases, in particular with regard to the drafting of judgments in such cases.

9. Conduct awareness-raising activities to increase public understanding of the need to avoid conflating defence counsel with their clients and provide for effective response and protection mechanisms for defence counsel representing clients in cases concerning international crimes and crimes against the foundations of national security.

10. Postpone the consideration of Draft Law No. 7033-d to conduct a comprehensive expert review of its provisions with the involvement of civil society.

11. Assess Draft Laws No. 11538 and No. 11539 for compliance with the Constitution of Ukraine and international law.

12. Revise Draft Law No. 10301 on judicial specialisation to ensure a clear distinction between military and war crimes and an appropriate distribution of judicial workload. It is advisable to establish a minimum required level of experience in adjudicating criminal cases (for example, two years) before authorising a judge to hear inter-

1597 Ibid, p. 154.

1598 Ibid.

national crimes cases. This would help prevent situations in which such a specialised category of cases is adjudicated by newly appointed judges with limited experience.

13. Identify and reorient towards alternative sources of funding for ongoing project of development of an electronic database of Ukrainian court decisions in war crimes cases.

14. Amend Ukrainian legislation to ensure consideration of international humanitarian law, clarify the actus reus of the criminal offence under Article 111[1] of the CC of Ukraine and take into account the conditions and duration of occupation when qualifying offences and assessing the social harm of the conduct.

15. Develop a policy on memorialisation, amnesty, and lustration, and consider removing the least serious categories of offences related to collaboration activities from the scope of criminal justice.

16. Continue capacity building for judges at all levels, as well as for investigators and prosecutors, on international humanitarian law, including a focus on the legal regime of occupation, with a view to developing uniform standards for pre-trial investigations and judicial consideration of cases related to liability for collaboration activities.

International Cooperation

Progress and issues

Cooperation with the International Criminal Court

2025 marked an important stage in Ukraine's cooperation with the ICC, as the state acquired full participant status in the Rome Statute and, for the first time, took part in the work of the Assembly of States Parties on an equal footing.[1599] This enabled Ukraine not only to make use of the ICC's instruments but also to directly influence the shaping of its policies, procedures and priorities. Within the framework of the 24th session of the Assembly of States Parties, Ukraine actively engaged in international dialogue on ensuring accountability for international crimes and supporting the functioning of the system of international criminal justice.

In August 2025, the Government approved[1600] the draft Agreement between the Government of Ukraine and the Office of the Prosecutor of the ICC on the secondment of personnel to the ICC Office in Ukraine. This step is aimed at deepening cooperation in the investigation of international crimes committed in connection with the aggression of the Russian Federation against Ukraine, as well as strengthening coordination with international partners to ensure accountability.[1601]

In February 2026, Prosecutor General R. Kravchenko reported the submission of an information communication to the Office of the Prosecutor of the ICC concerning attacks

1599 A year of Ukraine's membership in the ICC that proved challenging for the Rome Statute. Ukrinform, 2025. ↗

1600 On the Signing of the Agreement between the Cabinet of Ministers of Ukraine and the Office of the Prosecutor of the International Criminal Court on the Secondment of Personnel to the Office of the International Criminal Court in Ukraine: Order of the Cabinet of Ministers of Ukraine No. 857 of 13.08.2025. ↗

1601 Ukraine and the International Criminal Court expand cooperation. Ministry of Justice of Ukraine, 2025. ↗

by the Russian Federation on Ukraine's energy infrastructure during the period from July 2025 to February 2026 inclusive.[1602] This document was prepared by the PGO jointly with the Main Investigative Department of the SSU and an interagency working group of military specialists in accordance with Article 15 of the Rome Statute.[1603] It outlines damage across the entire technological chain of the energy system — from generation to transmission and distribution. The communication was submitted for consideration of the possible expansion of charges against officials of the Russian Federation already under investigation by the Office of the Prosecutor of the ICC, as well as to identify other individuals involved in crimes falling within the ICC's jurisdiction.[1604]

The Prosecutor's Office of the Autonomous Republic of Crimea and the city of Sevastopol also informed the ICC about crimes committed on the peninsula, including by submitting 13 information communications concerning forced conscription into the army of the Russian Federation, deportation of the civilian population, militarisation of children and persecution of Crimean Tatars.[1605]

Overall, according to the PGO, since the beginning of the full-scale aggression of the Russian Federation against Ukraine, the PGO has executed 163 out of 175 requests for assistance received from the Office of the Prosecutor of the ICC throughout the entire period of the investigation, and has also submitted 3 requests for assistance in criminal proceedings investigated by Ukraine, 2 of which have been executed.[1606]

Between February and April 2026, **a competition was held to select Ukraine's candidate for election as a judge of the ICC**. On 8 April 2026, following the competition, **Lev Kyshakevych**, a judge of the Grand Chamber of the SC and Chair of the Ethics Council under the High Council of Justice, was selected as Ukraine's principal candidate for election as an ICC judge. Professor **Oksana Senatorova**,[1607] Senior Legal Adviser to the Atrocity Crimes Advisory Group (ACA), was selected as the alternate candidate.

Elections for six vacant judicial positions at the ICC will take place during the 25th session of the Assembly of States Parties, scheduled for **7–17 December 2026**.[1608] A candidate from Ukraine will have a chance of being elected subject to compliance with the quota principle applicable to the regional group to which the state belongs. Under the Rome Statute,[1609] ICC judges are elected from among persons of high moral character, impartiality and integrity who possess the qualifications required for appointment to the highest judicial offices in their respective states.

1602 Ruslan Kravchenko: materials on attacks by the Russian Federation on Ukraine's energy infrastructure have been submitted to the International Criminal Court. Prosecutor General's Office, 2026. ↗

1603 Rome Statute of the International Criminal Court of 17.07.1998. ↗

1604 Ruslan Kravchenko: materials on attacks by the Russian Federation on Ukraine's energy infrastructure have been submitted to the International Criminal Court. Prosecutor General's Office, 2026. ↗

1605 Human Rights Violations in Crimea: Scale, National and International Response. Prosecutor's Office of the Autonomous Republic of Crimea and the City of Sevastopol, 2026. ↗

1606 Report for Media and Civil Society for 2025, p. 113. ↗

1607 Information on the Results of the Competition to Select Ukraine's Candidate for Election as a Judge of the International Criminal Court. Office of the President of Ukraine, 2026. ↗

1608 Election of six judges of the Court in 2026: Opening of confidential channel regarding the Due diligence procedure - Independent Oversight Mechanism. International Criminal Court, 2026. ↗

1609 Rome Statute of 17.07.1998, Article 36(3)(a). ↗

To ensure transparency and adherence to ethical standards, the Assembly of States Parties has established a **permanent due diligence mechanism through the Independent Oversight Mechanism (IOM)**. This mechanism provides a **confidential channel for receiving information regarding candidates' conduct**, including allegations of human rights violations, harassment, discrimination, abuse of authority, fraud or corruption.

At the same time, cooperation took place during a **difficult year for the ICC**, marked by **external political pressure, including sanctions against the Court and its officials, as well as internal institutional challenges**. On 13 July 2026, the US administration announced a government-wide campaign to 'dismantle' the Court and called on other states to join it. The tools envisaged included intensifying sanctions against the ICC and affiliated organisations, imposing entry bans and revoking visas for Court staff and using US diplomatic and assistance instruments as leverage to pressure ICC States Parties to withdraw from the Rome Statute and cease providing financial support to the Court.[1610]

The ICC plays a unique role in the architecture of international justice by ensuring accountability for the gravest international crimes, particularly where the perpetrators are among the most powerful. In the context of the situation in Ukraine, the ICC also remains an integral part of the accountability architecture, given the scale and gravity of the crimes committed and the inability of national authorities or any other international mechanism to prosecute perpetrators holding the highest offices.

Ukraine has consistently supported the independence of the ICC, emphasising the importance of preserving the effectiveness of international criminal justice and preventing impunity for the gravest crimes. Overall, Ukraine's participation in the work of the ICC in 2025 demonstrated its integration into the global criminal justice system and its readiness to play an active role in the system's further development.

At the same time, **Ukraine has still not withdrawn its declaration under Article 124 of the Rome Statute**, by which a State for which the Statute enters into force does not accept the ICC's jurisdiction over alleged war crimes committed on its territory or by its nationals for seven years from the Statute's entry into force for that State — in Ukraine's case, from 1 January 2025 — in accordance with the procedure provided for in that Article.

Given the heightened pressure on the ICC, Ukraine and other States Parties to the Rome Statute should intensify their diplomatic efforts to support the Court.

Joint Investigation Teams

In 2025, the work of the Joint Investigation Team (JIT), established in March 2022 with the participation of the ICC and Europol, continued.[1611]

In October 2025, for the first time since the beginning of the armed aggression of the Russian Federation, Ukraine transferred a detained Russian service member to another

1610 Rubio vows to 'dismantle' International Criminal Court. CNN. 2026. ↗

1611 Joint investigation team into alleged crimes committed in Ukraine. European Union Agency for Criminal Justice Cooperation. ↗

state for criminal prosecution under the principle of universal jurisdiction. Ukraine surrendered to the Republic of Lithuania a person suspected of committing war crimes, including against a citizen of that state, committed in Melitopol in 2022 during the temporary occupation of the city. This transfer is regarded as an important precedent of effective international cooperation between prosecutorial authorities and the practical implementation of international humanitarian law in contemporary conditions.[1612]

Significant results of the pre-trial investigation were made possible through effective cooperation between the parties within the framework of the JIT, coordinated by Eurojust. The JIT was established on 25 March 2022 by the Prosecutors General of Ukraine, Lithuania and Poland. To date, seven states, as well as Europol and the Office of the Prosecutor of the International Criminal Court, have joined the JIT.[1613]

Further steps proposed include focusing on:

- deepening cooperation within the JIT 'Ukraine case';
- strengthening coordination in countering the recruitment of temporarily displaced citizens of Ukraine by Russian special services;
- countering cross-border fraud, particularly in cases involving so-called 'call centres';
- enhancing the work of the International Centre for the Prosecution of the Crime of Aggression against Ukraine (ICPA).[1614]

Overall, the number of newly signed agreements on the establishment of JITs increased over the year.[1615] As a result of the wider application of this instrument, as of 31 December 2025 a total of 60 JITs involving Ukraine were operational (compared to 39 in 2024), comprising representatives of the competent authorities of foreign states. The largest numbers of participants were from the Czech Republic (13), the Republic of Latvia (12), the Republic of Moldova (11), the Republic of Poland (7), the French Republic (5), Estonia and Romania (4 each). More than 70% of existing JITs were established with EU Member States, and therefore the use of Eurojust as a coordination platform significantly enhances the exchange of information and electronic evidence between states within the framework of JIT activities.

On 6 October 2025, following a visit to the Kingdom of the Netherlands to participate in the Coordination Meeting on the activities of the ICPA and in the EU Prosecutors Forum, Prosecutor General R. Kravchenko presented the results of the ICPA's work, including:

- systematic analytical work on the collection, preservation and consolidation of evidence;
- the establishment of a platform for information exchange between prosecutors and investigators from different countries;

1612 A historic step for justice: Ukraine transferred to Lithuania a person suspected of war crimes. Prosecutor General's Office, 2025. ↗

1613 Ibid.

1614 Publication by Prosecutor General R. Kravchenko on the social network Facebook, 2025. ↗

1615 Report for Media and Civil Society for 2025, p. 110. Prosecutor General's Office, 2025. ↗

- the introduction of the CICED (Core International Crimes Evidence Database), a modern tool for the secure storage and analysis of evidence relating to the crime of aggression, war crimes, genocide and crimes against humanity.[1616]

The CICED database currently operates as an interoperable international system that consolidates evidence obtained not only by national law enforcement and prosecutorial authorities but also by international missions, human rights organisations, specialised analytical projects and JITs.

This multi-layered structure creates a new procedural legal reality in which the traditional criteria for the admissibility of evidence, as developed in the theory of criminal procedural evidence, include: a proper source of factual data; an authorised entity responsible for obtaining such data; an appropriate procedural action as the method of obtaining evidence; and compliance with the procedural rules governing its conduct.[1617]

At the same time, ensuring its effective operation will require amendments to procedural legislation that duly reflect the specificities of international criminal law.

Overall, Ukraine's cooperation with international partners within the JIT framework demonstrates further expansion both geographically and in terms of the substance of interaction. For example, during a working visit to the Kingdom of Spain, Prosecutor General R. Kravchenko confirmed the parties' interest in deepening such cooperation, particularly in matters of mutual legal assistance, extradition and combating transnational crime. An agreement was reached to establish a JIT between Ukraine and Spain.[1618] The launch of this JIT is expected to facilitate more effective information exchange, greater coordination of procedural actions and improved investigation outcomes, in line with the broader trend of expanding the use of this instrument of international cooperation.

Special Tribunal for the Crime of Aggression

In 2025, a significant pace was maintained in advancing the initiative to establish a special international mechanism for ensuring accountability for the crime of aggression. The process is gradually moving from political agreements to the practical implementation of the tribunal's institutional model.

As of July 2026, the establishment of the **Special Tribunal for the Crime of Aggression against Ukraine (Special Tribunal) was clearly structured into three phases**:

1) Phase 0 (Advance Team) is the preparatory stage following the signing and ratification of the Agreement establishing the Special Tribunal in 2025. It involves assisting the host State, the Netherlands, in addressing questions raised by certain member States concerning the Tribunal's budget, premises and other costs. In addition, in January of this year, the CM CoE decided that the EUR 10 million allocated by the

1616 Publication by Prosecutor General R. Kravchenko on the social network Facebook, 2025. ↗

1617 O.S. Starenkyi. Use of the results of the Core International Crimes Evidence Database (CICED) in proving core international crimes: legal framework, issues of admissibility and prospects for application in Ukraine. Bulletin of Criminal Proceedings, No. 3–4/2025, p. 182. ↗

1618 Extraditions, international cooperation and investigation of high-profile cases: working visit of the Prosecutor General to the Kingdom of Spain. Prosecutor General's Office, 2026. ↗

European Commission would be used to support the work of this advance team.[1619] As of July 2026, there is no publicly available information regarding the previously announced establishment of new units within the PGO and the SSU that would be responsible for collecting evidence for the future tribunal.[1620]

2) Phase 1 (Skeleton Tribunal) is the preparatory stage involving the establishment of the institution's core structure, the selection of 15 judges for the roster, the appointment of a Registrar, the gradual recruitment of staff, the adoption of rules of procedure, the conclusion of international cooperation agreements and the creation of administrative and technical infrastructure. At this stage, the Special Tribunal will not yet exercise judicial functions but will establish the organisational basis required for its subsequent operation.

3) Phase 2 (fully fledged operational Special Tribunal) is the full launch of the Special Tribunal. At this stage, it will begin exercising judicial functions: investigations will be launched, charges brought, trials conducted and judgments delivered in relation to the crime of aggression. By then, all key organs, permanent infrastructure, premises and international cooperation mechanisms must be in place.

In July 2026, the **Netherlands decided to host the Special Tribunal for the Crime of Aggression against Ukraine**, which is intended to ensure accountability of the highest political and military leadership of the aggressor States.[1621] The Netherlands agreed to host not only the preparatory stages of establishing the institution — Phase 0 (Advance Team) and Phase 1 (Skeleton Tribunal) — but also the stage at which the Tribunal becomes fully operational (Phase 2, fully fledged operational Special Tribunal).

Ukraine has expressed its readiness to actively participate in the work of the future tribunal, including by providing expert, human and technical support. Overall, the establishment of the Special Tribunal is regarded as a key element in shaping a system of international accountability for the crime of aggression and as an important instrument for ensuring the inevitability of punishment, carrying strategic significance both for Ukraine and for the international legal order.

The Prosecutor General confirmed that **in 2026 efforts will focus on the collection, systematisation and analysis of evidence of the crime of aggression committed by the Russian Federation, with a view to its subsequent transfer to the future Special Tribunal and the establishment of a comprehensive evidentiary basis for the responsibility of the political and military leadership of the aggressor state**.

The key areas of work of the PGO in this regard remain as follows:[1622]

- international cooperation — facilitating the activities of the International Centre for the Prosecution of the Crime of Aggression against Ukraine, established under Eurojust;

1619 Tochytskyi explained the current stage of establishing the Special Tribunal for the crime of aggression. Ukrinform, 2026. ↗

1620 Ukraine to establish units to collect evidence for the Special Tribunal — Prosecutor General. Ukrinform, 2025. ↗

1621 Publication by Acting Minister of Foreign Affairs of Ukraine A. Sybiha on the social network Facebook, 2026. ↗

1622 Publication by Prosecutor General R. Kravchenko on the social network Facebook, 2026. ↗

- use of captured enemy documents — incorporating into criminal proceedings combat orders, operational logs, battle reports, operational maps and other materials demonstrating the systematic nature of the crimes;
- expansion of the evidentiary base — use of intelligence data, satellite imagery, radio intercepts, materials from intercepted unmanned aerial vehicles and data from military information systems;
- investigation of attacks on critical infrastructure — documenting systematic strikes on energy, transport and other facilities essential to civilian life;
- protection of victims — implementation of a human-centred approach in working with victims of torture, deportation and conflict-related sexual violence.[1623]

In December 2025, the Government announced the approval of two important draft laws aimed at strengthening international legal cooperation mechanisms in criminal justice and ensuring proper interaction with the Special Tribunal for the crime of aggression against Ukraine.[1624] However, as of July 2026, the Cabinet of Ministers of Ukraine has not yet submitted to Parliament the first of the announced draft laws,[1625] which proposes comprehensive amendments regulating cooperation between Ukrainian competent authorities and the Special Tribunal, including detailed provisions on arrest, temporary surrender, the rights of detained persons, the enforcement of the Tribunal's decisions and cooperation with foreign states in response to its requests. At the same time, **Draft Law No. 14292**,[1626] whose primary objective was to ensure that Ukraine's mechanisms of international legal assistance comply with modern international standards and the state's obligations was withdrawn following the change in the composition of the Government in July 2026.

Recommendations

1. Develop JIT mechanisms:

- expand the geographical scope and thematic focus of JITs, including through the establishment of new teams with partner states;
- strengthen coordination within existing frameworks involving Eurojust, Europol and the ICC.

2. Supplement Chapter 4 of the CPC of Ukraine with provisions defining:

- the concept of digital evidence of international origin as factual data obtained within the framework of international cooperation through official mechanisms (Eurojust, CICED, ICC, JIT, ICPA, etc.);

1623 Ibid.

1624 Government supported legislative amendments for the functioning of the Special Tribunal and international cooperation of Ukraine in criminal justice. Government Portal, 2025. ↗

1625 Draft Law of Ukraine 'On Amendments to the Criminal Code of Ukraine, the Criminal Procedure Code of Ukraine and the Law of Ukraine "On the Public Prosecutor's Office" in connection with the ratification of the Agreement between Ukraine and the Council of Europe on the establishment of a Special Tribunal for the crime of aggression against Ukraine'.

1626 On Amendments to the Criminal Procedure Code of Ukraine and Other Legislative Acts of Ukraine Regarding International Cooperation in Criminal Proceedings: Draft Law of Ukraine, registration No. 14292 of 11.12.2025. ↗

- the criteria for admissibility, relevance and reliability of such evidence;
- procedures for verifying authenticity, metadata and the chain of custody;
- requirements for accompanying documentation (certificates of authenticity, technical reports, transfer protocols);
- the procedure for the procedural admission of evidence into criminal proceedings through authorised channels of international cooperation.

3. Ensure that the winner of the competition for nomination as Ukraine's candidate for election as an ICC judge is formally nominated at the 25th session of the Assembly of States Parties, to be held in December 2026.

4. Withdraw Ukraine's declaration under Article 124 of the Rome Statute of the International Criminal Court in accordance with the procedure set out therein.

5. Reaffirm Ukraine's unequivocal and principled support for the ICC, its readiness to cooperate with the Court in all aspects of its work and its determination to oppose any attempts to undermine that work. Intensify diplomatic engagement with the United States with a view to ending the announced campaign and preventing further action against the ICC. Together with the States Parties to the Rome Statute, introduce concrete measures to mitigate the consequences of actions taken by the United States and to protect the ICC and those who cooperate with it.

6. Continue active efforts to establish the Special Tribunal for the Crime of Aggression in accordance with the three phases agreed by the parties.

TRANSPARENCY INTERNATIONAL UKRAINE

Fighting Corruption



The reporting period (September 2025 – July 2026) was characterised by limited progress: positive developments were isolated and largely depended on internal institutional processes, while systemic legislative changes envisaged by the Rule of Law Roadmap and aimed at implementing the European Commission's recommendations largely remain unimplemented or have been implemented only partially. The most notable positive steps included the adoption and partial execution of the operational plan on the implementation of the National Anti-Corruption Bureau of Ukraine (NABU, National Bureau) development strategy based on the first audit of the NABU, the approval of the development strategies of the Specialised Anti-Corruption Prosecutor's Office (SAPO) and the High Anti-Corruption Court (HACC), the registration of Draft Law No. 14289 on new principles governing the activities of political parties, the launch of the POLITDATA 2.0 Register, the registration in Parliament of the main and alternative draft laws concerning the Anti-Corruption Strategy for 2026–2030.

At the same time, a number of critical systemic problems remain unresolved. In particular, the average duration of proceedings before the HACC reached a record 618 days, while Parliament has still not adopted legislation to counter procedural abuse. The mandatory biennial external assessment of the National Agency on Corruption Prevention (NACP, Agency) has not been conducted for more than four years, as the Cabinet of the Ministers of Ukraine (Government) delayed updating the relevant methodology. Meanwhile, problems with the NACP's financial control remain relevant: the Agency still has not published the rules for logical and arithmetic control (LAC), contrary to the European Commission's recommendations. The adoption of a new anti-corruption policy cycle is important, as the current State Anti-Corruption Programme for 2023–2025 (SAP) has been implemented by only 52.7%. In addition, although the Head of the SAPO is a procedurally independent official, several powers relating to the initiation of criminal proceedings against certain persons and some measures of international cooperation still belong only to the Prosecutor General. This increases the risk of delays in decision-making in criminal proceedings or information leaks.

Taken together, these trends indicate that Ukraine's anti-corruption system remains institutionally resilient but requires substantial legislative and practical strengthening to achieve systemic and qualitative changes in preventing and combating corruption.

Track Record

Progress and issues

The performance of the NABU, the SAPO and the HACC continued its upward trend in 2025. Overall, as of the end of 2025, there were 355 suspects in cases investigated by the NABU and the SAPO; 751 indictments were referred to courts in respect of 1,555 accused persons; and 301 guilty verdicts were delivered concerning 408 convicted persons.[1627] At the same time, there has been a noticeable intensification of discussions on measuring effectiveness, in particular with regard to law enforcement bodies.[1628]

1627 Report on the Performance of the National Anti-Corruption Bureau of Ukraine for the Second Half of 2025. ↗

1628 From Strategy to Results: How to Measure the Effectiveness of Anti-Corruption Institutions. Discussion Paper. JustTalk, 2026. ↗

Compared to 2024, there was a certain decrease in the number of persons notified of suspicion in corruption cases in 2025. While in 2024 a total of 231 individuals were served with notices of suspicion, in 2025 this figure decreased to 218. This may reflect the prioritisation policy being implemented by the NABU and the SAPO, as the number of suspects increased in specific categories of officials — including ministers, heads of central executive authorities and their deputies, as well as representatives of the judiciary. At the same time, the number of individuals against whom indictments were brought increased. In 2024, indictments were filed against 243 individuals (131 in the first half of the year and 112 in the second half), whereas in 2025 this figure rose to 280 (154 in the first half of the year and 126 in the second half).[1629]

According to the HACC's reports,[1630] the effectiveness of judicial proceedings in 2024–2025 increased significantly across key indicators — from the volume of cases considered to the speed of decision-making. The HACC substantially accelerated the pace of completing criminal proceedings. In 2025, the court adjudicated 114 cases (concerning 180 individuals), which exceeds the 2024 figure of 88 cases (concerning 137 individuals). The number of verdicts delivered also increased — from 77 (including 38 based on plea agreements) in 2024 to 109 (including 72 based on plea agreements) in 2025. Overall, 154 individuals were convicted during the reporting year, significantly exceeding the 2024 figure of 112. At the same time, a decrease in the number of acquittals was observed — from 10 in 2024 to 8 in 2025. In the first half of 2026, judgments were delivered in 65 proceedings (35 of them based on plea agreements), 82 persons were convicted and 8 were acquitted.[1631]

While the increase in the number of cases considered is a positive development, the simple growth in the number of verdicts based on plea agreements — particularly given the limited access to such verdicts — may undermine trust in both the HACC and the SAPO.[1632] In this context, it can be noted that the possibilities for restricting access to certain parts of judgments are not used in all cases, and there is no consistent communication by the SAPO regarding policies on concluding plea agreements in high-level corruption cases.

The SAPO Development Strategy for 2026–2028 provides for a set of measures aimed at developing common approaches to the conclusion of plea agreements. It also envisages events involving judges, advocates and representatives of civil society organisations to jointly develop a policy on plea agreements in the second half of 2026. Before then, specialised training for prosecutors in this area is planned, together with an analy-

1629 Report on the Performance of the National Anti-Corruption Bureau of Ukraine for the First Half of 2024. ↗; Report on the Performance of the National Anti-Corruption Bureau of Ukraine for the Second Half of 2024. ↗; Report on the Performance of the National Anti-Corruption Bureau of Ukraine for the First Half of 2025. ↗; Report on the Performance of the National Anti-Corruption Bureau of Ukraine for the Second Half of 2025. ↗

1630 Report of the High Anti-Corruption Court on the Timeliness of Case Consideration for 2024. ↗; Report of the High Anti-Corruption Court on the Timeliness of Case Consideration for 2025. ↗; Report of the High Anti-Corruption Court on the Consideration of Cases and Materials in Criminal Proceedings for 2024. ↗; Report of the High Anti-Corruption Court on the Consideration of Cases and Materials in Criminal Proceedings for 2025. ↗

1631 Report of the High Anti-Corruption Court on the Consideration of Cases and Materials in Criminal Proceedings for the First Half of 2026. ↗

1632 HACC Plea Agreements: An Effective Compromise or a Buyout for Corrupt Officials? Dzerkalo Tyzhnia, 2026. ↗

sis of criminal proceedings covering the effectiveness of plea agreements and the use of the findings to update training programmes, internal guidance and operational planning.[1633]

Alongside the increase in the number of cases, the HACC also improved the efficiency of time management in judicial proceedings. While the consideration of a single criminal case (from receipt to final judgment) took an average of 618 days in 2024, this duration decreased to 405 days in 2025 but rose again to 689 days in the first half of 2026.[1634] This may have been facilitated, inter alia, by the introduction of single-judge proceedings, as well as the increase in the number of verdicts based on plea agreements, which require significantly less time to consider. At the same time, the number of pending cases continues to grow. While in 2024 there were 287 such cases (concerning 749 individuals), in 2025 this figure increased to 327 (concerning 862 individuals), and reached 322 (concerning 835 individuals) in the first half of 2026.[1635] This indicates the need to adopt both legislative and organisational measures aimed at improving the efficiency of criminal case adjudication.

Appellate review of HACC decisions by the Appeals Chamber of the HACC (AC HACC) demonstrates an overall stable situation, with an increase in the number of reviewed verdicts. In 2025, the AC HACC reviewed 49 verdicts following appeals (with 62 pending appellate proceedings remaining). As a result of the review, 25 verdicts (51%) were upheld, 17 (35%) were quashed and 7 (14%) were amended. By comparison, in 2024, 37 verdicts were reviewed (with 56 pending appellate proceedings remaining). Following the review, 19 verdicts (51%) were upheld, 11 (30%) were quashed and 7 (19%) were amended.[1636]

Cassation review of decisions of the HACC and the AC HACC by the Supreme Court (SC) demonstrates positive trends. In 2025, the cassation court considered a higher number of complaints submitted by parties — 164 in total, of which 41 were examined on the merits. By comparison, in 2024 there were 150 such complaints, with 28 examined on the merits. Overall, the number of HACC decisions upheld following review increased: in 2025, 27 decisions were upheld (65.9% of those examined on the merits), compared to 16 (57%) in 2024.[1637]

The court's effectiveness in asset recovery also improved in 2025. In particular, the value of assets subject to special confiscation exceeded UAH 673 million across 13 proceedings. By comparison, in 2024 this figure amounted to UAH 158.8 million across

1633 Letter of the Specialised Anti-Corruption Prosecutor's Office of 08.07.2026 No. 11-4903VYH-26.

1634 Report of the High Anti-Corruption Court on the Timeliness of Case Consideration for 2024. ↗; Report of the High Anti-Corruption Court on the Timeliness of Case Consideration for 2025. ↗; Report of the High Anti-Corruption Court on the Timeliness of Case Consideration for the First Half of 2026. ↗

1635 Report of the High Anti-Corruption Court on the Consideration of Cases and Materials in Criminal Proceedings for 2024. ↗; Report of the High Anti-Corruption Court on the Consideration of Cases and Materials in Criminal Proceedings for 2025. ↗; Report of the High Anti-Corruption Court on the Consideration of Cases and Materials in Criminal Proceedings for the First Half of 2026. ↗

1636 Report of the Appeal Chamber of the High Anti-Corruption Court on the consideration of appeals in criminal proceedings for 2024. ↗; Report of the Appeal Chamber of the High Anti-Corruption Court on the consideration of appeals in criminal proceedings for 2025. ↗

1637 Letter of the Supreme Court of 06.03.2026 No. 42/0/18-26.

11 proceedings.[1638] The value of confiscated assets in money laundering cases increased almost tenfold — from UAH 50.6 million in 2024 (4 verdicts) to UAH 470.3 million in 2025 (7 verdicts).[1639] In the first half of 2026, decisions on the application of special confiscation were adopted in nine proceedings, totalling UAH 71.7 million.[1640]

Despite this, information on the enforcement of confiscation decisions is still not reflected, which makes it impossible to track the actual contribution of these funds to the state budget. The Department of the State Enforcement Service of the Ministry of Justice of Ukraine (MoJ) reported that it is unable to provide information on the number of enforced confiscation decisions, the amounts recovered and damages compensated, as the current Procedure for compiling and submitting reports on the activities of the State Enforcement Service bodies and private enforcement officers does not provide for the collection of such data.[1641]

The data collection system on the enforcement of court decisions published on the MoJ website does not allow for the disaggregation of results relating to the enforcement of property sanctions and other criminal law measures in cases involving corruption and corruption-related criminal offences.[1642] Surveyed experts[1643] on the functioning of the State Enforcement Service highlighted a number of problems, in particular staff shortages, low salary levels and restrictions on the powers of private enforcement officers, which contribute to limited progress in improving approaches to the enforcement of court decisions, including with regard to property sanctions in criminal cases.

As regards documents concerning institutional development at the strategic level, the **NABU** Development Strategy for 2025–2030, as well as the action plan for its implementation, remain in force.[1644] By Order of the SAPO of 12 December 2025, the SAPO Strategy for 2026–2028 was approved.[1645] At present, the draft Action Plan for its implementation is under development. The implementation of certain projects has already commenced, including the introduction of prioritisation approaches, the development of IT support and the deployment of IT solutions, as well as the preparation of the SAPO Communication Strategy.[1646] On 20 November 2025, the HACC, by decision of the judges' assembly, approved its Strategy for 2026–2028.[1647] Accordingly, the key issue at

1638 Report of the High Anti-Corruption Court on the consideration of cases and materials in criminal proceedings for 2024. ↗; Report of the High Anti-Corruption Court on the consideration of cases and materials in criminal proceedings for 2025. ↗

1639 Report of the High Anti-Corruption Court on the consideration of criminal proceedings concerning the legalisation (laundering) of proceeds of crime for 2024. ↗; Report of the High Anti-Corruption Court on the consideration of criminal proceedings concerning the legalisation (laundering) of proceeds of crime for 2025. ↗

1640 Report of the High Anti-Corruption Court on the Consideration of Cases and Materials in Criminal Proceedings for the First Half of 2026. ↗

1641 Letter of the Department of the State Enforcement Service of the Ministry of Justice of Ukraine of 12.03.2026 No. 34159/PI-YR-1008/20.4.2.

1642 Data Collection System on the Enforcement of Court Decisions. Ministry of Justice of Ukraine, 2026. ↗

1643 Information provided by representatives of the 'Pravo-Justice' project during an interview conducted on 19.03.2026.

1644 NABU Development Strategy for 2025–2030. National Anti-Corruption Bureau of Ukraine, 2025. ↗; Action Plan for the Implementation of the NABU Development Strategy. National Anti-Corruption Bureau of Ukraine, 2025. ↗

1645 Publication by the EU Anti-Corruption Initiative and the SAPO on the social network Facebook, 2026. ↗

1646 Letter of the Specialised Anti-Corruption Prosecutor's Office of 10.03.2026 No. 11-1662VYH-26.

1647 On Approval of the Strategy of the High Anti-Corruption Court: Decision of the Assembly of Judges of the High Anti-Corruption Court No. 1 of 20.11.2025. ↗

present is ensuring the effective implementation of these strategic documents, in particular through the development of action plans and the monitoring of their implementation.

Progress towards a comprehensive assessment of the effectiveness of anti-corruption bodies can be observed, inter alia, through public discussions on the methods and tools to be used for its measurement.[1648]

The analytical units of the NABU, the SAPO and the HACC continue to develop. As of the end of 2025, the authorised staffing level of the NABU's Criminal Analysis and Financial Investigations Unit increased to 77 positions.[1649] The process of recruiting candidates for vacant positions is ongoing, considering requirements for professional competence and relevant experience. Recruitment is carried out in compliance with the principles of openness, transparency and objectivity.[1650]

Within the SAPO, the examination and analysis by prosecutors of issues in pre-trial investigations identified through acquittals delivered by the HACC form an integral part of the procedure for appealing such judicial decisions in specific criminal proceedings.[1651]

During the reporting period, the HACC expanded its analytical and statistical unit, announced additional vacancies and is strengthening this function to ensure systematic monitoring of trends in judicial practice, as well as tracking limitation periods for criminal liability. At the same time, the analytical function occasionally encounters difficulties due to the absence of a unified approach to several procedural issues.[1652]

The investigation of corruption and corruption-related criminal offences by other pre-trial investigation bodies, in particular the **National Police of Ukraine** (NPU), the **State Bureau of Investigation** (SBI), the **Security Service of Ukraine** (SSU) and the **Economic Security Bureau of Ukraine** (ESBU), is reflected in reporting forms updated in 2025.[1653] These reports make it possible to identify the results of the work of various pre-trial investigation bodies for 2025. At the same time, detailed information specifically on the outcomes of investigations into corruption and corruption-related criminal offences is available only in the report on the SBI.[1654] In addition, NABU reporting is not published in the relevant section of the website of the Prosecutor General's Office (PGO).

1648 From Strategy to Results: How to Measure the Effectiveness of Anti-Corruption Institutions. Discussion Paper. JustTalk, 2026. ↗

1649 Organisational Structure of the National Anti-Corruption Bureau of Ukraine and Staffing Table of the National Anti-Corruption Bureau of Ukraine. Open Data Portal, 2026. ↗

1650 List of Vacancies. National Anti-Corruption Bureau of Ukraine, 2026. ↗

1651 Letter of the Specialised Anti-Corruption Prosecutor's Office of 10.03.2026 No. 11-1662VYH-26.

1652 Information provided by the Head of the Secretariat of the High Anti-Corruption Court during an interview conducted on 12.03.2026.

1653 On Approval of Reporting Forms on the Activities of Pre-Trial Investigation Bodies: Order of the Ministry of Internal Affairs of Ukraine, the Security Service of Ukraine, the National Anti-Corruption Bureau of Ukraine, the State Bureau of Investigation, the Prosecutor General's Office and the Economic Security Bureau of Ukraine No. 62/180/99/43/162/58 of 18.03.2025. ↗

1654 Report on the Activities of Pre-Trial Investigation Bodies of the State Bureau of Investigation for January–December 2025. ↗

The total number of indictments in corruption and corruption-related offences in 2025 amounted to 4,714.[1655] Of these, 3,935 indictments were referred to court by the NPU, 490 by the SBI, 117 by the NABU, 89 by the SSU and 83 by the ESBU. Thus, all pre-trial investigation bodies handle a certain number of corruption and corruption-related criminal cases, and further disaggregation in reporting would allow for a better understanding of the overall situation.

At the same time, the quality of investigations into complex corruption and corruption-related criminal offences conducted by the SBI could be improved. For example, in September 2025, the HACC closed proceedings against an official of the Ministry of Defence of Ukraine accused of abuse in the procurement of artillery shells.[1656] The reason was that the SSU applied for an extension of the pre-trial investigation period in this case to an investigating judge of the Shevchenkivskyi District Court of Kyiv, rather than to the HACC. Subsequently, the Appeal Chamber of the HACC overturned the respective decision of the court of first instance.

In November 2025, the HACC delivered an acquittal[1657] in respect of a former and a current SBI officer, as the court found that the actions underlying the charges resulted from provocation of a crime, and that the evidence obtained was inadmissible. In March 2026, the AC HACC annulled the notice of suspicion served by the SBI and the PGO on the Director General of the state enterprise 'Forests of Ukraine', Yurii Bolokhovets, in a case concerning illicit enrichment.[1658]

Data on the judicial consideration of cases involving corruption and corruption-related criminal offences[1659] demonstrate an increase in the number of individuals in respect of whom court decisions have become final. In 2025, this figure reached 3,268, compared to 2,753 in 2024. At the same time, approximately 41% of all cases considered relate to Article 369 of the Criminal Code of Ukraine (CC of Ukraine), which establishes liability for the offer, promise or provision of an undue advantage to a public official. The dynamics of case consideration under this Article remained almost unchanged in 2024–2025 (1,340 in 2024 and 1,344 in 2025).

The next most common category in terms of the number of convicted persons in 2025 is Article 357 of the CC of Ukraine, which establishes liability for the theft of documents (seals), with an increase of 63% (from 295 in 2024 to 481 in 2025). This is followed by Article 191 of the CC of Ukraine, concerning misappropriation (embezzlement) of property, which saw a 15% increase (from 367 in 2024 to 421 in 2025), and Article 369^2 of the CC of Ukraine on abuse of influence, which increased by 32% (from 228 in 2024 to 301 in 2025).[1660]

1655 Letter of the Prosecutor General's Office of 11.03.2026 No. 30/3-330VYH-26.

1656 Procurement of Artillery Shells and the 'Lozovyi Amendments': Why the HACC Closed the Case Against a Ministry of Defence Official. HACC.Decided, 2025. ↗

1657 Judgment of the High Anti-Corruption Court of 19.11.2025 in Case No. 761/9536/23. ↗

1658 Suspicion Annulled for the Head of the State Enterprise 'Forests of Ukraine'. Slovo i Dilo, 2026. ↗

1659 Report of the Courts on the Consideration of Cases in the Field of Anti-Corruption for 2024. ↗; Report of the Courts on the Consideration of Cases in the Field of Anti-Corruption for 2025. ↗

1660 Ibid.

The number of individuals in respect of whom cases under Article 308 of the CC of Ukraine (theft, misappropriation, extortion of narcotic drugs, psychotropic substances or their analogues, or obtaining them through fraud or abuse of office) were considered increased by 285% (from 48 in 2024 to 185 in 2025). At the same time, under Article 368 of the CC of Ukraine, which establishes criminal liability for the acceptance of an offer, promise or receipt of an undue advantage by a public official, the number of individuals in respect of whom cases were considered increased by only 8% (from 157 in 2024 to 169 in 2025), while the number of convictions decreased (from 80 in 2024 to 70 in 2025).[1661]

The share of convicted persons out of the total number of individuals in respect of whom cases were considered amounted to 77% in 2024 (2,133 out of 2,753) and remained almost unchanged in 2025 — at 78% (2,558 out of 3,268). Of these, 1,281 individuals (50%) were convicted for the offer, promise or provision of an undue advantage to a public official (Article 369 of the CC of Ukraine).[1662]

In the context of these data, it is appropriate to caution against the strengthening trend towards the simplification of crime control. This refers to the fact that a significant proportion of court decisions concerns the least socially harmful forms of criminal offences, despite the relative prevalence of more serious forms.[1663] This is illustrated, inter alia, by the high share of convictions under Articles 357 and 369 of the CC of Ukraine, which are traditionally regarded as less socially dangerous offences, as well as under Article 308 of the CC of Ukraine, which is not typically classified as a corruption offence in international legal instruments.[1664] By comparison, according to HACC statistics,[1665] among 95 convicted persons whose judgments became final in 2025, the most common categories of criminal offences were: Article 364 of the CC of Ukraine (28 persons), Article 368 of the CC of Ukraine (25 persons), while Articles 191 and 369 of the CC of Ukraine each accounted for 14 convicted persons. This may be a consequence of insufficient prioritisation in the work of other pre-trial investigation bodies and the lack of proper specialisation.

The number of persons to whom special confiscation was applied remained broadly unchanged in absolute terms but decreased proportionally. While in 2024 there were 265 such persons (12.4% of all convicted persons), in 2025 the figure was 278 (10%). The SJA report on the consideration of corruption cases in 2025 also introduced data on the total value of special confiscation, amounting to UAH 1,738,705,000. The main offences in which special confiscation was applied were: bribery of an employee of an enterprise, institution or organisation under Article 354 of the CC of Ukraine (UAH 56,758,000); acceptance of an offer, promise or receipt of an undue advantage by a public official under Article 368 of the CC of Ukraine (UAH 12,500,000); offer, promise or provision of an undue advantage to a public official under Article 369 of the CC of

1661 Ibid.

1662 Ibid.

1663 M. Karchevskyi. Trends in Criminal Law Counteraction to Crime in 2025, 2026. ↗

1664 Y. Dorokhina, I. Moroz. Corruption and Corruption Crimes in Ukraine. Scientific Notes of V. I. Vernadskyi TNU. Series: Legal Sciences. Vol. 30 (69), No. 3, 2019, pp. 95–100. ↗

1665 Report of the High Anti-Corruption Court on Persons Held Liable for Committing Corruption and Corruption-Related Criminal Offences for 2025. ↗

Ukraine (UAH 866,156,000); and abuse of influence under Article 369[2] of the CC of Ukraine (UAH 803,291,000).[1666]

At the same time, revenues to the general fund of the state budget under revenue classification code 24020000 'Proceeds from the sale of property and receipts of national and foreign currency confiscated by court decision for corruption and corruption-related offences (excluding revenues allocated to the targeted fund for ensuring the defence and security of the state)' amounted to UAH 965,652,505.42 in 2025.[1667] According to information from the State Enforcement Service, however, the amount of funds obtained from the sale of confiscated property in 2025 totalled UAH 236,370,248.[1668] Even taking into account that the enforcement of court decisions requires time, the discrepancies between the reported amounts of proceeds from confiscated assets are substantial.

The quality of information presented in specialised statistical reports on the consideration of cases in the field of anti-corruption also raises concerns. In particular, the 2025 report indicates that the number of persons in respect of whom criminal proceedings were discontinued due to the expiry of limitation periods was zero. At the same time, a search of the Unified State Register of Court Decisions (USRCD) identifies at least 10 court decisions, which became final in 2025, releasing individuals accused of corruption offences from criminal liability on the grounds of the expiry of limitation periods.[1669]

Recommendations[1670]

1. The NABU, the SAPO and the HACC should:

- implement the adopted development strategies and ensure regular public reporting on their implementation;
- develop a system for assessing the effectiveness of anti-corruption bodies, focusing not only on quantitative indicators of investigations and cases referred to court, but also on qualitative results — including the actual recovery of damages and the confiscation of criminal assets.

2. The PGO should improve the collection, analysis and use of statistical data for the development of public policy and legislative proposals, by introducing a unified methodology for collecting and analysing such data, with monitoring of the results of investigations into corruption and corruption-related criminal offences by all law enforcement bodies. This should include information on investigation outcomes, reasons for the closure of proceedings, duration of investigations, as well as the results of judicial proceedings and the enforcement of court decisions.

1666 Report of the Courts on the Consideration of Cases in the Field of Anti-Corruption for 2025. ↗

1667 Letter of the State Treasury Service of Ukraine of 18.03.2026 No. 13-12-12/7337.

1668 Report on the Activities of Bodies and Persons Enforcing Court Decisions and Decisions of Other Authorities (excluding decisions on periodic payments) for 2025, provided during interviews with experts.

1669 For example: Ruling of the Sviatoshynskyi District Court of Kyiv of 26.11.2025 in Case No. 759/17316/23. ↗; Ruling of the Saltivskyi District Court of Kharkiv of 17.12.2025 in Case No. 642/6892/16-k. ↗; Ruling of the Kyiv District Court of Kharkiv of 14.11.2025 in Case No. 646/827/16-k. ↗

1670 Most of the recommendations were already provided by civil society in the Shadow Report 2025 (pp. 305–306, 310) and remain relevant. At the same time, some of these recommendations have been refined in light of new developments.

3. The MoJ should introduce a system for assessing the effectiveness of the enforcement of HACC judgments concerning confiscation of property and compensation for damages and publish data on the enforcement of court decisions.

4. The PGO, the NPU, the SBI and the ESBU should strengthen specialisation and professional training of prosecutors and investigators in the field of investigating corruption and corruption-related criminal offences, with a view to improving the quality of investigations and procedural guidance in this category of cases.

5. The PGO should introduce a comprehensive analysis of systemic issues in corruption cases investigated by the NPU, the SBI and the ESBU, and consider introducing prioritisation policies in investigations.

6. The HACC should make greater use of the possibilities to restrict access to certain parts of judgments, while the SAPO should improve communication on policies governing the conclusion of plea agreements in high-level corruption cases.

Institutional Framework

Independence Guarantees of Anti-Corruption Bodies

Progress and issues

The legislation governing the competitive selection of the heads of the NABU and the SAPO did not undergo changes during the reporting period with regard to limiting the excessive discretion of the Prime Minister and the Prosecutor General in selecting from among candidates nominated by selection commissions.

At the same time, this issue acquired a new dimension in connection with the situation surrounding the appointment of the Head of the ESBU.[1671] The selection commission submitted a single candidate — the winner of the competition — to the Government; however, the Government refused to appoint him, introducing an additional requirement to undergo a polygraph test, which had not been provided for by the competition procedure.[1672] The actual appointment took place only on 6 August 2025, after this extra-procedural condition had been fulfilled.[1673] This situation clearly demonstrates the risk that the 'single candidate' rule is intended to mitigate: even where the commission submits only one candidate, the executive may resort to extra-procedural mechanisms to avoid a mandatory appointment.

The pool of candidates for positions in anti-corruption bodies is objectively shrinking — due to labour market competition and the challenges associated with working in the NABU, the SAPO and the HACC. According to expert assessments,[1674] this is a shared

1671 The Government failed to appoint Tsyvinskyi as Director of the ESBU and may have exceeded its authority: what is known. Suspilne, 2025. ↗

1672 The winner of the competition for the position of Head of the ESBU, Tsyvinskyi, passed a polygraph test. Suspilne, 2025. ↗

1673 On the Appointment of O.I. Tsyvinskyi as Director of the Economic Security Bureau of Ukraine: Order of the Cabinet of Ministers of Ukraine No. 821 of 06.08.2025. ↗

1674 Information provided by an anti-corruption expert during an interview conducted on 19.03.2026.

problem, further exacerbated by the situation involving attacks on the NABU in July 2025.[1675] Following the competition to the HACC, not all vacant positions will be filled, as 22 candidates were recommended out of the required 23 following the joint special meetings of the Public Council of International Experts and the High Qualification Commission of Judges of Ukraine (HQCJ).[1676] In addition, new vacancies could have arisen in the HACC as a court of first instance following the appointment of three judges who had administered justice there to positions in the AC HACC. However, the HQCJ changed the number of vacant judicial positions in the AC HACC covered by the competition, which will make it possible to fill the maximum number of vacant judicial positions in the HACC as a court of first instance.[1677] As of the end of July 2026, the High Council of Justice (HCJ) had submitted to the President of Ukraine (President) proposals for the appointment of 16 of the 19 persons recommended for appointment.[1678]

Particular concern in the context of competitive procedures was raised by the situation surrounding the formation of the Selection Commission for the appointment of the SAPO leadership: the Prosecutor General included in its composition a person who had not been recommended by the Council of Prosecutors of Ukraine,[1679] despite the fact that one of the recommended candidates had withdrawn their application under unclear circumstances.[1680] The candidate appointed to the Selection Commission also raised serious concerns among civil society organisations,[1681] which questioned their compliance with the requirements of the Law of Ukraine 'On the Public Prosecutor's Office'.

After a certain period, the PGO responded that the Prosecutor General does not have the authority to arbitrarily alter the composition of the respective Selection Commission, and that the law does not provide for a separate procedure for assessing the integrity of Selection Commission members, nor does it establish an alternative procedure for their appointment in the event of an insufficient number of candidates other than the one applied.[1682] The earlier communication by the Council of Prosecutors of Ukraine in this regard appeared more as a defence of the Prosecutor General's position than as an independent institutional stance.[1683] At the same time, Part 3 of Article 29[1] of the Law

1675 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's Progress under the European Union Enlargement Package 2024. P. 310. ↗

1676 Competition to the High Anti-Corruption Court: Results of Special Meetings. High Qualification Commission of Judges of Ukraine, 2026. ↗

1677 On Amendments to Decision of the High Qualification Commission of Judges of Ukraine No. 112/zp-25 of 03.06.2025: Decision of the High Qualification Commission of Judges of Ukraine No. 66/zp-26 of 29.05.2026. ↗

1678 HCJ Approves 16 of 19 Winners of the HACC Competition. Transparency International Ukraine, 2026. ↗

1679 Pursuant to Part 3 of Article 29[1] of the Law of Ukraine 'On the Public Prosecutor's Office', if the Council of Prosecutors of Ukraine has not proposed candidates to the Selection Commission within the times limits or has proposed an insufficient number of candidates, the Prosecutor General shall independently appoint the relevant members of the Selection Commission (those not appointed) within 10 working days following the expiry of the term limit for submission by the Council of Prosecutors of Ukraine.

1680 The Council of Prosecutors of Ukraine submitted proposals for the composition of the Selection Commission (updated). Council of Prosecutors of Ukraine, 2025. ↗

1681 Statement of the 'Anti-Corruption Headquarters' and other NGOs to the Prosecutor General. Anti-Corruption Headquarters, 2026. ↗

1682 Publication by the Prosecutor General's Office on the social network Facebook, 2026. ↗

1683 Clarification on the Formation of the Selection Commission for the Competition for Administrative Positions in the SAPO. Council of Prosecutors of Ukraine, 2026. ↗

of Ukraine 'On the Public Prosecutor's Office'[1684] provides that members of the Selection Commission for the appointment of the SAPO leadership must, inter alia, possess an impeccable business reputation, high professional and moral qualities, public authority and integrity.

Following the crisis[1685] triggered by the adoption of Law No. 4555-IX, Law No. 4560-IX[1686] entered into force on 31 July 2025, restoring most of the institutional guarantees of the independence of the NABU and the SAPO. This Law contains final and transitional provisions requiring NABU staff to undergo polygraph examinations every two years and provides for a one-off verification by the SSU. According to the SSU's response, methodologies for conducting psychophysiological examinations using a polygraph, developed by the relevant bodies, were reviewed, and comments and proposals were submitted (the specific bodies involved were not specified).[1687] There is no evidence that such examinations are being used to exert pressure on NABU or SAPO staff; therefore, the corresponding recommendation from the previous Shadow Report is no longer relevant.

Attempts to exert pressure on staff of anti-corruption bodies continue. On 11 September 2025, the Pecherskyi District Court of Kyiv suspended a NABU detective from office on suspicion of submitting a false declaration and set bail at over UAH 2.9 million[1688] — an amount that does not correspond to the requirements of the Criminal Procedure Code of Ukraine (CPC of Ukraine) in relation to the gravity of the alleged offence, which constitutes a clear violation of the law. Moreover, investigations into inaccurate information in asset declarations do not fall within the jurisdiction of the SSU.

On 16 September 2025, the SSU, the PGO and the SBI served a new notice of suspicion on an NABU detective who was at that time in custody on charges of aiding the aggressor state, alleging that he had used personal connections and official influence to facilitate unlawful tax manipulations involving Ukrainian enterprises.[1689] On 20 October 2025, the NABU reported that SSU officers had conducted searches at the homes of relatives of an NABU detective investigating high-profile cases, including abuses in the energy sector ('Rotterdam+'), at railway enterprises and in relation to the illicit enrichment of a former head of an SSU unit.[1690]

On 10 February 2026, the Director of the NABU stated that officers of one of the law enforcement bodies had installed surveillance devices in the home of the head of an NABU unit investigating corruption in the defence sector and handling the 'Midas' case, and that over the preceding weeks several law enforcement agencies had been delibe-

1684 On the Public Prosecutor's Office: Law of Ukraine No. 1697-VII of 14.10.2014. ↗

1685 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's Progress under the European Union Enlargement Package 2024, 2025, p. 315. ↗

1686 On Amendments to Certain Legislative Acts of Ukraine on Strengthening the Powers of the National Anti-Corruption Bureau of Ukraine and the Specialised Anti-Corruption Prosecutor's Office: Law of Ukraine No. 4560-IX of 31.07.2025. ↗

1687 Letter of the Security Service of Ukraine of 18.03.2026 No. 10/3/709-315-17.

1688 NABU Detective Suspected of False Asset Declaration Suspended from Office. Suspilne, 2025. ↗

1689 The SSU and the SBI Announced a New Suspicion to NABU Detective Magomedrasulov. Suspilne, 2025. ↗

1690 Publication by the National Anti-Corruption Bureau of Ukraine on the social network Facebook, 2025. ↗

rately collecting information about the NABU.[1691] On 15 March 2026, SSU officers detained an NABU employee at a checkpoint near the entrance to the city of Sumy while he was performing his official duties within the framework of criminal proceedings; the NABU stated that such actions obstruct the documentation of criminal activities and the exercise of its powers in ongoing proceedings.[1692] In June 2026, technical devices that could have been used for covert information gathering were found in the apartment of the head of an NABU unit. NABU detectives identified one of the men who had communicated about installing the devices as a serving SSU officer.[1693]

Such examples may indicate indirect political pressure on the NABU aimed at hindering the effective investigation of high-level corruption.

In addition, the Head of the SAPO noted in an interview that pressure on the NABU and coordinated actions against its detectives in July 2025 affected the psychological climate within both institutions — some detectives became more cautious in investigating cases involving the SSU staff or senior officials.[1694]

A separate institutional concern during the reporting period was the activity of the Temporary Investigative Commission of the Verkhovna Rada of Ukraine on the investigation of possible corruption offences in law enforcement bodies, courts and the judiciary (TIC), established on 19 June 2025 under the co-chairmanship of Members of Parliament Serhii Vlasenko and Maksym Buzhanskyi.[1695] The TIC systematically exceeded the scope of its mandate as defined by the resolution on its establishment: it reviewed the activities of the HCJ, the HQCJ and the Public Integrity Council (PIC) without an appropriate mandate from the Verkhovna Rada of Ukraine (Verkhovna Rada, Parliament); attempted to apply compulsory appearance measures to a member of the HQCJ despite an explicit legal prohibition; and established an expert group not provided for by law, without individual accountability of its members for the conclusions issued.

The use of the TIC as an instrument of pressure and interference with independence was publicly reported by the NABU, the SAPO, the HACC, the HCJ, the HQCJ and the PIC.[1696] The European Commission, in its Ukraine 2025 Progress Report within the European Union Enlargement Package (2025 EU Enlargement Package Report), explicitly stated that the TIC should not undermine public trust in anti-corruption institutions through unjustified public statements or by exceeding the limits set by the principle of separation of powers.[1697] The Rules of Procedure Committee of the Verkhovna Rada

1691 Kryvonos: Surveillance Devices Found in the Home of an NABU Unit Head, Allegedly Installed by Law Enforcement Officers. Ukrainska Pravda, 2026. ↗

1692 NABU: SSU Detained Bureau Employee at the Entrance to Sumy. Suspilne, 2026. ↗

1693 Wiretapping Devices Found in the Apartment of an NABU Unit Head: Bureau Alleges SSU Involvement. Ukrainska Pravda, 2026. ↗

1694 Head of the SAPO Oleksandr Klymenko: 'The team does not understand why their colleagues are in custody while no real evidence of legal violations has been presented'. Dzerkalo Tyzhnia, 2025. ↗

1695 On the Establishment of the Temporary Investigative Commission of the Verkhovna Rada of Ukraine to Investigate Possible Facts of Corruption or Corruption-Related Offences in Law Enforcement Bodies, Courts and Judicial Bodies: Resolution of the Verkhovna Rada of Ukraine No. 4511-IX of 19.06.2025. ↗

1696 Vlasenko-Buzhanskyi Temporary Investigative Commission Discredits Parliamentary Oversight. Transparency International Ukraine, 2026. ↗

1697 Ukraine Report 2025: Communication on EU Enlargement Policy. ↗

identified violations in the submission of the TIC's report; however, the commission continued its work.[1698]

The report of the TIC attached to the relevant draft Resolution of the Verkhovna Rada[1699] presents HACC statistics in a methodologically incorrect manner, creating a distorted impression of the Court's performance. In particular, the Commission compares approximately 11,000 materials and cases pending before the HACC with only 109 judgments, failing to take into account that most of this volume consists of procedural motions considered by investigating judges rather than criminal cases reaching a judgment on the merits. Moreover, the figure of '109 judgments' refers only to 2025 and is presented without a timeframe, whereas cumulatively, as of May 2026, the HACC had delivered 392 judgments since it began operating, while the share of judgments based on plea agreements reflects a long-term upward trend rather than an anomaly of the current period. Furthermore, the TIC's assessment of the administration of justice by the HACC falls outside the Commission's mandate. The Law of Ukraine 'On Temporary Investigative Commissions and Temporary Special Commissions of the Verkhovna Rada of Ukraine'[1700] expressly prohibits the establishment of an investigative commission on matters concerning the administration of justice by a court, and the Resolution establishing the TIC itself reproduces the same prohibition.

During the reporting period, there were no significant changes regarding the practice of external independent audits. The NABU Audit Commission has generally resolved an issue that had previously been subject to debate: the criteria and methodology now specify that a negative assessment of effectiveness may be attributed to the Director of the NABU only where such ineffectiveness results from the improper performance of duties or the abuse of discretionary powers.[1701] Thus, the recommendation of the Shadow Report on Chapter 23 'Justice and fundamental rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's Progress under the 2024 EU Enlargement Package[1702] (Shadow Report 2025) has been partially implemented through a decision of the Commission itself, but not through legislative amendments, and remains relevant for other institutions as well.

The powers of the Head of the SAPO to initiate criminal proceedings and to approve investigative actions concerning Members of Parliament remain unregulated at the legislative level. This issue is not reflected in the Rule of Law Roadmap, however, it is addressed in the draft Anti-Corruption Strategy for 2026–2030.[1703] From December

1698 On 8 January 2026, the Temporary Investigative Commission approved its work plan for the following half-year. YouTube channel of the Temporary Investigative Commission, 2026. ↗

1699 On the Report of the Temporary Investigative Commission of the Verkhovna Rada of Ukraine to Investigate Possible Facts of Corruption or Corruption-Related Offences in Law Enforcement Bodies, Courts and Judicial Bodies: Draft Resolution of the Verkhovna Rada of Ukraine, registration No. 15337 of 17.06.2026. ↗

1700 On Temporary Investigative Commissions and Temporary Special Commissions of the Verkhovna Rada of Ukraine: Law of Ukraine No. 400-IX of 19.12.2019, paragraph 1 Part 4 Article 4. ↗

1701 Report on the Results of the External Independent Evaluation (Audit) of the Effectiveness of the National Anti-Corruption Bureau of Ukraine. Commission for the External Independent Evaluation (Audit) of the Effectiveness of the National Anti-Corruption Bureau of Ukraine, 2025. ↗

1702 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's Progress under the European Union Enlargement Package 2024, 2025. ↗

1703 On Approval of the Anti-Corruption Strategy for 2026–2030: Draft Law of Ukraine, registration No. 15230-d of 27.07.2026. ↗

2025 to March 2026 inclusive, no legislative progress was achieved in this regard. According to an interviewed expert,[1704] this is primarily due to bureaucratic procedures required to align several parallel commitments (the programme with the International Monetary Fund (IMF), the Rule of Law Roadmap and the Ukraine Facility Plan).

The Government submitted to the Parliament a draft law[1705] that provided only a partial solution to this issue — namely, granting the SAPO the ability to establish joint investigative teams and to send extradition requests. However, this draft law was withdrawn on 17 July 2025. Alternative Draft Laws Nos. 12367-2 and 12367-3 remain under consideration.[1706] Ukraine's commitments to the IMF — to grant the SAPO the power to submit extradition requests independently of the PGO, as well as to eliminate the automatic closure of cases due to the exclusion of pre-trial investigation time limits — have not been fulfilled within the deadline (October 2024).[1707]

The recommendation to improve communication on the outcomes of responses to judges' reports of interference remains relevant. According to a public statement by the HCJ of 24 March 2026, a total of 2,626 reports from judges concerning interference with the administration of justice were received between 2017 and 2025 inclusive. The number of such reports shows a steady upward trend: 185 in 2023, 224 in 2024 and 242 in 2025. The HCJ adopted 715 decisions on response measures (over the entire period of its activity from 2017 to 2025), systematically publishes the reports themselves in the relevant register and discloses the opinions of HCJ members and responses received from the PGO and other prosecution bodies.[1708] In 2025, 10 such reports were submitted by HACC judges.[1709] At the same time, information on the actual outcomes of appeals to the HCJ regarding interference remains unavailable, which calls into question the effectiveness of this mechanism. This shortcoming was already highlighted in the previous Shadow Report. The issue was also confirmed by a HACC judge in an interview conducted for the preparation of this report: in his view, the reporting mechanism has effectively become more of a tool to 'draw attention' to a situation than an effective legal remedy.[1710] The problem is further underscored by the HCJ's own findings: out of more than one thousand criminal proceedings initiated on the basis of judges' reports

1704 Information provided by a former government official during an interview conducted on 17.03.2026.

1705 On Amendments to the Criminal Procedure Code of Ukraine and the Law of Ukraine 'On the Public Prosecutor's Office' on Removing Obstacles for Parties to Criminal Proceedings in Access to Justice: Draft Law of Ukraine, registration No. 12367 of 30.12.2024. ↗

1706 On Amendments to the Criminal Procedure Code of Ukraine and the Law of Ukraine 'On the Public Prosecutor's Office' on Removing Obstacles for Parties to Criminal Proceedings in Access to Justice: Draft Law of Ukraine, registration No. 12367-2 of 14.01.2025. ↗; On Amendments to the Criminal Procedure Code of Ukraine and the Law of Ukraine 'On the Public Prosecutor's Office' on Removing Obstacles for Parties to Criminal Proceedings in Access to Justice: Draft Law of Ukraine, registration No. 12367-3 of 14.01.2025. ↗

1707 Ukraine: Fourth Review of the Extended Arrangement under the Extended Fund Facility, Request for Modifications of a Performance Criterion, and Financing Assurances Review-Press Release; Staff Report; and Statement by the Executive Director for Ukraine. International Monetary Fund, 2024. ↗

1708 Public Address to the Committee of the Verkhovna Rada of Ukraine on Legal Policy, the Committee of the Verkhovna Rada of Ukraine on Budget and the Committee of the Verkhovna Rada of Ukraine on Law Enforcement. High Council of Justice, 2026. ↗

1709 Register of Judges' Reports of Interference with Judicial Activity. High Council of Justice, 2026. ↗

1710 Information provided by a judge of the High Anti-Corruption Court during an interview conducted on 16.03.2026.

in 2016–2023, only 6 convictions are known.[1711] This indicates a systemic ineffectiveness of the relevant criminal law provision in this area.

The constitutional submission of Members of Parliament of 4 December 2024 concerning the alleged unconstitutionality of the involvement of international experts in the formation of anti-corruption bodies had not been considered on the merits as of the date of preparation of this report.[1712] The submission of 49 Members of Parliament regarding the compliance of the Law of Ukraine 'On the High Anti-Corruption Court' with the Constitution of Ukraine (constitutionality) has been under consideration by the Grand Chamber of the Constitutional Court of Ukraine (CCU) since October 2020.[1713] According to an expert in constitutional law,[1714] the CCU currently lacks a sufficient number of votes either to declare the Law unconstitutional or to uphold its constitutionality. In addition, the CCU traditionally entrusts the preparation of draft decisions to the judge-rapporteur rather than to the Secretariat, which further complicates the progress of the case.

Substantively, the arguments advanced in the submission regarding 'threats to sovereignty' are not supported by constitutional doctrine: the final decision at all stages of the selection procedures remains with constitutionally designated Ukrainian authorities. Certain academic works[1715] emphasise that the involvement of international experts in selection procedures for senior positions in public authorities constitutes a direct implementation of IMF transparency standards, rather than a transfer of sovereign powers to external actors. Technical assistance from international partners has long been an established practice across various areas of public governance, including law-making, while the participation of foreign experts in staffing matters is a logical continuation of their role in the development of draft laws, roadmaps and reform plans. Accordingly, the involvement of international experts in the selection of senior officials is both lawful and necessary in the context of European integration — rather than an extraordinary interference with sovereignty.

Even if the CCU were to declare the relevant provisions unconstitutional, such a decision would not have retroactive effect on already adopted appointment decisions.[1716]

The participation of international experts in selection commissions for key justice and anti-corruption bodies remains one of the most important institutional safeguards. At the same time, in June 2025, the mandate of the first composition of the Selection Commission responsible for selecting members of the HQCJ expired — under the current

1711 Public Address to the Committee of the Verkhovna Rada of Ukraine on Legal Policy, the Committee of the Verkhovna Rada of Ukraine on Budget and the Committee of the Verkhovna Rada of Ukraine on Law Enforcement. High Council of Justice, 2026. ↗

1712 A Constitutional Submission of 56 Members of Parliament of Ukraine Has Been Received by the CCU. Constitutional Court of Ukraine, 2026. ↗

1713 Constitutional Submission of 22.07.2022 on the Compliance of the Law of Ukraine 'On the High Anti-Corruption Court' No. 2447-VIII of 07.06.2018 with the Constitution of Ukraine (constitutionality). ↗

1714 Information provided by a professor of constitutional law during an interview conducted on 18.03.2026.

1715 O. Volokhov. Cooperation between Ukraine and the IMF in the Context of the Formation of Effective National Legislation. Current Issues of Politics, 2025, Issue 75, p. 39. ↗

1716 Information provided by a former government official during an interview conducted on 17.03.2026.

law, international experts are no longer included in its new composition.[1717] Despite a joint statement by 90 civil society organisations[1718] and Draft Law No. 13382[1719] aimed at extending international participation, on 22 July 2025 the HCJ initiated the formation of the Selection Commission without international experts.[1720] This decision constitutes a concerning precedent given the scale of the tasks facing the next composition of the HQCJ: completing the selection for approximately 1,800 judicial positions, conducting qualification assessments of a further approximately 1,500 judges and potentially organising a competition to the SC.

With regard to information leaks from NABU criminal proceedings, mitigation measures are being implemented. A risk register of potential leaks has been developed, including a list of typical mitigation tools; procedures for responding to leaks have been approved, with an accountability algorithm depending on the role of the staff member; and a system has been introduced to record any indications that may suggest leaks — even at the level of assumptions.[1721] Work is also underway to strengthen IT security, including restrictions on access to certain websites, a ban on personal messaging applications and the use of secure communication tools.[1722] On 12 December 2025, by Order No. 190, the NABU approved the Procedure for Ensuring Control over and Response to Information Leaks, and the action plan through June 2026 provides for the development of a risk management plan for leaks of official information with measurable indicators.[1723] Thus, there is tangible progress in addressing this issue, and its results should continue to be monitored.

The problem of unauthorised access to the USRCD has taken on a systemic character. Certain technical progress has been achieved: since 1 March 2025, authorisation in the USRCD has been carried out exclusively through the 'Electronic Court' system using tokens, which prevents login via simple username and password and makes it possible to identify the specific individual conducting searches.[1724] At the same time, in February 2026, the NABU and the SAPO disclosed instances of unjustified access to sealed HACC rulings in the 'Midas' case by officials from the SSU, the National Agency of Ukraine for Finding, Tracing and Management of Assets Derived from Corruption and Other Crimes, the SBI, the PGO and the NPU.[1725]

1717 Why the Participation of International Experts in Key Selection Procedures Matters. Ukrainska Pravda, 2025. ↗

1718 CSOs Urge to Preserve and Continue the Involvement of International Experts in Competition Commissions. Transparency International Ukraine, 2025. ↗

1719 On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' on Improving the Procedure for the Competition for the Position of Member of the High Qualification Commission of Judges of Ukraine: Draft Law of Ukraine, registration No. 13382 of 18.06.2025. ↗

1720 Information on the Launch of the Competition for Vacant Positions of Members of the Selection Commission for the Competition for Positions of Members of the HQCJ. High Council of Justice, 2025. ↗

1721 Information provided by representatives of the National Anti-Corruption Bureau of Ukraine during an interview conducted on 17.03.2026.

1722 Information provided by an anti-corruption expert during an interview conducted on 19.03.2026.

1723 Letter of the National Anti-Corruption Bureau of Ukraine of 01.04.2026 No. 112-299/10859.

1724 Director of the NABU Semen Kryvonos: 'Suspected lawyers were not the only ones extracting information from registers'. Dzerkalo Tyzhnia, 2025. ↗

1725 Meeting of the Committee on Anti-Corruption Policy of 26.02.2026. YouTube channel of the Committee on Anti-Corruption Policy, 2026. ↗

In addition, a fundamentally new vulnerability has been identified: following the brief publication of extracts relating to search warrants on the 'Judicial Authority' portal, it became apparent that the state enterprise 'Information Judicial Systems' is technically capable of generating database dumps from the register, including case files, without restrictions. This vulnerability is not addressed even by Draft Law No. 7033-d, as it regulates full and general access to the register, rather than infrastructural access to the database.[1726]

At the legislative level, on 18 March 2026, the Committee of the Verkhovna Rada on Legal Policy reviews the wording[1727] of Draft Law No. 7033-d[1728] for the second reading but did not adopt a final decision. The revised version is an improvement compared to the original; however, it still retains the risk of restricting general access to court decisions adopted in open hearings, which may undermine public monitoring of court proceedings.[1729] The current regulatory framework, which largely relies on ex post criminal liability, does not effectively deter violations. A comprehensive approach is required, combining the limitation of full access in line with the actual powers of officials, legislative restrictions on access to decisions adopted in closed hearings and the introduction of regular audits of access logs with clear disciplinary consequences for unjustified queries — while unequivocally preserving the principle of the openness of judicial proceedings.

At the level of the SAPO, information has been recorded regarding a possible leak of information in the 'Midas' case, allegedly involving a former Deputy Head of the SAPO.[1730] Even though the individual resigned following the emergence of these circumstances, no further disciplinary or other measures were taken. According to an expert assessment,[1731] the effective imposition of sanctions on persons involved in leaks remains a systemic unresolved issue.

Draft Law No. 13137 on the disciplinary liability of judges remains under consideration by the Parliament. On 4 February 2026, the Committee of the Verkhovna Rada on Ukraine's Integration into the EU adopted a conclusion[1732] stating that the draft law does not contradict Ukraine's European integration commitments but requires further refinement.

As regards prosecutors, the relevant draft law on amending the grounds for disciplinary liability of prosecutors was submitted to the Government as early as March of the previous year and was subsequently referred for additional expert assessment on

1726 Information provided by representatives of the National Anti-Corruption Bureau of Ukraine during an interview conducted on 17.03.2026.

1727 Meeting of the Committee on Legal Policy of 18 March 2026. Committee of the Verkhovna Rada of Ukraine on Legal Policy, 2026. ↗

1728 On Amendments to Certain Laws of Ukraine on Preventing the Disclosure of Certain Information in the Texts of Court Decisions: Draft Law of Ukraine, registration No. 7033-d of 13.01.2023. ↗

1729 Publication by Transparency International Ukraine on the social network Facebook, 2026. ↗

1730 The 'Mindich Case': Syniuk Presents His Version of His Dismissal from the Position of Deputy Head of the SAPO. Dzerkalo Tyzhnia, 2025. ↗

1731 Information provided by an anti-corruption expert during an interview conducted on 19.03.2026.

1732 Conclusion (European integration assessment) on the Draft Law of Ukraine 'On Amendments to the Law of Ukraine "On the Judiciary and the Status of Judges" and Certain Legislative Acts of Ukraine on Improving Disciplinary and Other Procedures'. Committee of the Verkhovna Rada of Ukraine on Ukraine's Integration into the EU, 2026. ↗

its compliance with European standards.[1733] Following the receipt of expert recommendations, the responsible ministry and the PGO are expected to revise the draft. Thus, no progress has been made on this issue. In 2025, the practice of disciplinary proceedings within the SAPO itself included 14 cases of alleged violations.[1734] In all cases, the Qualification and Disciplinary Commission of Prosecutors agreed with the conclusion of the SAPO's internal control unit that there were no grounds for holding prosecutors liable.

As regards the independence of the NACP, in its 2025 Enlargement Package Report the European Commission expressed concerns about the Agency's impartiality and effectiveness in certain functions. This assessment has become particularly relevant in light of the publication of the so-called 'Mindich tapes', which also contained references to the alleged transfer of an undue advantage in the amount of USD 20,000 to an unidentified NACP employee,[1735] as well as to the possibility of reaching an arrangement with the Agency.[1736] In response to a request from the Public Council under the NACP, the Head of the Agency, Viktor Pavlushchyk, initiated an internal investigation into the possible involvement of the institution in the corruption scandal surrounding JSC 'NNEGC Energoatom'. However, on 1 January 2026, the NACP published a statement indicating that the investigation had not identified any factual evidence of involvement of its employees in corruption offences, receipt of undue advantage or the existence of external improper influence on decision-making.[1737]

The Agency also did not publish information on the initiation of a full verification of the asset declaration of the former Head of the Office of the President of Ukraine (Office of the President), Andrii Yermak, who was also mentioned in the 'Midas' case. In this regard, the NACP stated that on 3 February 2025 it had initiated a full verification of the official's declaration; however, on the same day it received a letter from a state authority requiring it to comply with restrictions on access to information concerning that individual due to protective measures being applied — which served as the basis for not disclosing information both on the initiation and on the results of the verification.[1738]

On 16 May 2025, the NACP completed the verification, which identified only inaccuracies in the declaration — no indications of false declaration, illicit enrichment or unjustified assets were found. Following media reports about the official's dismissal, the Agency contacted the relevant state authority and, upon receiving confirmation that the restrictions had been lifted, published the relevant statement on its official website.[1739]

1733 Information provided by a representative of the academic community during an interview conducted on 18.03.2026.

1734 Ibid.

1735 Operation 'Midas': High-Level Criminal Organisation in the Energy Sector Exposed. National Anti-Corruption Bureau of Ukraine, 2025. ↗

1736 'Mindich Tapes' / Zaliznyi Nardep. YouTube, 2025. ↗

1737 Internal Review: No Involvement of NACP Staff in the 'Energoatom' Case Established. National Agency on Corruption Prevention, 2026. ↗

1738 NACP Commentary on the Publication of the Results of the Full Verification of the Asset Declarations of the Former Head of the Office of the President of Ukraine. National Agency on Corruption Prevention, 2026. ↗

1739 Certificate of the National Agency on Corruption Prevention No. 360/25 of 16.05.2025. ↗

However, this raises the question of how the authority referred to in the publication became aware of the initiation of the full verification of A. Yermak's declaration and was able to submit a request to restrict access within such a short timeframe.

Following the publication of new materials from the 'Midas' investigation, Transparency International Ukraine also submitted a report[1740] to the NACP concerning possible signs of a conflict of interest in the actions of former Minister of Defence Rustem Umerov. At the end of April 2026, recordings were published of conversations between R. Umerov and Timur Mindich concerning matters within the remit of the Ministry of Defence of Ukraine, including state funding by the Ministry for a company linked to Mindich. In response, however, the Agency stated that the information provided was 'insufficient to establish that former Minister of Defence of Ukraine R. E. Umerov had a conflict of interest, since the report did not specify what actions he had taken or decisions he had made to satisfy an alleged private interest in the circumstances described in the report'.[1741] Transparency International Ukraine had, however, asked the NACP to verify possible violations rather than asserting that a violation had occurred, since only the NACP has the authority to make such a determination.

Overall, the situation surrounding the 'Midas' investigation has raised several concerns regarding the quality of the NACP's work and its independence.

Recommendations[1742]

1. The Verkhovna Rada should:

- amend the legislation to provide that, following the competitive selection for the position of the Head of the NABU/SAPO, the Selection Commission nominates a single candidate and submits that candidate for appointment to the Prime Minister (Prosecutor General);
- specify the consequences of negative conclusions of external independent audits of the NABU, the SAPO and the NACP for the heads of these bodies, to ensure that shortcomings attributable to previous heads do not serve as grounds for dismissing those whose performance is being assessed during the external independent audit;
- strengthen the institutional autonomy of the SAPO by granting its Head the authority to initiate criminal proceedings and to approve investigative actions concerning MPs, as well as powers in the field of international cooperation (not only through amendments to the CPC of Ukraine, but also to the relevant ratification laws on international treaties);
- establish in legislation the obligation of the PGO to provide the HCJ with information on the progress and outcomes of relevant criminal proceedings. The HCJ, in turn, should ensure public monitoring of the effectiveness of the response mechanism to such reports — in particular with regard to the outcomes of pre-trial investigations and court proceedings;

1740 Letter of Transparency International Ukraine of 01.05.2026 No.TI-322.

1741 Letter of the National Agency on Corruption Prevention of 02.06.2026 No. 204-01/38470-26.

1742 Most of the recommendations were already provided by civil society in the Shadow Report 2025 (pp. 317-318) and remain relevant. At the same time, some of these recommendations have been refined in light of new developments.

- specify certain grounds for the disciplinary liability of prosecutors and judges in line with Group of States against Corruption (GRECO) recommendations, through the revision and adoption of Draft Law No. 13137;
- continue the involvement of representatives of international partners in selection commissions for positions in the justice and anti-corruption sectors, in particular with regard to the HQCJ.

2. The Verkhovna Rada and the expert community should ensure effective protection of the guarantees of independence of anti-corruption bodies in the context of the CCU's consideration of the submission concerning the alleged unconstitutionality of the involvement of international experts in the formation of these bodies.

3. The NABU should systematically monitor the outcomes of the implementation of comprehensive mechanisms to prevent information leaks within anti-corruption bodies, while the Verkhovna Rada should adopt the revised Draft Law No. 7033-d, taking into account the concerns of civil society organisations, and establish effective safeguards against the unauthorised dissemination of information through full access to the USRCD.

4. The NACP should improve its response to reports and public communication regarding the verification of possible violations and the implementation of financial control measures in respect of officials holding responsible or particularly responsible positions. In particular, the NACP should publish information as regards the initiation and completion of full verifications of asset declarations, or any restrictions on access to such information. Any limitations on the publication of information concerning such verifications should be based exclusively on clearly defined legal grounds, which the Agency should also disclose.

Human Resources

Progress and issues

The NABU has completed its first full two-year cycle for evaluating detectives in accordance with the approved procedure.[1743] Following the cycle, feedback was collected from participants and amendments are being developed to update the evaluation system. Qualitative indicators are determined through oversight by SAPO prosecutors and the court. The evaluation is aligned with strategic priorities through a score multiplier mechanism: a non-priority case is assessed at 30 points, while a case of the highest priority is assessed at 300 points.[1744] The system covers 16 key performance indicators, focused mainly on the outcomes of criminal prosecution: notices of suspicion, indictments, asset seizures and confiscations.[1745]

1743 On Approval of the Procedure for Evaluating the Performance Results of Detectives and Heads of Detective Units of the National Anti-Corruption Bureau of Ukraine: Order of the National Anti-Corruption Bureau of Ukraine No. 163 of 27.09.2024. ↗

1744 Information provided by representatives of the National Anti-Corruption Bureau of Ukraine during an interview conducted on 17.03.2026.

1745 On Approval of the Procedure for Evaluating the Performance Results of Detectives and Heads of Detective Units of the National Anti-Corruption Bureau of Ukraine: Order of the National Anti-Corruption Bureau of Ukraine No. 163 of 27.09.2024. ↗

The system for evaluating the quality of prosecutors' work[1746] was ultimately not implemented as of 1 January 2026.[1747] The official reason given was technical shortcomings in the electronic module, but experts note[1748] that the real reason was the change in leadership and the lack of willingness to continue the previous course. Instead, the new leadership has declared its intention to develop amendments to the Law of Ukraine 'On the Public Prosecutor's Office' that would enshrine an updated concept for the evaluation system. However, there are currently no deadlines or specific draft law under consideration in Parliament. Thus, the reform is effectively starting from scratch.

This is also confirmed by data from the Information System for Monitoring the Implementation of State Anti-Corruption Policy (ISM SAP), which states that the PGO has developed a draft Law of Ukraine 'On Amendments to the Law of Ukraine "On the Public Prosecutor's Office"', including on issues related to the evaluation of the quality of prosecutors' work. The draft defines the purpose, period and criteria for evaluating the quality of prosecutors' work, the requirements for members of the commission and the procedure for forming the composition of the commission responsible for evaluating the quality of prosecutors' work, provides for the possibility of appealing evaluation results and envisages the involvement of the Council of Prosecutors of Ukraine in the evaluation process.[1749]

At the same time, the SAPO Strategy for 2026–2028[1750] identifies the introduction of a system for evaluating prosecutors' performance as one of its priority tasks, setting a target of 100% coverage by the end of 2028. The evaluation results are expected to affect incentives, training plans and career development.

The level of funding for anti-corruption bodies remains insufficient. Thus, the 2026 State Budget allocates UAH 2.55 billion in expenditures for the NABU (compared with UAH 1.86 billion in 2025, although the staff increase should be considered), UAH 368.8 million for SAPO (UAH 335.9 million in 2025) and UAH 511 million for the HACC (UAH 457.6 million in 2025).[1751] Nevertheless, the NABU reports that the actual need for general fund resources from the State Budget, submitted by the National Bureau in Form 4 to the 2026 budget request under budget programme code 6321010 'Ensuring the Activities of the National Anti-Corruption Bureau of Ukraine', amounts to UAH 2.8 billion.[1752]

It should be noted that the economic effect of the activities of the NABU and SAPO in the second half of 2025 alone exceeded UAH 4.9 billion. More than UAH 216 million in seized funds or funds paid under plea agreements were transferred for defence needs, compensation in funds and property exceeded UAH 762 million and fines imposed by courts on participants in NABU and SAPO proceedings amounted to more than UAH

1746 For details, see the section 'Prosecution Reform'.

1747 On 19.11.2025, by Order No. 370, the Prosecutor General repealed Order No. 407 of 29.12.2021, which had approved the Regulation on the System for Evaluating the Quality of Prosecutors' Work. ↗

1748 Information provided by a representative of the academic community during an interview conducted on 18.03.2026.

1749 2.1.5.1.2. Introduction of a System for Evaluating the Quality of Prosecutors' Work Based on e-HR. ISM SAP, 2025. ↗

1750 SAPO Strategy for 2026–2028, 2025. ↗

1751 Annexes Nos. 1–8 to the State Budget of Ukraine for 2026; Annexes Nos. 1–8 to the State Budget of Ukraine for 2025.

1752 The NABU, Which Will Receive UAH 2.5 Billion from the Budget, Complains of Underfunding. Glavcom, 2026. ↗

670 million. The total amount recovered for the state since the start of the bodies' operations exceeded UAH 11.4 billion as of 31 December 2025.[1753]

According to the Law of Ukraine 'On the State Budget of Ukraine for 2026', NACP funding in 2026 was increased by 9% to UAH 1.5 billion.[1754] Experts note[1755] that the level of remuneration at the NACP was generally not affected by the new Law No. 4282-IX on the introduction of unified approaches to civil servant remuneration based on job classification.[1756] However, the Agency itself reported[1757] that the adoption of this Law led to a reduction in certain payments to NACP staff, in particular the amount of financial assistance for annual leave, which negatively affected their level of financial security.

There is also legal uncertainty regarding the application of remuneration conditions, which requires the relevant remuneration conditions for NACP staff to be regulated annually in the Law on the State Budget of Ukraine for the respective year and makes them somewhat dependent on Government decisions. In view of this, the NACP believes that the remuneration conditions for its staff should be enshrined directly in the Law of Ukraine 'On Prevention of Corruption' to maintain adequate financial security and the institutional capacity to attract and retain highly qualified personnel.[1758] This provision is reflected in the draft Anti-Corruption Strategy for 2026–2030[1759] revised by MPs who are members of the Verkhovna Rada Committee on Anti-Corruption Policy.

According to updated information from the Ministry of Finance of Ukraine, the average salary of NACP staff as of May 2026 was UAH 83,500. At the same time, the average salary of NACP management was UAH 242,200 per month. This is one of the highest figure among central executive authorities and regulators. For specialists performing support functions for the NACP, the average salary was UAH 50,100.[1760] Thus, it appears that NACP funding improved during the reporting period. However, certain departments of the Agency still require more resources. This concerns the Department for Anti-Corruption Policy, which faces a heavy workload due to the development of the new anti-corruption policy cycle, monitoring and coordination of the implementation of current strategic documents and work on anti-corruption mainstreaming in line with Ukraine's European integration commitments.

The lack of any increase in judicial remuneration at the HACC due to the special subsistence minimum of UAH 2,102,[1761] which has remained unchanged since 2020,[1762] is an

1753 NABU Report for the Second Half of 2025. National Anti-Corruption Bureau of Ukraine, 2026. ↗

1754 On the State Budget of Ukraine for 2026: Law of Ukraine No. 4695-IX of 03.12.2025. ↗

1755 Information provided by an anti-corruption expert during an interview conducted on 19.03.2026.

1756 On Amendments to Certain Laws of Ukraine on the Introduction of Unified Approaches to Civil Servant Remuneration Based on Job Classification: Law of Ukraine No. 4282-IX of 11.03.2024. ↗

1757 Letter from the National Agency on Corruption Prevention No. 09-15/24628-26 of 15.04.2026.

1758 Ibid.

1759 On Approval of the Anti-Corruption Strategy for 2026–2030: Draft Law of Ukraine, registration No. 15230-d of 27.07.2026. ↗

1760 The MoF Updated Data on the Level of Remuneration in State Bodies for January 2026. ↗

1761 On the State Budget of Ukraine for 2026: Law of Ukraine No. 4695-IX of 03.12.2025. ↗

1762 Report of the Accounting Chamber Based on the Results of the Compliance Audit 'Ensuring the Functioning of the High Anti-Corruption Court' of 19.12.2024. ↗

acute and long-standing problem. In 2025, a similar problem affected the NABU and the SAPO for the first time, as their remuneration levels remained the same as in 2025.[1763] The salaries of prosecutors and detectives have now reached the level of judges' salaries, which can hardly be considered normal.[1764]

The problem of HACC office premises is being resolved, albeit with some delay. Since October 2024, the HACC had been asking the Government to transfer the building of the former Ministry of Ecology — a 12-storey building of which only two floors are being used. The Government did not respond, so on 26 March 2026 the assembly of HACC judges appealed to the President to draw attention to the problem.[1765] After the appointment of new judges following the competition, the HACC will be physically unable to support their work — there will be neither enough courtrooms nor enough office space. Placing new judges in the existing premises will worsen the work dynamics of current judges and create an organisational collapse.[1766] Only on 4 June 2026 did the Government approve a plan for providing the HACC with premises for the administration of justice.[1767]

Staff retention in anti-corruption bodies remains a challenge, although its severity varies. As early as 2024, the NABU asked the European Union Anti-Corruption Initiative in Ukraine (EUACI) to engage an additional HR consultant to work on the internal climate within the team.[1768] As of the end of the year, the authorised staffing level of the NABU was 900 employees, including 199 civil servants. There were 76 vacant positions, while appointments to 28 positions were ongoing.[1769] In 2025, competitions were announced for 160 vacant positions, including 22 repeated competitions, while two competitions were discontinued; as a result, 140 vacancies were filled.[1770]

As of March 2026, SAPO's authorised staffing level was 150 positions, while the actual staffing level was 106 employees, with 56 positions remaining vacant, including 44 prosecutor positions. In 2025, one competition was held for 27 positions, resulting in the appointment of 18 people. Following the competition for 19 prosecutor positions announced in October 2025, seven prosecutors were appointed. The average time required to fill a civil service vacancy is two months.[1771]

At the HACC, the staffing situation is assessed as stable: there is no critical staff shortage, but the 'freezing' of judicial remuneration for six years is unacceptable and requires an urgent solution. As regards staff of the HACC administrative office, there are enough people willing to work there, but the problem lies in the quality of the candidate pool

1763 On the State Budget of Ukraine for 2026: Law of Ukraine No. 4695-IX of 03.12.2025. ↗

1764 Information provided by the Head of the HACC Administrative Office during an interview conducted on 12.03.2026.

1765 Administration of Justice Under Threat: HACC Judges Appeal to the President of Ukraine to Fulfil European Integration Commitments on Providing Adequate Premises for the Administration of Justice. High Anti-Corruption Court, 2026. ↗

1766 Information provided by the Head of the HACC Administrative Office during an interview conducted on 12.03.2026.

1767 Government Decision: Plan Approved to Provide the HACC with Premises for the Administration of Justice. High Anti-Corruption Court, 2026. ↗

1768 HR Consultant for the NABU. European Union Anti-Corruption Initiative in Ukraine (EUACI), 2024. ↗

1769 NABU Report for the Second Half of 2025. National Anti-Corruption Bureau of Ukraine, 2026. ↗

1770 Letter from the National Anti-Corruption Bureau of Ukraine No. 112-299/10859 of 01.04.2026.

1771 Letter from the Specialised Anti-Corruption Prosecutor's Office No. 11-1662VYH-26 of 10.03.2026.

rather than in the number of applicants.[1772] The results of the competitive selection of HACC judges raise an important question about ensuring not only a sufficient number of candidates but also their professionalism and integrity,[1773] which requires further examination, taking into account general demographic trends in Ukraine.

In October 2025, the Government supported an increase in the maximum staffing level of the NACP from 408 to 433 employees.[1774] This is a positive decision against the background of the constantly growing workload and the requirements of international partners in the context of Ukraine's European integration. However, the Agency remains understaffed. As of March 2026, the NACP's authorised staffing level was 425 positions, while its actual staffing level is 377 employees, excluding persons on maternity or parental leave and those mobilised into the Armed Forces of Ukraine. The Agency had 48 vacant positions.[1775]

According to the information provided by the Agency, appointments to the NACP in 2025 were made in accordance with Parts 5 and 7 of Article 10 of the Law of Ukraine 'On the Legal Regime of Martial Law'. In 2025, 59 selection procedures were announced and 61 vacancies were filled.[1776] No appointments by transfer were made. There remains an urgent need to amend the legislation to introduce an objective, transparent and merit-based competition for positions in the NACP, as well as corresponding amendments to the Agency's internal competition procedures.

In July 2025, the Government registered Draft Law No. 13478 in the Verkhovna Rada on the resumption of competitions for civil service positions, the adoption of which in the third quarter of 2025 was envisaged as an indicator under the Ukraine Facility Plan.[1777] However, the draft law was withdrawn due to the resignation of the Government on the same day, leaving only the alternative Draft Law No. 13478-1[1778] submitted by MPs, which is identical in substance. In April 2026, Parliament adopted Draft Law No. 13478-1 as a basis at first reading, taking into account the proposals of the Committee on the Organisation of State Power, Local Self-Government, Regional Development and Urban Planning.[1779]

Despite its generally positive direction, experts identified significant shortcomings in the draft law: unrealistic timelines for resuming competitions, broad discretion for appointing authorities to extend the service of persons appointed without competition during martial law and the absence of provisions restoring stability in civil service careers and limiting arbitrary dismissals.[1780] Separate criticism is warranted by the mechanism proposed

1772 Information provided by the Head of the HACC Administrative Office during an interview conducted on 12.03.2026.

1773 K. Ryzhenko. Are There No Superheroes? The Challenge of the HACC Competition. NV — Opinion, 2026. ↗

1774 On Amendments to Annex 1 to Resolution of the Cabinet of Ministers of Ukraine No. 85 of 5 April 2014: Resolution of the Cabinet of Ministers of Ukraine No. 1355 of 22.10.2025. ↗

1775 Letter from the National Agency on Corruption Prevention No. 205-05/18452-26 of 23.03.2026.

1776 Ibid.

1777 On Approval of the Ukraine Plan: Order of the Cabinet of Ministers of Ukraine No. 244 of 18.03.2024. ↗

1778 On Amendments to Certain Laws of Ukraine on Restoring Competitions and Improving the Procedure for Entering, Performing and Terminating Civil Service: Draft Law of Ukraine, registration No. 13478-1 of 16.07.2025. ↗

1779 Ibid.

1780 Draft Law on Resuming Civil Service Competitions Adopted at First Reading, with Issues to Be Addressed before the Second. Centre of Policy and Legal Reform, 2026. ↗

in the draft law for verifying the integrity of candidates for senior civil service positions, which raises doubts as to the effectiveness, transparency and impartiality of such verification. Decision-making powers are proposed to be vested in the Commission on Senior Civil Service, comprising seven members, four of whom would be nominees of the three branches of government. The draft law also does not clearly establish which body would perform the secretariat function for the Commission. The main instrument of the verification process would be integrity questionnaires completed by candidates. At the same time, the bodies involved in the assessment do not have sufficient powers to verify the data contained in these questionnaires effectively, particularly as regards personal data.[1781]

An additional concern is the provision allowing the NACP to hold internal competitions for vacant positions among existing Agency civil servants without involving external candidates, which is premature given the need to renew staffing through external recruitment.[1782]

Recommendations[1783]

1. The NABU and the SAPO should ensure the effective implementation of comprehensive evaluation systems for NABU detectives and SAPO prosecutors that consider not only quantitative but also qualitative characteristics.

2. Anti-corruption institutions should be provided with adequate financial resources to ensure their effective operation, and the indexation of judicial remuneration should be restored in accordance with the requirements of the law.

3. The system for selecting specialists for leadership positions in the NABU and the SAPO, as well as HACC judges, should be assessed with a view to attracting a larger number of professional and trustworthy candidates.

4. The HACC should be provided with adequate office premises to ensure the effective functioning of the court, especially given the expansion of its judicial and administrative staff.

5. The comprehensive staff retention programme in anti-corruption bodies should be continued, including a system of professional development, career advancement and competitive remuneration under martial law.

6. The Verkhovna Rada should finalise and adopt Draft Law No. 13478-1 on the resumption of competitions for civil service positions, taking into account experts' comments, in particular regarding integrity checks of candidates, the discretion of appointing authorities and internal competitions for vacant positions within the NACP.

7. The remuneration conditions for NACP staff should be enshrined directly in the specialised law to maintain adequate financial security and the institutional capacity to attract and retain highly qualified personnel.

1781 On Amendments to Certain Laws of Ukraine on Resuming Competitions and Improving the Procedure for Entering, Serving in and Terminating Civil Service: Draft Law of Ukraine, registration No. 13478-1 of 16.07.2025. ↗

1782 Ibid.

1783 Most of the recommendations were already provided by civil society in the Shadow Report 2025 (pp. 328–329) and remain relevant. At the same time, some of these recommendations have been clarified in view of new circumstances.

Institutional Autonomy and Cooperation

Progress and issues

During the reporting period, the NABU continued to optimise its internal structure in analytics. As of the end of 2025, the authorised staffing level of NABU's Department for Criminal Analysis and Financial Investigations had been increased to 62 positions. Overall, the direction towards expanding proactive analytical functions that are not tied to specific detective units has been confirmed, although the duration of competitive procedures continues to limit the speed at which vacancies can be filled.

The problem of NABU's dependence on the SSU in intercepting information from electronic communications networks remains unresolved. The Rule of Law Roadmap provides for the need to grant the NABU autonomous access to covert investigative/search actions (CISA) within the scope of its investigative and operational activities. The SSU reported[1784] that a memorandum on these issues had been signed between the SSU and the NABU. During 2025, a working group gradually examined the technical requirements for special equipment and submitted relevant proposals to specify them. The parties continue to implement the measures envisaged by the memorandum, taking into account national security priorities. At the same time, as of 31 March 2026, there has been no real technical progress in ensuring autonomous access for the NABU.

The 'iCase' system is developing, but the full involvement of all participants in criminal proceedings has still not been achieved. A key development during the reporting period was that the NABU and the Ukrainian National Bar Association (UNBA) began a working dialogue on creating a separate defence counsel account in the system: the first meeting took place on 18 February 2026 with the participation of representatives of the UNBA, the NABU and the engaged IT team. The parties agreed to work on expanding the functionality of 'iCase', and the draft technical requirements for the software product were submitted to the UNBA for review.

It is envisaged that defence counsel will be able to submit motions, applications, complaints and objections electronically, receive notifications from the prosecution and review pre-trial investigation materials.[1785] In 2025, 2,909 motions were submitted to the HACC through 'iCase' by NABU detectives and SAPO prosecutors. From 1 April 2025, the HACC began receiving motions through 'iCase' to extend the period of validity of obligations, based on HACC Orders No. 11 of 28 February 2025 and No. 14 of 3 March 2025.[1786]

The absence of an independent forensic institution available to the NABU in sensitive cases became particularly acute during the reporting period. According to the NABU,[1787] in the most sensitive cases, including those related to the 'Midas' case, state forensic institutions either allow information leaks or are able to delay results manually or influ-

1784 Letter from the Security Service of Ukraine No. 10/3/709-315-17 of 18.03.2026.

1785 The NACP Is Monitoring the Lifestyle of Andrii Svintsytskyi, Chief Forensic Expert under the MoJ, Following a Bihus.Info Report. Bihus.Info, 2026. ↗

1786 Letter from the High Anti-Corruption Court No. 03.10.1-05/42/2026 of 31.03.2026.

1787 Information provided by representatives of the National Anti-Corruption Bureau of Ukraine during an interview conducted on 17.03.2026.

ence conclusions. Independent experts are effectively intimidated by the threat of losing their certificates; moreover, they are unable to conduct certain types of forensic examinations.

The Scientific Research Centre for Independent Forensic Examinations of the MoJ does not provide the level of independence safeguards that could be expected, as there are no special guarantees of independence in the selection of its management or individual experts. Investigative journalists have also established that the family of the head of this institution, despite the absence of commensurate income, has purchased real estate and cars worth approximately USD 1 million in recent years. In connection with this, the NACP has launched lifestyle monitoring.[1788]

In February 2026, information emerged that the MoJ had developed a Draft Law 'On Forensic Examination' on the unification of forensic expert activities, which has now been sent for approval to the authorities concerned.[1789] It removes restrictions on certain types of forensic examinations being conducted exclusively by state institutions, unifies the objects and methodologies of forensic examinations and sets timeframes for their conduct. It also provides that appeals against forensic examination results will be considered by a specially established Main Expert Qualification Commission of Forensic Experts. However, the text has not been made publicly available for public and expert discussion.

The previous government draft law[1790] on the reform of forensic expert activities, which provided for the introduction of a single professional self-governance system for forensic experts and the equalisation of private experts with state experts in criminal proceedings, did not pass its first reading and was withdrawn due to the resignation of the Government.

The issue of expanding NABU's investigative jurisdiction to fully cover top officials — in particular the Head of the Office of the President and the Deputy Heads of the Office of the President — remains unresolved at the legislative level.[1791] These persons are not civil servants within the meaning of the Law of Ukraine 'On Civil Service' and therefore formally fall outside NABU's subject-matter jurisdiction.

On 2 February 2026, the MoJ submitted to the Government a draft law on strengthening the institutional capacity of the NABU and the SAPO and removing procedural obstacles to effective pre-trial investigations.[1792] The draft law provides for expanding the range of persons falling within NABU's investigative jurisdiction, granting the Head of SAPO the power to establish joint investigation teams and enabling extradition requests to be sent in NABU cases. No information on any further progress of this draft law was available during the reporting period.

1788 The NACP Is Monitoring the Lifestyle of Andrii Svintsytskyi, Chief Forensic Expert under the MoJ, Following a Bihus.Info Report. Bihus.Info, 2026. ↗

1789 Liudmyla Suhak Presented Progress in the Rule of Law Area to Representatives of EU Member States. Ministry of Justice of Ukraine, 2026. ↗

1790 On Forensic Expert Activities: Draft Law of Ukraine, registration No. 6284 of 05.11.2021. ↗

1791 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report within the 2024 European Union Enlargement Package, 2025, p. 327. ↗

1792 How to Change Attitudes towards 'Ukrainian Corruption': Explaining the Main Change the EU Expects. Transparency International Ukraine, 2026. ↗

In June 2026, a number of MPs registered Draft Law No. 15334,[1793] which, inter alia, would extend NABU investigative jurisdiction to corruption and corruption-related criminal offences committed by the leadership of the SBI, the Office of the President, state, military and military-civil administrations of the regions and the cities of Kyiv and Sevastopol, senior-ranking officials of the ESBU and the SBI, as well as deputy heads, supervisory board members and members of executive bodies (management boards and directorates) of large state-owned and municipally owned enterprises. The draft law is currently being considered by Verkhovna Rada committees.

Cooperation with banking institutions remains problematic in the context of investigations. Despite some progress — particularly the adoption by the National Bank of Ukraine of Resolution No. 33,[1794] which formally obliged banks to provide the NABU with the necessary information — the problem of access to banking data in anti-corruption investigations remains unresolved. Some banks continue to use outdated templates and standards, failing to provide information on counterparties to financial transactions and other requested data. At the same time, the NABU is effectively deprived of effective enforcement mechanisms: violations by banks mostly remain officially unrecognised and there are no legal consequences for failure to provide information on financial flows, which makes it impossible to initiate court proceedings against non-compliant banks.[1795]

An additional complication is the state secrets regime, which applies to CISA provided for by the CPC of Ukraine, namely the monitoring of bank accounts — banks may not have access to classified information and therefore may be unable to process such requests properly. The absence of a single register of bank accounts, the creation of which remains an unimplemented recommendation of the European Commission,[1796] further complicates investigations.

In terms of evidence gathering for the purpose of filing civil forfeiture claims concerning unjustified assets, a remaining problem is that the Law of Ukraine 'On the Public Prosecutor's Office'[1797] grants prosecutors the right to request copies of documents and materials from state authorities and local self-government bodies, but this provision does not allow them to obtain restricted-access information. In practice, this means that bodies holding the necessary information, particularly the Pension Fund of Ukraine, refuse to provide prosecutors with data on the amount of pensions, income or social benefits, citing the lack of prosecutorial powers to obtain restricted-access information. As a result, prosecutors are unable to establish the full scope of a person's income and assets and their movement, which is necessary to assess whether there are signs that assets are unjustified in civil forfeiture cases.[1798] Despite this, MPs propose expanding the range of bodies authorised to collect evidence in civil forfeiture cases by adding the

1793 On Amendments to the Criminal Procedure Code of Ukraine on Improving the Procedure for Determining Investigative Jurisdiction and Procedural Support for International Cooperation: Draft Law of Ukraine, registration No. 15334 of 16.06.2026. ↗

1794 On Approval of Amendments to the Rules for the Storage, Protection, Use and Disclosure of Banking Secrecy: Resolution of the National Bank of Ukraine No. 33 of 18.03.2024. ↗

1795 Ukraine Fifth Round of Anti-Corruption Monitoring Follow-Up Report. OECD, 2025. ↗

1796 Ukraine Report 2025: Communication on EU Enlargement Policy, p. 12. ↗

1797 On the Public Prosecutor's Office: Law of Ukraine No. 1697-VII of 14.10.2014, paragraph 6 Part 4 Article 23. ↗

1798 Letter from the National Anti-Corruption Bureau of Ukraine No. 01-003/35963 of 20.11.2025.

NPU to the list. This is reflected in the recommendation of the Verkhovna Rada Committee on Law Enforcement to adopt Draft Law No. 15260 as a basis at first reading.[1799]

The draft Anti-Corruption Strategy for 2026–2030 registered in Parliament identifies the resolution of the following problems as expected results:[1800] access to forensic examinations in NABU cases, the ability to conduct interception autonomously from the SSU, the expansion of NABU's investigative jurisdiction, the strengthening of the activities of NABU's internal control units, the implementation of effective and systemic measures to ensure information security and the introduction of an electronic criminal proceedings system. Accordingly, this document provides high-quality coverage of the problematic aspects.

The Rule of Law Roadmap[1801] includes, as one of its measures, the adoption and systematic implementation of the NACP institutional development strategy with clear strategic results. The last NACP Institutional Development Strategy covered 2021.[1802] To implement the Rule of Law Roadmap, on 30 September 2025, the NACP approved a new Agency Institutional Development Strategy for 2026–2030.[1803] The published Strategy defines its vision, mission and values, as well as challenges and strategic objectives, but does not analyse their causes or prioritise their achievement. The Strategy also largely fails to reflect the key recommendations of the audit report for 2020–2021.[1804] The NACP states that implementation of the Strategy will be ensured through the development and implementation of an Operational Plan, which is not currently publicly available.[1805]

As regards the Agency's cooperation with other bodies, during the monitoring period the NACP deepened cooperation with the European Union Advisory Mission for Civilian Security Sector Reform Ukraine (EUAM Ukraine),[1806] the Agency for Prevention of Corruption of Montenegro (ASK)[1807] and the National Integrity Authority of Moldova (ANI).[1808] This deserves a positive assessment. However, the NACP has still not facilitated the

1799 On Amendments to the Code of Ukraine on Administrative Offences and Other Legislative Acts on Improving Measures for Identifying Unjustified Assets and Collecting Evidence of Their Unjustified Nature: Draft Law of Ukraine, registration No. 15260 of 19.05.2026. ↗

1800 On Approval of the Anti-Corruption Strategy for 2026–2030: Draft Law of Ukraine, registration No. 15230-d of 27.07.2026. ↗

1801 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

1802 Development Strategy of the National Agency on Corruption Prevention for 2021. ↗

1803 On Approval of the Institutional Development Strategy of the National Agency on Corruption Prevention for 2026–2030: Order of the National Agency on Corruption Prevention No. 297/25 of 30.09.2025. ↗

1804 External Independent Evaluation of the Effectiveness of the National Agency on Corruption Prevention: Report / Commission for the Independent Evaluation of the Effectiveness of the National Agency on Corruption Prevention. 2023. ↗

1805 Institutional Development Strategy of the National Agency on Corruption Prevention for 2026–2030: Order of the National Agency on Corruption Prevention No. 297/25 of 30.09.2025. ↗

1806 The NACP and EUAM Ukraine Expand Cooperation in the Field of Corruption Prevention. National Agency on Corruption Prevention, 2026. ↗

1807 Ukraine and Montenegro Deepen Cooperation in Corruption Prevention: the NACP and ASK Signed a Memorandum. National Agency on Corruption Prevention, 2026. ↗

1808 Ukraine and Moldova Deepen Cooperation in Corruption Prevention: the NACP and ANI Signed a Memorandum of Cooperation. National Agency on Corruption Prevention, 2026. ↗

full use of the potential of regional tools, such as the Regional Data Exchange on Asset Disclosure and Conflict of Interest, which Serbia and Moldova joined in 2025.[1809]

Also, in the context of declaration verification, the Head of the Agency stated[1810] that the NACP does not have access to any registers or databases outside Ukraine. Therefore, it cannot obtain information on the income or expenses of declarants or their family members abroad. The Head of the NACP often emphasises that the NACP is not a law enforcement agency and does not have the corresponding capacity to detect corruption offences, unlike, for example, the NABU.

However, as early as 2024, the NACP obtained access to SIENA, the platform of the European Union Agency for Law Enforcement Cooperation (Europol), which opened up new opportunities for information exchange with law enforcement agencies of EU Member States, despite the fact that the NACP is not such an agency. Therefore, the claim that it is impossible to obtain information on foreign assets is not entirely accurate.[1811]

It is important to note that the NACP is still not included in the list of authorities that take measures to identify unjustified assets and collect evidence of their unjustified origin under Part 5 of Article 290 of the Civil Procedure Code of Ukraine (CivPC of Ukraine).[1812] Including the Agency in this list, without limiting its work through special procedures, would allow the Agency's financial control practice to be aligned with the investigation practices of the NABU, the SAPO, the SBI and the PGO, without establishing any rigid limits or special procedures.

Recommendations[1813]

1. The NABU should continue optimising its structure by expanding analyst units with proactive functions that are not tied to specific detective units.

2. The SSU should ensure, in the near future, NABU's autonomy in intercepting information from electronic communications networks.

3. The NABU, the UNBA and the HACC should ensure the full functioning of the 'iCase' system by involving all participants in criminal proceedings and integrating it with judicial document management systems (UJITS/UJICS).[1814]

4. The Verkhovna Rada and the Government should strengthen expert support for the NABU by adopting legislation establishing an independent forensic institution that is equidistant from both NABU management and other state bodies, or by developing the MoJ institution in line with genuine independence standards: competitive selection of the director with the participation of international partners, transparent

1809 Regional Data Exchange on Asset Disclosure and Conflict of Interest. ↗

1810 How the Financing of Political Processes Works in Ukraine. Hovoryt Opora, 2026. ↗

1811 Detecting Assets Hidden Abroad Will Become Easier: the NACP Joined Europol's SIENA Network Platform. National Agency on Corruption Prevention, 2024. ↗

1812 Civil Procedure Code of Ukraine No. 40-41, 42 of 18.03.2004, Part 5 Article 290. ↗

1813 Some recommendations were already provided by civil society in the Shadow Report 2025 (p. 332) and remain relevant.

1814 Unified Judicial Information and Telecommunication System/Unified Judicial Information and Communication System.

selection of experts, independent funding and subordination to the Cabinet of Ministers of Ukraine rather than the MoJ.

5. The Verkhovna Rada should expand NABU's investigative jurisdiction to fully cover all top officials, in particular the Head of the Office of the President and their deputies.

6. The Verkhovna Rada should remove Article 269[1], which currently regulates the monitoring of bank accounts, from the CPC of Ukraine and supplement it with provisions classifying this investigative action as an overt investigative/search action, with proper regulation of the procedure for obtaining authorisation and conducting such monitoring.

7. The Verkhovna Rada should supplement Article 23 of the Law of Ukraine 'On the Public Prosecutor's Office' with a provision stipulating that, when representing the interests of a citizen or the state in cases concerning the recognition of assets as unjustified and their recovery into state revenue, a prosecutor has the right to obtain, free of charge and upon written request, restricted-access information necessary to establish the sources of origin of assets, their amount and the legality of their acquisition, including from information systems, registers and databases.

8. The NACP should:

- publish the Operational Plan for the Implementation of the Institutional Development Strategy for 2026–2030;
- intensify the practical use of the SIENA platform and other available international information exchange mechanisms in the exercise of financial control, and publicly report on the results of such use;
- consider the possibility of systematic cooperation with the NABU and other bodies in obtaining information through mutual legal assistance requests when exercising financial control over declarants with high and elevated corruption risks;
- deepen cooperation with the State Tax Service of Ukraine and the State Financial Monitoring Service of Ukraine (SFMS) to detect undeclared assets of officials in Ukraine.

External Audit of the Activities of the NACP, the NABU and SAPO

Progress and issues

During the reporting period, the key development in the external audit of anti-corruption bodies was the approval, on 16 September 2025, of the Action Plan for the Implementation of the NABU Development Strategy,[1815] which incorporates the recommendations of the Commission for the External Independent Evaluation (Audit) of Effectiveness, which issued 26 recommendations.[1816] According to the Commission's overall assess-

1815 Action Plan for the Implementation of the NABU Development Strategy. National Anti-Corruption Bureau of Ukraine, 2025. ↗

1816 Report on the Results of the External Independent Evaluation (Audit) of the Effectiveness of the National Anti-Corruption Bureau. Commission for the External Independent Evaluation (Audit) of the Effectiveness of the National Anti-Corruption Bureau of Ukraine, 2025. ↗

ment, the NABU functions as a 'moderately effective' body. Implementing these recommendations requires efforts both by the NABU itself and by Parliament — in particular, regarding the fact that the SSU has the exclusive power to grant and revoke access to state secrets for NABU undercover staff. Parliament remains passive on this issue: the legislative amendments required to implement this recommendation, as well as other recommendations, have not been adopted.[1817] As of 31 December 2025, eight recommendations of the Report had been implemented, while the others were at various stages of implementation.[1818]

At the same time, the NABU is taking internal measures on its own. One expert noted[1819] that, following the audit, the NABU is working on strategic management, while the new head of the internal control unit has the opportunity to improve approaches. There are already individual examples of the work of the relevant unit. In June 2026, in the course of measures undertaken by the NABU internal control unit, circumstances were identified that may indicate the involvement of a Bureau employee in actions aimed at the unlawful transfer of persons across the state border of Ukraine.[1820]

As regards the periodicity of future audits, certain issues remain open to debate: in particular, there is an initiative to move from an annual NABU audit cycle to a longer interval, as established for National Agency of Ukraine for Finding, Tracing and Management of Assets Derived from Corruption and Other Crimes. At the same time, any review of the audit cycle must preserve the participation of international representatives in commissions, although there is a real risk that Parliament may use this issue to remove them.[1821]

In late March, media reports appeared that the Government was planning to initiate an independent audit of the NABU.[1822] Taken together with systematic information attacks against the Bureau, this could be regarded as another lever of influence over its work. It was recorded[1823] that a coordinated information campaign had been launched around the NABU, directed specifically against its Director. In February 2026, the Bureau recorded more than 300 Telegram publications showing signs of coordinated attacks, spreading messages about alleged links between the NABU and the aggressor state, the Bureau's ineffectiveness and the undermining of defence capability. The identified actors in the campaign included a former SAPO prosecutor, several media resources with questionable editorial independence and anonymous Telegram channels which, according to an MP, may be linked to retired SSU officers. According to civil society representatives,[1824] these attacks are intended to reduce public trust in the anti-corruption infrastructure and prepare the ground for new, more carefully planned attacks against the NABU — in connection with proceedings concerning persons close to the authorities.

1817 What Legislative Changes Are Needed to Truly Strengthen the NABU. Transparency International Ukraine, 2025. ↗

1818 Letter of the National Anti-Corruption Bureau of Ukraine of 01.04.2026 No. 112-299/10859.

1819 Information provided by an anti-corruption expert during an interview conducted on 19.03.2026.

1820 NABU Finds Employee Who Helped Draft Evaders Escape Abroad after Internal Check. Ukrainska Pravda, 2026. ↗

1821 Information provided by an anti-corruption expert during an interview conducted on 19.03.2026.

1822 UP: Cabinet of Ministers Wanted to Unexpectedly Announce NABU Audit. Ukrainska Pravda, 2026. ↗

1823 Information Attacks Against Kryvonos: Who Is Interested in Discrediting the Head of the NABU? ZMINA, 2026. ↗

1824 Ibid.

At the same time, the Deputy Prime Minister for European and Euro-Atlantic Integration rejected[1825] the political interpretation of the initiative, emphasising that conducting the audit is a direct obligation of the Government under the law, which requires the Cabinet of Ministers of Ukraine to initiate the formation of an audit commission no later than 30 days before the expiry of the one-year period from the date of approval of the previous audit. At the same time, he acknowledged that a two-year audit cycle could be more effective, given the length of organisational procedures and the implementation of recommendations and reported that consultations had been held with the NABU leadership.

Under Law No. 3509-IX,[1826] the first SAPO audit must be conducted after two years of the body's independent operation. March 2026 marked two years since SAPO began operating as a separate prosecution body and therefore, according to SAPO's own assessment, there are grounds to launch the first audit.[1827] At the same time, the provisions regulating the SAPO audit still lack requirements regarding the scope of the audit commission's assessment and the deadlines for forming the commission.

Although the Law of Ukraine 'On Prevention of Corruption' provides for a mandatory external independent evaluation of the NACP's activities every two years, as of the end of July 2026 such an audit had still not begun.[1828] The last external evaluation covered the period 2020–2021. Since then, the Head of the Agency has changed, but many ineffective practices have persisted, as also noted by the European Commission in its 2025 Enlargement Package Report.[1829]

The key reason for the blocked evaluation is the MoJ's delay in approving updated criteria and methodology for conducting it.[1830] The current methodology and criteria,[1831] approved by the Cabinet of Ministers of Ukraine in 2020, were developed without open inclusive consultations with stakeholders, do not take into account wartime challenges and require a systemic update. For example, they do not include new objects of evaluation concerning lobbying activities, the NACP's observance of guarantees of judicial independence, nor do they provide for an expanded list of personal evaluation criteria for the Head of the Agency — including accountability, leadership, independence and competence — where unsatisfactory results should serve as grounds for early termination of powers.

The Rule of Law Roadmap includes four measures aimed at implementing the recommendations of the previous external evaluation report on the NACP's activities, as well as updating the methodology and criteria for conducting the new evaluation. The Cabi-

1825 Kachka: Maintaining the Annual NABU Audit Is Currently Justified Given Existing Requirements and the Context. Interfax-Ukraine, 2026. ↗

1826 On Amendments to the Criminal Procedure Code of Ukraine and Other Legislative Acts of Ukraine on Strengthening the Autonomy of the Specialised Anti-Corruption Prosecutor's Office: Law of Ukraine No. 3509-IX of 08.12.2023. ↗

1827 Information provided by an anti-corruption expert during an interview conducted on 19.03.2026.

1828 On Prevention of Corruption: Law of Ukraine No. 1700-VII of 14.10.2014, Part 2 Article 14. ↗

1829 Ukraine 2025 Report. Communication on EU Enlargement Policy. ↗

1830 Draft Law No. 14209: A Mission to Unblock the NACP Audit. Transparency International Ukraine, 2025. ↗

1831 On Approval of the Criteria and Methodology for Evaluating the Effectiveness of the National Agency on Corruption Prevention: Resolution of the Cabinet of Ministers of Ukraine No. 458 of 20.05.2020. ↗

net of Ministers of Ukraine was supposed to update these documents in the first quarter of 2025 but has still not done so.[1832]

The audit requirement was also included in Ukraine's latest Memorandum with the IMF of February 2026,[1833] which states, in particular, that the audit should assess the Agency's effectiveness in verifying the accuracy of asset declarations submitted by high-ranking officials and in managing the whistleblowing function in 2024–2025, as well as propose options for remedying the shortcomings identified.

The response to the critical delay in launching the audit was a legislative initiative by Anastasiia Radina, Head of the Verkhovna Rada Committee on Anti-Corruption Policy, who submitted Draft Law No. 14209[1834] to Parliament in November 2025 to ensure the conduct of an external independent evaluation of the NACP's effectiveness. The draft law proposes transferring the power to approve the methodology and criteria directly to the Evaluation Commission, rather than to the Cabinet of Ministers of Ukraine, setting clear timeframes for launching the evaluation and introducing an additional ground for early termination of the powers of the Head of the Agency — if the Commission concludes that they have improperly performed their duties. As of the end of July 2026, the draft law is awaiting consideration by the Committee.

The NACP prepared an opinion on Draft Law No. 14209,[1835] in which it stated that it did not object to improving the framework for evaluation but expressed two key reservations. First, in the Agency's view, the draft law violates the principle of legal certainty and the prohibition on the retroactive effect of law, since the Criteria developed by the Evaluation Commission would cover a period of the Agency's work that has already passed, whereas under the previous approach the criteria were known before the evaluation began. The Agency also counters the argument concerning a similar approach in the NABU audit by stating that 'it is impossible to compare the criteria for the NABU, which is a pre-trial investigation body, and the NACP, which has dozens of different functions'.

The NACP's second reservation regarding Draft Law No. 14209 is that the eight-month period for approving the conclusion, borrowed from the practice of the NABU audit, may be insufficient given the significantly broader range of NACP functions compared with the NABU as a pre-trial investigation body.

In this regard, it should be noted that the External Evaluation Commission cannot, in any event, act beyond the powers defined by law, and its criteria must correspond to the NACP's functions as established by the Law of Ukraine 'On Prevention of Corruption'. By its nature, an independent expert commission is required to take into account the context and the actual conditions of the Agency's work, including martial law. Therefore, there are no grounds to believe that the auditors would set unrealistic criteria.

1832 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

1833 Memorandum of Economic and Financial Policies (MEFP) of 13.02.2026. ↗

1834 On Amendments to the Law of Ukraine 'On Prevention of Corruption' to Ensure the Conduct of an External Independent Evaluation of the Effectiveness of the National Agency on Corruption Prevention: Draft Law of Ukraine, registration No. 14209 of 13.11.2025. ↗

1835 Opinion of the National Agency on Corruption Prevention on Draft Law of Ukraine 'On Amendments to the Law of Ukraine "On Prevention of Corruption" to Ensure the Conduct of an External Independent Evaluation of the Effectiveness of the National Agency on Corruption Prevention' (registration No. 14209 of 13.11.2025), provided by the Agency in response to a request on 15.04.2026.

As regards the analogy with the NABU, Draft Law No. 14209 does not borrow the substance of the evaluation criteria, but only the procedural model: the Commission approves the criteria itself after its composition has been formed. This model is precisely what prevents the body subject to evaluation from influencing the conditions of its own assessment. The difference between the functions of the NABU and the NACP is not an argument against the Commission's independence in defining the criteria. As regards the timeframe for preparing the conclusion, this issue can be further refined.

At the end of March 2026, the NACP reported that it had asked international partners to nominate candidates to the audit commission.[1836] Based on the NACP's opinion on Draft Law No. 14209,[1837] the Agency does not support transferring the power to approve the criteria and methodology for the external evaluation to the Commission, as requested by civil society and international partners. However, at present it is advisable not to delay the new audit any further, but to conduct it under the current legislation in accordance with the criteria and methodology to be updated by the Government. Nevertheless, the adoption of Draft Law No. 14209 is critically important for future external evaluations of the Agency.

At the end of March, the NACP published a report on the implementation of the recommendations of the Commission for the External Independent Evaluation of its activities for 2021–2022.[1838] The report states that the NACP has implemented or 'ensured the implementation' of 80.7% of the recommendations.[1839] At the same time, an analysis of the document shows that the Agency interpreted the Commission's recommendations outside the context set out in the audit report and, in some cases, completely ignored the Commission's specific instructions.

For example, audit recommendation No. 34 directly instructed the NACP to publish the rules of LAC or to regulate restricted access to them in legislation following prior public discussion. The NACP classified this recommendation as implemented and reported that, in June 2024, it registered with the MoJ the Procedure for Conducting Logical and Arithmetic Control, which provides that 'the LAC rules are part of the Register's software code and are not subject to publication or dissemination'. In other words, at the level of its own normative legal acts, without any public discussion or legislative amendments, the NACP restricted access to the LAC rules.[1840]

Audit recommendation No. 35 provides that the NACP should abolish the separate procedure for controlling the completeness of declaration completion and return to control of completeness and accuracy as a single process provided for by the Law of Ukraine 'On Prevention of Corruption'. The Agency classified this recommendation as not implemented and explained its position by stating that these types of control are

1836 The NACP Initiates an Independent Evaluation of Its Activities and Calls for the Formation of an International Commission. National Agency on Corruption Prevention, 2026. ↗

1837 Opinion of the National Agency on Corruption Prevention on Draft Law of Ukraine 'On Amendments to the Law of Ukraine "On Prevention of Corruption" to Ensure the Conduct of an External Independent Evaluation of the Effectiveness of the National Agency on Corruption Prevention' (registration No. 14209 of 13.11.2025), provided by the Agency in response to a request on 15.04.2026.

1838 Report on the Implementation of the Recommendations of the Commission for the External Independent Assessment of the NACP's Activities for 2021–2022. National Agency on Corruption Prevention. ↗

1839 Ibid.

1840 Ibid.

regulated by two different procedures adopted in 2021, which provide for different stages and process. Completeness control requires the involvement of authorised NACP officials, while accuracy control is conducted automatically. The Agency ignored the fact that it was precisely the splitting of the procedure and the adoption of two separate procedures in 2021 that were criticised by the auditors. Previously, completeness and accuracy control was regulated by a single procedure, which provided that both types of control were carried out automatically.[1841]

These are far from the only examples indicating that, in its report on the implementation of audit recommendations, the NACP substitutes the substance of the recommendations, treats them as implemented through regulation at the level of internal normative legal acts where the recommendation requires legislative amendments and, in some cases, ignores the auditors' direct recommendations altogether. As a result, the recommendations of the Commission for the External Evaluation of the Agency's activities have remained unimplemented for more than three years. Despite the absence of a legal obligation to take audit conclusions into account, this approach by the NACP undermines the main purpose of independent external evaluations of the Agency — improving the effectiveness of its activities.

Recommendations[1842]

1. The Verkhovna Rada should amend the legislation to stipulate that the criteria and methodology for auditing anti-corruption bodies must remain consistent for subsequent audits after they have been determined by the first composition of the Commission for the External Independent Evaluation (Audit) of Effectiveness, except where the Commission indicates in its report that there is an objective need to amend them (this should not apply to the NACP audit, as the Commission responsible for conducting it is still not authorised to determine the relevant criteria and methodology).

2. The Verkhovna Rada, as well as the NABU, should implement the recommendations of the Commission for the External Independent Evaluation (Audit) of the Effectiveness of the NABU, provided in the report of 6 May 2025.

3. The Verkhovna Rada should amend the legislation to stipulate that an external independent evaluation (audit) of the effectiveness of the NABU is conducted every two years, but no more than three times during the term of office of the NABU Director as defined by the Law of Ukraine 'On the National Anti-Corruption Bureau of Ukraine'.[1843]

4. The Cabinet of Ministers of Ukraine should immediately update the Methodology and Criteria for the external evaluation of the NACP's effectiveness to conduct this evaluation for the period from 2022 to 2025 inclusive. The number of evaluation criteria should be reduced, duplication eliminated, the focus shifted to qualitative indi-

1841 On Approval of the Procedure for Conducting Control and Full Verification of the Declaration of a Person Authorised to Perform State or Local Self-Government Functions: Order of the National Agency on Corruption Prevention No. 144/20 of 15.04.2020. ↗

1842 Some recommendations were already provided by civil society in the Shadow Report 2025 (p. 335) and remain relevant.

1843 Ibid, the previously provided recommendation remains relevant (p. 335).

cators of the impact of the NACP's activities on corruption prevention and an expanded list of personal evaluation criteria for the Head of the Agency should be included.

5. The Verkhovna Rada should urgently consider and adopt Draft Law No. 14209, which provides for unblocking the external independent audit of the NACP by transferring the power to approve the evaluation methodology and criteria directly to the Audit Commission, establishing clear timeframes for launching the audit and introducing personal accountability of the Head of the NACP based on the evaluation results. Adoption of the draft law is critically important to ensure the effectiveness of future audits and prevent repeated blocking.

6. The NACP should review its report on the implementation of audit recommendations regarding those items where the substance of the recommendations has been misrepresented and provide updated implementation plans for them. To monitor such implementation or justify non-implementation, it is proposed to create a dedicated section on the NACP website or ensure the regular publication of relevant analytical and statistical reports, including in the context of preparations for the future audit.

Verification of Declarations and Lifestyle Monitoring

Progress and issues

In 2025, the NACP completed 970 full verifications of declarations.[1844] As a result of these verifications, inaccurate information amounting to UAH 3.8 billion, signs of illicit enrichment amounting to UAH 463.2 million and signs of unjustified assets amounting to more than UAH 129 million were identified in 505 declarations, i.e. 56% of completed verifications. In criminal proceedings concerning inaccurate declaration based on materials from full verifications, courts delivered 12 convictions in 2025.

In the first five months of 2026, the NACP completed a further 354 full verifications of declarations selected using a risk-based approach.[1845] Violations were identified in 351 of the declarations verified. In 213 declarations signs of inaccurate information were established in a total amount exceeding UAH 1.664 billion; in five further declarations, signs of unjustified assets amounting to UAH 23 million were identified and, in six declarations, signs of illicit enrichment UAH 87 million were found.

As regards the more detailed number of violations identified in declarations, according to NACP data published in machine-readable format following verifications conducted from 2025 to July 2026 inclusive: inaccurate information was established in 733 declarations; signs of illicit enrichment or unjustified assets were established in 46 declarations and the existence of a conflict of interest was established in 15 declarations.[1846]

Materials concerning these violations were referred during the period from the beginning of 2025 to July 2026 inclusive as follows: 491 under Article 366^2 of the CC of

1844 Results of the NACP's Work in 2025: Full Verifications of Declarations. 2026. ↗

1845 Full Verifications of Declarations: in the First 2 Months of 2026, the NACP Identified Violations Amounting to over UAH 762 Million. 2026. ↗

1846 Results of the NACP's Activities. Data in Machine-Readable Format. ↗

Ukraine concerning signs of inaccurate declaration; 203 under Part 4 of Article 172[6] of the Code of Ukraine on Administrative Offences (CUAO) concerning signs of inaccurate declaration; 4 protocols under Part 4 of Article 172[6] of the CUAO on inaccurate declaration; 14 under Article 368[5] of the CC of Ukraine concerning signs of illicit enrichment; 16 concerning signs of unjustified assets and 5 concerning violations of other legal requirements.[1847] Thus, most of the violations identified concern signs of inaccurate declaration. At present, the number of identified signs of illicit enrichment and unjustified assets, as well as the materials referred by the Agency, does not ensure an adequate deterrent effect, especially in relation to high-level corruption offences.

According to the information provided by the NACP,[1848] in 2025 the unit responsible for financial control measures concerning a separate category of declaration subjects conducted lifestyle monitoring in respect of 28 persons, of which 12 were completed; an additional 13 new monitoring procedures were launched. In parallel, 23 full verifications of declarations were launched, of which 20 had been completed by the end of 2025. During the current period in 2026, the unit's activities continued: two new lifestyle monitoring procedures and two full verifications of declarations were launched, both of which have already been completed.

The annual electronic declaration campaign for 2025, which began on 1 January 2026, ended on 31 March 2026. The results of the NACP's processing of these declarations are expected to become available around the second half of 2026.

The 2025 Enlargement Package Report[1849] states that e-declaration systems need to be strengthened so that they can genuinely and effectively prevent and detect unjustified assets. The European Commission also noted that the system has practical and legal shortcomings, primarily concerning the automated verification process, and emphasised the need to focus more on the practical application of financial control tools to high-ranking officials.

According to NACP information,[1850] the highest-ranking positions in respect of which signs of illicit enrichment were identified following full verification in 2025 — first five months of 2026 included: a former Deputy Prosecutor General, the former Head of the Main Department of the Pension Fund in Khmelnytskyi region, the acting Head of Police Unit No. 4 of the Poltava District Police Department of the Main Directorate of the National Police in Poltava Region; a former deputy mayor of Dnipro City Council, a member of Zakarpattia Regional Council, the acting Head and the Secretary of Obukhiv City Council in Kyiv region, among others.

Similar data regarding signs of unjustified assets established in this period concerned the following positions: an MP, the Deputy Minister of Health of Ukraine, the former Head of a Department of the Main Department of the State Tax Service in Lviv region, the for-

1847 Ibid.

1848 Letter from the National Agency on Corruption Prevention No. 205-05/18452-26 of 23.03.2026.

1849 Ukraine 2025 Report. Communication on EU Enlargement Policy. ↗

1850 Letter from the National Agency on Corruption Prevention No. 205-05/18452-26 of 23.03.2026.; Full Verification of Declarations: In Five Months of 2026, NACP Identified Violations Exceeding UAH 1.7 Billion. National Agency on Corruption Prevention, 2026. ↗

mer Head of the Medical Support Sector of the Main Department of the State Emergency Service in Vinnytsia region and a council member of Slavuta City Council.[1851]

Another case that illustrates the declaration verification problems mentioned by the European Commission is that of another person involved in the 'Midas' case — Herman Halushchenko, who was served with a notice of suspicion in February 2026. H. Halushchenko's declarations for 2021 and 2024 were automatically verified by the NACP, and no signs of violations were identified. The facts of corruption offences and asset laundering were uncovered only as part of the NABU investigation. Similarly, investigative journalists published information about the inconsistency between H. Halushchenko's expenditures and his income.[1852]

The NACP stated that automated verification of a declaration is not a full verification of a declaration, although it is regulated by the Procedure for Conducting a Full Verification of the Declaration of a Person Authorised to Perform State or Local Self-Government Functions.[1853] Rather, it is a verification, using the software tools of the Register of Declarations,[1854] of the information stated or required to be stated in the declaration. Passing automated verification only indicates that the declaration has a low-risk rating score: no discrepancies exceeding a total of 100 or 150 subsistence minimums have been identified, nor have signs of a conflict of interest, unjustified assets, illicit enrichment or inaccurate valuation of declared assets been established.[1855]

The concept of 'automated verification' was added by the NACP to the current Procedure for Conducting a Full Verification of the Declaration of a Person Authorised to Perform State or Local Self-Government Functions back in December 2023. Pursuant to subparagraph 1 of paragraph 1 of Section V of the Procedure, full verification is conducted in order of priority based on risk assessment, in particular if the declaration was submitted by an official holding a responsible or particularly responsible position, or by a declarant holding a position with a high level of corruption risk, the list of which is approved by the NACP, except for a declaration in respect of which there is a certificate on the results of automated verification of the declaration. H. Halushchenko, who held the positions of Minister of Justice and Minister of Energy, is an official holding a 'responsible or particularly responsible position'.[1856]

H. Halushchenko's declarations underwent the automated verifications referred to in the above provision of the Procedure. This is why they were not selected for the manual full verification provided for by the Law of Ukraine 'On Prevention of Corruption'. This situation is a clear example of the problem of the NACP's automation of declaration veri-

1851 Ibid.

1852 USD 200,000 per Year: Halushchenko's Son Studies at One of Switzerland's Most Expensive Private Colleges. This Is Not in the Declaration — 'Schemes'. Radio Liberty, 2025. ↗

1853 On Approval of the Procedure for Conducting a Full Verification of the Declaration of a Person Authorised to Perform State or Local Self-Government Functions: Order of the National Agency on Corruption Prevention No. 26/21 of 29.01.2021. ↗

1854 Unified State Register of Declarations of Persons Authorised to Perform the Functions of the State or Local Self-Government.

1855 Letter from the National Agency on Corruption Prevention No. 09-15/24628-26 of 15.04.2026.

1856 On Approval of the Procedure for Conducting a Full Verification of the Declaration of a Person Authorised to Perform State or Local Self-Government Functions: Order of the National Agency on Corruption Prevention No. 26/21 of 29.01.2021. ↗

fications at the expense of their quality and should serve as a signal to the Agency that it needs to return to the financial control system directly provided for by law.

Transparency International Ukraine also submitted a report to the NACP concerning possible signs of violations in the actions of Dnipro Mayor Borys Filatov, requesting a full verification and lifestyle monitoring. The facts set out in the report were based on a published journalistic investigation into expensive property owned by Filatov's daughter in Italy.[1857] Although the investigation materials contained data from Italian registers on the value of the property, the NACP refused to undertake any control measures, citing the absence of factual data showing discrepancies between the value of the property and income exceeding the thresholds established for administrative and criminal liability.[1858]

A positive development is that the NACP partially updated the public API of the Asset Declarations Register, in particular by expanding search parameters. Searches can now be conducted by declarants' place of work and by geographic reference using KATOTTG codes (the Codifier of Administrative-Territorial Units and Territories of Territorial Communities).[1859]

Against the background of the problems described above, the NACP's work on lifestyle monitoring of declarants again appears more positive. According to the Agency, since the beginning of 2019, almost 60% of HACC decisions on civil forfeiture have been based on NACP materials.[1860] However, it is not possible to verify these data due to the Agency's limited publication of information on completed lifestyle monitoring procedures and the consideration of relevant materials by courts.

In 2025, the NACP conducted 247 lifestyle monitoring procedures in respect of declaration subjects. The Agency referred 94 materials and substantiated conclusions to specially authorised anti-corruption entities, identifying signs of the acquisition of unjustified assets and illicit enrichment amounting to more than UAH 1.113 billion.[1861] Following lifestyle monitoring procedures, the NACP established that illicit assets had been acquired by: an MP — in the amount of more than UAH 8 million; the Minister of Agrarian Policy and Food of Ukraine — more than UAH 13.5 million; and the Deputy Minister of Environmental Protection and Natural Resources of Ukraine — more than UAH 3 million.[1862]

During the first half of 2026, following lifestyle monitoring, the NACP also referred to the specially authorised entities in the field of combating corruption 33 materials and substantiated conclusions identifying signs of illicit enrichment and acquisition of unjustified assets totalling more than UAH 366.21 million.[1863]

1857 950 sq. m of Property on Lake Como: What Italian Registers Show about Filatova Kateryna. Hromadskyi Kontrol, 2026. ↗

1858 Letter of the National Agency on Corruption Prevention of 29.05.2026 No. 204-01/37751-26.

1859 New Opportunities for Open-Data Analysis: NACP Updates the Public API of the Asset Declarations Register. National Agency on Corruption Prevention, 2026. ↗

1860 Results of the NACP's Work in 2025: Lifestyle Monitoring and Control of Declaration Completion. ↗

1861 Ibid.

1862 Ibid.

1863 Lifestyle Monitoring: In the First Half of 2026, NACP Identified Signs of Unjustified Assets and Illicit Enrichment Exceeding UAH 366 Million. National Agency on Corruption Prevention, 2026. ↗

In September 2025, the NACP found itself at the centre of a heated debate after the NABU and SAPO served a former Head of the SSU Cybersecurity Department with a notice of suspicion of illicit enrichment and inaccurate declaration. At the court hearing, the SAPO prosecutor stated[1864] that the NACP had approached the suspect's lifestyle monitoring superficially and that SAPO did not rule out that, 'given the position held by the suspect, there may have been influence on Agency officials'.

The NACP stated[1865] that it had acted exclusively within the powers granted to it by law, having examined all information and facts available at that time, and again emphasised that the Agency is not a law enforcement body and therefore has limited capabilities. The NACP also stated that there had been no external influence on any area of its work and sent an official request to the SAPO prosecutor asking him to provide the factual basis for his statements.

This is already the third situation during the reporting period in which the NACP's independence has been called into question.[1866] At the same time, it should be noted that the lifestyle monitoring procedure itself does not contain sufficient safeguards against biased conduct, as the automatic random allocation of cases among authorised Agency officials has still not been introduced for lifestyle monitoring.

At the same time, the experts interviewed agree[1867] that lifestyle monitoring produces qualitatively better results than full verifications of declarations. However, this is primarily due to the insufficient regulation of lifestyle monitoring and, as a result, a less formalistic approach to control. In addition, unlike the results of full verifications, the NACP does not systematically publish the results of lifestyle monitoring, which prevents deeper analysis of the practice.

In this context, it is important that, according to the Memorandum with the IMF,[1868] and with its technical assistance, the NACP will publish key performance indicators on risk-based verifications and lifestyle monitoring twice a year, starting at the end of March 2026 with the results for the second half of 2025. The first such publication, covering the second half of 2025, was due at the end of March 2026.

The Organisation for Economic Co-operation and Development (OECD) also recommended that the NACP ensure consistency between full verifications of declarations and lifestyle monitoring — in particular, timely information exchange between the units responsible for declaration verification and the lifestyle monitoring unit, to ensure thorough verification of potential illicit assets.[1869]

1864 The NACP Responded to Criticism of the 'Superficial Lifestyle Monitoring' of SSU General Illia Vitiuk. Babel, 2025. ↗

1865 NACP Statement on Certain Results of Lifestyle Monitoring and Possible Influence on the Agency's Activities. National Agency on Corruption Prevention, 2025. ↗

1866 For details, see subsection 'Guarantees of Independence of Anti-Corruption Bodies'.

1867 Information provided by anti-corruption experts during interviews conducted on 18.03.2026 and 19.03.2026.

1868 IMF–Ukraine: Letter of Intent and Memorandum of Economic and Financial Policies, 13.02.2026. ↗

1869 OECD (2025), OECD Integrity and Anti-Corruption Review of Ukraine, OECD Public Governance Reviews, OECD Publishing, Paris. ↗

Recommendations[1870]

1. Revert to the previous concept of full verification of declarations, which did not provide for declarations that could be fully verified through automated procedures.

2. Improve the methodology for conducting full verifications of declarations. Publish information on the further consideration of findings resulting from verifications, including materials referred to other bodies and the outcomes of court proceedings.

3. The NACP's subordinate regulation on the new procedure for lifestyle monitoring should be revised to avoid excessive interference in declarants' private lives, as well as risks related to insufficient guarantees of independence in conducting this form of control.

4. Include the NACP in the list of authorities that take measures to identify unjustified assets and collect evidence of their unjustified origin pursuant to Part 5 of Article 290 of the Civil Procedure Code of Ukraine.

State Funding of Political Parties

Progress and issues

The Roadmap on the Functioning of Democratic Institutions[1871] provides for a number of measures concerning oversight of election campaign financing, with a deadline for implementation by the fourth quarter of 2026. These include the legislative designation of a single independent oversight body, the NACP, to analyse electoral fund reports for all types of elections; the introduction of a risk-based approach to their verification; the expansion of the functionality of the Unified State Register of Political Party Reports on Property, Income, Expenses and Financial Obligations (POLITDATA Register) for the submission, automated verification and publication of reports; and ensuring voters' public access to information on the movement of electoral fund resources in real time.

The problem of political parties failing to submit financial reports remains systemic. Of approximately 400 registered parties, including 72 whose activities have been suspended, 253 parties submitted reports within the statutory deadlines in the first quarter of 2025, 265 in the second quarter, 266 in the third quarter and 269 in the fourth quarter. In the first quarter of 2026, more than 110 parties likewise failed to submit reports. At the same time, the NACP states that the first quarter of 2026 saw the highest rate of political-party financial reporting since mandatory reporting resumed in 2023.[1872] Experts link[1873] some of the increase in the number of reporting parties mainly not to the strengthening of the NACP's control mechanisms, but to the activation of the market for buying and selling parties and to intensified discussions about future elections.

1870 The recommendations, previously provided by civil society in the Shadow Report 2025, remain relevant with certain updates (p. 343).

1871 Roadmap on the Functioning of Democratic Institutions: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

1872 More Than 110 Political Parties Failed to Submit Reports for the First Quarter of 2026. National Agency on Corruption Prevention. ↗

1873 Information provided by an anti-corruption expert during an interview conducted on 24.03.2026.

According to NACP,[1874] from September 2025 to July 2026 inclusive, the Agency established 983 violations under Article 212[21] of the CUAO (violation of the procedure for submitting a financial report), 10 violations under Article 188[46] of the CUAO (failure to comply with lawful requirements of the NACP) and 17 violations under Article 212[15] of the CUAO (violation of the procedure for providing or receiving a contribution in support of a party or state funding). Thus, as before, the NACP's findings following the verification of reports mostly come down to identifying formal procedural violations.

As regards the criteria for the risk-based selection of reports for verification, the publication of which was discussed in the Shadow Report 2025,[1875] the NACP provided information[1876] that it has no documents concerning the criteria for verifying party reports, including any classified as official information, since such a document is not provided for by law.

Problems also remain in relation to oversight of the targeted use of state funding by parties at the level of both responsible bodies: the NACP and the Accounting Chamber. The NACP does not have a mandate to assess the appropriateness or effectiveness of party expenditure and limits itself to verifying reporting data. Meanwhile, the Accounting Chamber, which audits the three parliamentary parties receiving state funding, mostly provides descriptive statistics by expenditure category without conducting a genuine performance audit.

The issue of financial reporting by banned political parties also remains inadequately regulated, leading to inconsistent judicial practice. It is worth recalling again the court case concerning the banned party 'Opposition Platform — For Life', in which different judges reached different conclusions on the party's reporting obligation during liquidation.[1877]

Experts assess the operation of the POLITDATA 2.0 Register positively, noting[1878] that the update represents a significant improvement compared with the previous version: data downloads have become easier, and the system is more stable. The tools that help the public analyse data on finances and assets and obtain already consolidated information have also been improved. At the same time, the analytical module of the Register has not acquired fundamentally new capabilities, and the system requires further refinement, given the scale of integration with other state information systems.

In this regard, the NACP indicated[1879] that active work is ongoing to implement the POLITDATA 2.0 Register as a single portal bringing together all political finance — party, election and referendum funds — on one platform. As of March 2026, the subsystem of

1874 Results of the NACP's Activities. Data in machine-readable format. ↗

1875 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's progress within the European Union Enlargement Package in 2024, 2025, pp. 345–346. ↗

1876 Letter from the National Agency on Corruption Prevention No. 09-15/24628-26 of 15.04.2026.

1877 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's progress within the European Union Enlargement Package in 2024, 2025, pp. 394. ↗

1878 Information provided by an anti-corruption expert during an interview conducted on 24.03.2026.

1879 Letter from the National Agency on Corruption Prevention No. 09-15/24628-26 of 15.04.2026.

business process modules for the submission and verification of political party reporting, financial reporting on the receipt and use of electoral fund resources for 26 national elections, as well as auxiliary software modules and components, has been modernised and developed.

Also, in March 2026, the Head of the NACP noted[1880] that there was a serious risk of Russia using affiliated persons, cryptocurrencies and foreign assets to influence Ukrainian elections. To detect such schemes, the NACP needs close cooperation with the SSU and the SFMS.

Despite this, the work of law enforcement agencies in investigating offences related to political parties appears to remain largely ineffective. A striking example is the case of the political party 'Our Land'. In July 2025, the SC upheld the appeal of the political party 'Our Land' and overturned the decision of the Eighth Administrative Court of Appeal of 19 June 2024 banning the party, dismissing the claim.[1881] The ruling entered into force on the date of its adoption and is not subject to appeal. The decision was overturned due to the insufficiency of evidence of pro-Russian or anti-state activities by the party, which the SSU was required to provide.[1882]

Experts also assess[1883] that the NACP's interaction with the public in political finance weakened somewhat during the reporting period.

Recommendations[1884]

1. The NACP's capacity to verify political party reports should be strengthened, in particular by introducing the annual automatic allocation of party audits among Agency staff. The practice of annual reporting for non-parliamentary parties should be continued.

2. The results of new verifications of political party reporting should be published comprehensively rather than fragmentarily.

3. Law enforcement agencies should examine the NACP's materials concerning possible criminal offences by political parties more thoroughly, while prosecution bodies should refer such cases to court.

4. The NACP should further modernise the POLITDATA Register to improve its use by political parties and other users by adding automatic verification of existing data and interoperability with other state registers.

5. The NACP should initiate the formalisation of cooperation with the State Tax Service of Ukraine, the SFMS, civil society and journalistic networks by creating an institutionalised platform or advisory body for information exchange, joint risk detection and the preparation of methodological materials.

1880 How the Financing of Political Processes Works in Ukraine. 'Hovoryt OPORA' YouTube Channel, 2026. ↗

1881 Judgment of the Supreme Court of Ukraine of 01.07.2025 in case No. P/857/6/24. ↗

1882 Ibid.

1883 Information provided by an anti-corruption expert during an interview conducted on 24.03.2026.

1884 Recommendations 1–6 previously provided by civil society in the Shadow Report 2025 remain relevant with certain updates (p. 349).

6. The Accounting Chamber should conduct more thorough audits of the effectiveness of the use of state funding by political parties.

7. The NACP should develop criteria for verifying political party reporting with the involvement of parties and external stakeholders in this process and then make the criteria public.

Monitoring of Conflicts of Interest

Progress and issues

In 2025, the number of monitoring and control measures concerning compliance with legislation on ethical conduct and the prevention and resolution of conflicts of interest initiated by the NACP increased compared with the previous year. In 2024, this figure stood at 25.6% (53 measures), while in 2025 it reached 46% (118 measures). The main sources for monitoring and control measures were media materials and the results of verifications of officials' declarations.[1885]

In 2025, the NACP also completed 258 monitoring and control measures concerning compliance with legislation on ethical conduct and the prevention and resolution of conflicts of interest, which is 21% more than in 2024.[1886]

By Presidential Decree of June 2023, the NACP was designated as the National Coordinator for Ukraine's cooperation with NATO in building integrity.[1887] In this role, the Agency is responsible for coordinating the implementation of NATO's Initial Requirement for Interoperability 0204 'Building Integrity,' which, among other things, provides for the introduction of a corruption risk management system in all security and defence sector institutions, with a regularly updated risk register.

In January 2026, with the support of the NATO Representation to Ukraine, the NACP held an event following which support was expressed for the establishment of a working group to unify approaches to building integrity in the security and defence sector. The Agency has now begun the process of forming this group and working on updating the corruption risk management methodology, considering the specific features of the sector concerned.[1888]

It is positive that in 2025 the NACP finally began publishing information on its website, in the 'Performance Results' section, on its main areas of work in a machine-readable format.[1889] According to these data,[1890] from September 2025 to July 2026 inclusive, the NACP submitted 42 substantiated conclusions on identified violations of legal requirements concerning the prevention and resolution of conflicts of interest, issued 62 orders

1885 Results of the NACP's work in 2025: monitoring and control over compliance with legislation on conflicts of interest. ↗

1886 Ibid.

1887 On Issues Concerning the Composition of the Commission for Coordination of Ukraine's Euro-Atlantic Integration: Decree of the President of Ukraine No. 344/2023 of 20.06.2023. ↗

1888 Information provided by an anti-corruption expert during an interview conducted on 24.03.2026.

1889 Results of the NACP's Activities. Data in machine-readable format. ↗

1890 Ibid.

to remedy violations of legal requirements concerning the prevention and resolution of conflicts of interest and drew up only 3 protocols on violations of legal requirements concerning the prevention and resolution of conflicts of interest (11 protocols in total in 2025). The number of protocols drawn up by the Agency fell significantly compared with the previous reporting period — 27 protocols in 2024.[1891] This trend is concerning.

Despite this, the Agency continues to refrain from publishing information on the results of court consideration of protocols, providing only the case numbers.

A review of the USRCD established that, as of the end of July 2026, consideration of one case had not yet begun, while proceedings in two others had been closed due to the expiry of the limitation period for administrative liability[1892] and the absence of the elements of an administrative offence in the person's actions.[1893]

In 2025, the NACP received 585 corruption reports concerning conflicts of interest.[1894] By comparison, in 2024 this figure was 838 reports.[1895]

The NACP could also significantly improve the quality of its analytical work on conflicts of interest if it systematically collected and published not only quantitative indicators on monitoring activities, protocols and orders, but also more detailed information on how conflicts of interest are resolved in practice — in particular, on the application of different resolution measures. Such statistics would make it possible not only to assess the real effectiveness of the preventive function of the conflict-of-interest mechanism but would also serve as a valuable resource for explanatory work with public officials and judges on lawful models of conduct.[1896]

The NACP continues not to apply the automated allocation of conflict-of-interest monitoring activities among its authorised officials, despite this problem having been raised in the report of the External Independent Assessment of the NACP's Effectiveness for 2020–2021.[1897]

The 2025 report of the OECD, Integrity and Anti-Corruption Review of Ukraine, identifies a number of systemic shortcomings in monitoring and control over compliance with legislation on ethical conduct and the prevention and resolution of conflicts of interest.[1898] In particular, the report notes that the procedure for reporting an ad hoc conflict of interest is insufficiently standardised: neither the law nor the NACP's methodological recommendations define the form, content or procedure for storing such reports,

1891 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's progress within the European Union Enlargement Package in 2024, 2025, p. 350. ↗

1892 Ruling of the Pecherskyi District Court of Kyiv of 27.11.2025 in Case No. 757/51307/25-p. ↗

1893 Ruling of the Kyiv Court of Appeal of 05.03.2026 in Case No. 361/6854/25. ↗

1894 Letter from the National Agency on Corruption Prevention No. 205-05/18452-26 of 23.03.2026.

1895 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's progress within the European Union Enlargement Package in 2024, 2025, p. 351. ↗

1896 Information provided by anti-corruption experts during interviews conducted on 18.03.2026.

1897 Report of the External Independent Assessment of the NACP's Effectiveness for 2020–2021. 2023. ↗

1898 OECD (2025), OECD Integrity and Anti-Corruption Review of Ukraine, OECD Public Governance Reviews, OECD Publishing, Paris. ↗

which increases the risk of inaccurate reporting and accusations that an official has committed a violation. International experts also identified as a problem the absence of systematic monitoring of whether state authorities effectively prevent conflicts of interest: data from ad hoc reports are not recorded and the NACP does not have a sufficient evidence base to assess how the conflict-of-interest system functions.[1899]

The 'Hidden Interests' tool, presented by the NACP in 2021 to identify possible conflicts of interest among officials, has remained closed since the beginning of the full-scale invasion. Experts expressed the view[1900] that, if updated, this tool would help identify conflicts of interest, including through declarations. The Agency has not published any information on plans to restore it. However, in 2026 the NACP plans to expand its IT capabilities for the automated detection of violations, which is a positive signal.[1901]

Recommendations

1. Introduce the automated allocation of conflict-of-interest monitoring activities among authorised NACP officials.[1902]

2. The Agency should publish full statistical and analytical information on the results of court consideration of protocols on corruption-related administrative offences, as well as statistical information on the number of conflict-of-interest reports received by the NACP across different bodies and on the measures applied by the Agency to resolve conflicts of interest.

3. Develop a standardised protocol for reporting ad hoc conflicts of interest, with clear requirements regarding the form and storage of information.

4. Introduce a mechanism for monitoring and assessing the effectiveness of the system for preventing conflicts of interest in state authorities.

Whistleblower Mechanism

Progress and issues

The Rule of Law Roadmap[1903] provides for the need to improve the functioning of the Unified Whistleblower Reporting Portal (Portal), as well as to ensure internal channels for the protected submission of reports within public authorities. The European Commission's 2025 Report within the EU Enlargement Package also points to the need to address shortcomings in the Portal and ensure the confidentiality of whistleblowers.[1904]

According to the information provided by the NACP[1905] in April 2026, over more than two and a half years of the Portal's operation, the National Agency has never received any

1899 Ibid.

1900 Information provided by anti-corruption experts during interviews conducted on 18.03.2026.

1901 Results of the NACP's work in 2025: monitoring and control over compliance with legislation on conflicts of interest. ↗

1902 Recommendations 1–2 previously provided by civil society in the Shadow Report 2025 remain relevant (p. 352).

1903 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

1904 Ukraine 2025 Report. Communication on EU Enlargement Policy, p. 32. ↗

1905 Information provided by the National Agency on Corruption Prevention on 06.04.2026.

information concerning confirmed cases of information leakage or loss of information, unauthorised access by third parties or similar incidents.

In addition, the NACP noted[1906] that the existing functionality for allocating reports implemented in the Portal fully ensures a mechanism for submitting reports to an organisation in a way that prevents the head from influencing the authorised person where a report is submitted concerning a possible offence by the head, since such a report is not accessible to the head of the organisation in the Portal, including in the 'Archive' section.

However, in addition to remedying the situation with access to archived reports, the NACP should also remove all fields and prompts that require a whistleblower to provide a preliminary legal classification of the violation at the stage of submitting a report through the Portal — such as indicating articles, provisions or categories of laws. Potential whistleblowers may not have sufficient knowledge to provide such a qualification, which may further discourage them.

The NACP has already introduced a new approach to processing reports. To this end, a unit was established within the Agency to analyse data contained in corruption reports. Over nine months of work in 2025, this unit processed 4,275 reports of possible violations of anti-corruption legislation. Of these, 1,762 contained factual data requiring detailed analysis. Following the review of these reports, 30 monitoring procedures were launched regarding possible conflicts of interest, 16 reports were referred for control over the timely submission of declarations, 33 materials were referred for lifestyle monitoring, and 319 materials were referred for full verification of declarations.[1907] Thus, the Agency has the capacity to independently qualify violations without placing an additional burden on potential whistleblowers at the reporting stage.

The NACP also conducted a survey of employees of authorised units for the prevention and detection of corruption on the convenience and effectiveness of the Portal and published a consolidated analysis of the survey results in 2025.[1908] Portal users identified a number of technical and functional shortcomings that need to be addressed: an inconvenient interface with limited search and analytical capabilities, the absence of necessary user roles, technical problems with access through a qualified electronic signature and a lack of electronic document management tools — in particular, mechanisms for preparing draft responses, providing feedback to applicants and forming electronic case files. The need to filter irrelevant reports, simplify the 'Legal Qualification' section and restrict the possibility of sending reports to bodies not authorised to consider them was also highlighted separately. At the same time, users rated the Portal's functionality at an average of 8.1 points out of 10.[1909]

1906 Ibid.

1907 Results of the NACP's work in 2025: consideration of corruption reports. National Agency on Corruption Prevention, 2026. ↗

1908 Consolidated analysis of the results of the survey of employees of authorised units (authorised persons) for the prevention and detection of corruption on the convenience and effectiveness of working with corruption reports through the Unified Whistleblower Reporting Portal. ↗

1909 Ibid.

According to the HACC report on persons held liable for corruption and corruption-related criminal offences in 2025, 4 administrative offence cases and 4 criminal cases were considered in connection with whistleblower reports.[1910] Of these 4 administrative offence cases, 2 concerned Article 172^6 of the CUAO (violation of financial control requirements) and 2 concerned Article 172^7 of the CUAO (violation of requirements for preventing and resolving conflicts of interest).[1911] In terms of criminal cases, 1 case concerned Article 354 of the CC of Ukraine (bribery of an employee of an enterprise, institution or organisation), 1 case concerned Article 369^2 of the CC of Ukraine (trading in influence) and 3 cases concerned Article 369 of the CC of Ukraine (offer, promise or provision of an undue benefit to an official).[1912]

On the Portal, the NACP provides the following statistics for the period from September 2025 to the end of July 2026 inclusive:[1913] a total of 7,101 reports were received; 2,132 reports concerned other violations of the Law of Ukraine 'On Preventing Corruption'; 4,442 reports concerned corruption-related criminal offences; 526 reports concerned corruption-related offences; and, of all reports received, 85 were submitted by persons granted whistleblower status.

The NACP's annual report for 2025 states that the Agency issued nine orders to remedy violations of legislation requiring the immediate restoration of whistleblowers' rights.[1914] However, the report lacks statistics on the number of court cases decided in favour of whistleblowers. Nevertheless, the information above on the overall number of court cases already indicates that the full cycle from a whistleblower report to judicial consideration is insufficiently systematic and effective. Thus, in 2025, out of the entire pool of reports submitted through the Portal only 8 cases reached judicial consideration — 4 administrative and 4 criminal.[1915]

According to the information provided by the NACP, in 2025 it received 86 applications from persons seeking protection as whistleblowers, of which the Agency confirmed whistleblower status for 10 persons.[1916] In respect of these whistleblowers, 11 protective and restorative measures were initiated. The NACP also sent 6 warning letters to bodies/organisations where whistleblowers' rights had been violated and issued 9 orders requiring the elimination of violations of whistleblowers' labour rights, of which 7 followed scheduled inspections and 2 followed consideration of whistleblowers' applications.[1917]

From 1 September 2025 to 23 July 2026 inclusive, the NACP considered 32 whistleblower reports. In total, 82 such reports were received.[1918]

1910 Report of the courts on the state of consideration of cases in the field of combating corruption for 2025. ↗

1911 Ibid.

1912 Ibid.

1913 Unified Whistleblower Reporting Portal. 2026. ↗

1914 Report on the Activities of the National Agency on Corruption Prevention for 2025 / National Agency on Corruption Prevention. 2026. 47 p. ↗

1915 Report of the courts on the state of consideration of cases in the field of combating corruption for 2025. ↗

1916 Information provided by the National Agency on Corruption Prevention on 06.04.2026.

1917 Ibid.

1918 Analytics. Unified Whistleblower Reporting Portal, 2026. ↗

Another positive development is that the NACP launched a training simulator for handling whistleblower reports submitted through the Portal. The tool is intended to assist Portal users.[1919]

At the same time, the experts interviewed reported[1920] cases of unjustified refusals by the NACP to protect persons who had applied to it as whistleblowers. Separate meetings of the Public Council under the NACP were even held on this issue, but they did not affect the Agency's decisions in these cases.

An illustrative high-profile case concerned a whistleblower at a state defence enterprise. After reporting possible corruption violations in the conclusion of defence contracts to the NABU in 2023, the whistleblower not only failed to receive the protection provided by law but faced consistent obstruction at every stage. Initially, the NABU detective refused to register the report of a criminal offence and instead informed the company's management, after which the whistleblower's position was abolished. When the whistleblower challenged the dismissal in court and was reinstated, the position was abolished a second time and the whistleblower was deprived of access to systems and assignments. The NACP conducted a verification, identified violations by the management of the state defence enterprise and issued a binding order for reinstatement, which was ignored. To date, the Agency has neither drawn up a protocol for this non-compliance nor issued a further order.[1921]

In 2025, the NACP also published the analytical study 'Protection of Whistleblowers and Employer Liability', on the basis of which recommendations were prepared to strengthen employer liability for violating whistleblowers' rights.[1922] This study identified the systemic ineffectiveness of whistleblower protection in Ukraine: despite the existence of a basic legislative framework — the prohibition of retaliation and the rule shifting the burden of proof to the employer — practical protection mechanisms remain insufficient, primarily due to the absence of real personal sanctions for managers who retaliate against whistleblowers.

Throughout 2025, the NACP held a series of seminars and training sessions for police officers, prosecutors, defence counsel, representatives of local self-government bodies and presented the 'Heroes Nearby' comic guide explaining whistleblowers' rights.[1923] This is a positive practice that should be expanded.

The NACP also published data on its information campaign on whistleblower protection for 2023–2025, listing all of the Agency's publications, events and media activities on reporting corruption.[1924]

1919 Handling Whistleblower Reports: NACP Launches Training Simulator. National Agency on Corruption Prevention, 2026. ↗

1920 Information provided by experts in whistleblower protection during an interview conducted on 20.03.2026.

1921 'Pressed Send — Lost His Job': The Story of One Whistleblower. Dzerkalo Tyzhnia, 2026. ↗

1922 NACP analytical study 'Protection of Whistleblowers and Employer Liability for Violations of Their Rights and Guarantees — Analysis of Standards in National and International Law'. 2025. ↗

1923 Results of the NACP's work in 2025: development of the whistleblowing institution. National Agency on Corruption Prevention, 2026. ↗

1924 Whistleblowers of Corruption (information campaign). National Agency on Corruption Prevention. ↗

At the same time, the 2025 sociological survey shows that there has effectively been no improvement in the shares of citizens and business representatives willing to report corruption: 12.3% in 2024 and 12.4% in 2025 among the population, and 21.3% in 2024 and 21.1% in 2025 among business representatives. A decline is also observed in the indicators for citizens and business representatives who reported instances of corruption: 9.7% of the population in 2024 and 7.3% in 2025, as well as 17.2% of business representatives in 2024 and 9.5% in 2025.[1925]

In 2025, the share of persons who approved of whistleblowers' activities also remained higher among the business audience than among the population: 84.6% and 71.7% respectively. Among the business audience, the indicator did not change, while among the population a statistically significant decrease was recorded in 2025 — to 71.7%, compared with 74.3% in 2024.[1926]

Thus, the need to improve information campaigns on whistleblowers and strengthen the culture of whistleblowing in Ukraine remains relevant.

Recommendations

1. The NACP should update the Unified Whistleblower Reporting Portal, taking into account the shortcomings identified by authorised users, regarding the requirement to provide a preliminary qualification of the violation. The Portal's functionality should also be brought into line with international standards and best practices.[1927]

2. The NACP should expand communication campaigns to promote the Portal and increase awareness of the mechanisms and guarantees of the whistleblower institution among potential whistleblowers.

3. The NACP should avoid cases of unjustified refusal to grant whistleblower status and protect the rights of persons who apply to the Agency.

4. The NACP, together with the NABU, SAPO and law enforcement agencies, should conduct a systemic analysis of the progression of cases based on whistleblower reports at all stages — from receipt of the report to the court decision — in order to identify the key barriers leading to the critically low number of court cases initiated on the basis of corruption reports and to develop specific measures to eliminate them.

1925 Corruption in Ukraine 2025: Understanding, Perception, Prevalence. Analytical report based on the results of a survey of the population and business. 2025. ↗

1926 Ibid.

1927 Recommendations 1–2 previously provided by civil society in the Shadow Report 2025 remain relevant (p. 354).

Strategic Documents: National Anti-Corruption Strategy and State Anti-Corruption Programme

Measures and Implementation Indicators of the State Anti-Corruption Programme

Progress and issues

The current Anti-Corruption Strategy[1928] and State Anti-Corruption Programme (SAP)[1929] expired on 31 December 2025. Due to the delay in adopting new strategic documents and the rather low level of implementation of the current SAP, the Cabinet of Ministers of Ukraine extended its validity until the date of entry into force of the State Anti-Corruption Programme for the next period.[1930]

During the reporting period, no further amendments were made to the SAP for 2021–2025. The recommendations from the previous reporting period remain relevant[1931] and should be taken into account in the next SAP for 2026–2030, which is currently being developed.

Experts involved in drafting the strategic documents note that, overall, the NACP has organised the process well.[1932] They also reported that, at present, the work on the new SAP does not include updates concerning implementation indicators. It is planned to assess the implementation of measures according to the same model currently in place. Certain measures that were not included in the current SAP have also been carried over into the new draft.

Recommendations[1933]

1. Instead of large-scale measures, the new State Anti-Corruption Programme should provide for more specific measures with realistic implementation deadlines.

2. The measures should be aimed at achieving the expected strategic result in line with current conditions, considering the legal regime of martial law and the resources of public authorities. Each measure should have a detailed implementation plan with specific stages, implementation percentages and achievement indicators.

3. The implementation indicators for relevant measures of the State Anti-Corruption Programme should include effective advocacy for the adoption of normative legal acts

1928 On the Principles of the State Anti-Corruption Policy for 2021–2025: Law of Ukraine No. 2322-IX of 20.06.2022. ↗

1929 On Approval of the State Anti-Corruption Programme for 2023–2025: Resolution of the Cabinet of Ministers of Ukraine No. 220 of 04.03.2023. ↗

1930 On Extending the Implementation Period of the State Anti-Corruption Programme for 2023–2025: Resolution of the Cabinet of Ministers of Ukraine No. 1786 of 31.12.2025. ↗

1931 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's progress within the European Union Enlargement Package in 2024, 2025, p. 357. ↗

1932 Information provided by anti-corruption experts during interviews conducted on 18.03.2026.

1933 The recommendations previously provided by civil society in the Shadow Report 2025 remain relevant (p. 357).

by Parliament, rather than only their registration as drafts, as well as an assessment of the implementation of such acts after their adoption.

4. When developing the draft of the next State Anti-Corruption Programme, the practice whereby civil society recommendations are not taken into account without any explanation should be avoided.

Implementation of the SAP

Progress and issues

The ISM SAP is an online system hosted on the NACP's official website that contains data on the level of implementation of all measures provided for in the current SAP.

According to the data in this system, as at the end of July 2026, out of 1,135 measures: 550 had been fully implemented (55.1%); 217 had been partially implemented (21.7%); 231 had not been implemented (23.1%); and 137 were not subject to implementation.[1934]

The NACP also published the draft National Report on the Effectiveness of the Implementation of State Anti-Corruption Policy in 2021–2025 (National Report), although the document largely covers 2024 due to the statutory requirements concerning the timeline for preparing the report.[1935]

In the draft National Report, the NACP identifies the following as the main reasons for the low level of implementation of SAP measures: the armed aggression of the Russian Federation; the effective reduction of the duration of the Anti-Corruption Strategy from five years to three and a half years due to the delay in its adoption by Parliament; the reorganisation of executive authorities and redistribution of competences among implementing bodies; insufficient funding; lengthy inter-agency approval procedures; the interdependence of measures and the political complexity of adopting certain normative legal acts.

No new civil society monitoring of SAP implementation was carried out during the reporting period. However, the overall quantitative implementation indicator points to the need to review the approach to SAP implementation, by enabling the NACP to issue precepts to the heads of implementing bodies (institutions, enterprises and organisations) where SAP measures are not implemented without sufficient justification. It also appears that the Agency needs greater financial and human resources to ensure better implementation of the next anti-corruption policy cycle and to improve its coordination function in this area.

The Coordination Working Group on Anti-Corruption Policy met only once, in the summer of 2025.[1936] In addition, the composition of the group itself needs to be updated due to personnel changes, so criticism concerning the effectiveness of its work remains relevant.[1937]

1934 Information System for Monitoring the Implementation of State Anti-Corruption Policy. 2026. ↗

1935 National Report on the Effectiveness of the Implementation of the SAP in 2021–2025. 2025. ↗

1936 CWG meetings. National Agency on Corruption Prevention, 2025. ↗

1937 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's progress within the European Union Enlargement Package in 2024, 2025, p. 361. ↗

After the adoption of the Anti-Corruption Strategy for 2026–2030, the NACP plans to analyse the functioning of the ISM SAP — in particular, the collection, processing and summarisation of information on the implementation of the SAP for 2023–2025 and the assessment of the effectiveness of the previous Strategy. Based on this analysis, technical specifications will be prepared for the further development of the system, considering the structure of the new SAP.[1938]

The public part of the ISM SAP will retain its current functionality and provide open access to monitoring results, while any modernisation will be carried out with regard to the system's main tasks: automating the processes of monitoring and assessing the effectiveness of anti-corruption policy implementation, as well as ensuring proper visualisation and analytical processing of data.[1939]

To enable better assessment of implementation, experts proposed that the final six months in the future SAP should be reserved not for implementing measures, but for assessing the anti-corruption policy cycle.[1940] Introducing a statutory pause that would allow the NACP to fully assess the implementation of the current strategic documents before developing new ones is a necessity previously highlighted by civil society.[1941]

Recommendations[1942]

1. Periodically publish comprehensive analytical reports covering general trends in the implementation of SAP measures and strategic objectives. Where the NACP lacks sufficient resources to conduct such analysis properly, external experts should be involved in its preparation.

2. Introduce in the ISM SAP the possibility for the public to leave non-personalised feedback, without using a qualified electronic signature, on a specific measure or expected strategic result.

3. To promote the ISM SAP, create a separate tab in the system containing information on events, training sessions, round tables, conferences and similar activities organised by SAP implementers or external stakeholders in areas relevant to the SAP. This could be useful for specialists from implementing bodies, for example in obtaining answers to complex questions or exchanging experience.

4. Distribute the implementation of measures in the new State Anti-Corruption Programme more evenly between the NACP and other executive authorities, reducing the burden on the Agency.

5. Provide that the Coordination Working Group on Anti-Corruption Policy should meet at least quarterly and update its composition.

1938 Letter from the National Agency on Corruption Prevention No. 09-15/24628-26 of 15.04.2026.

1939 Ibid.

1940 Information provided by anti-corruption experts during interviews conducted on 18.03.2026.

1941 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's progress within the European Union Enlargement Package in 2024, 2025, p. 367. ↗

1942 The recommendations previously provided by civil society in the Shadow Report on Chapter 23 'Justice and Fundamental Rights' of the European Commission's 2024 Report on Ukraine remain relevant (pp. 363–364).

6. Increase funding for the NACP's programme activities and specify in the new State Anti-Corruption Programme the amount of state budget funding allocated for the implementation of strategic objectives and measures. This would make it possible to realistically assess the financial feasibility of implementing the SAP under the difficult economic conditions of martial law in Ukraine and, where necessary, plan the mobilisation of additional funding.

7. Establish 90% as an acceptable level of implementation of the current SAP, considering potentially justified loss of relevance and underfunding of individual measures.

National Anti-Corruption Strategy

Progress and issues

In January 2026, the NACP published the draft Anti-Corruption Strategy for 2026–2030, which the Agency submitted for approval to the interested authorities. The new strategic document contained three sections instead of four, as was the case with the current Strategy.[1943]

During the preparation of the draft document, the NACP preserved the good practice of holding public consultations on all subsections of the Anti-Corruption Strategy and providing comments. After the consultation round was completed, the Agency published tables indicating whether each comment received from the public had been taken into account or rejected for each subsection.[1944]

The Agency involved groups of external experts in drafting the new Anti-Corruption Strategy. In total, 10 expert teams were established under the NACP to develop each subsection of Section I of the draft Strategy, as well as 16 expert teams responsible for conducting comprehensive analytical studies of priority areas and developing the relevant subsections of Section II of the draft Strategy.[1945] This approach deserves a positive assessment in terms of inclusiveness and improving the overall quality of the sections. At the same time, it had a somewhat negative impact on the level of consistency across subsections, as regards their level of detail.

This time, the Agency covered the general system of preventing and combating corruption in the first section, and corruption prevention in priority areas in the second. In addition, the final section is a new feature and is dedicated to regulating key procedural aspects concerning the implementation, reporting, monitoring, coordination and assessment of the effectiveness of the Anti-Corruption Strategy and the State Anti-Corruption Programme for 2026–2030. This section was added after the consultation round had ended and was presented only in the finalised draft, meaning that civil society representatives did not have the opportunity to comment on it in the same way as they did on the first two sections.

As regards the content of the document, the following improvements should also be noted: the introduction of a 'strategic pause' between anti-corruption policy cycles, as well

1943 Draft Anti-Corruption Strategy for 2026–2030. ↗

1944 Anti-Corruption Strategy for 2026–2030. National Agency on Corruption Prevention, 2026. ↗

1945 Letter from the National Agency on Corruption Prevention No. 09-15/24628-26 of 15.04.2026.

as a mechanism to incentivise implementers of the new State Anti-Corruption Programme and the NACP's power to issue precepts to public authorities. In addition, the draft demonstrates a high level of compliance with the European Commission's technical recommendations, in particular concerning anti-corruption criminal justice.

Overall, the draft Strategy prepared by the NACP covered most problems in the relevant areas. However, the shortcomings identified include the following:

- Duplication of provisions. Some subsections, for example the subsection on state anti-corruption policy, repeat provisions of current legislation without adding regulatory value.
- Insufficient specificity of certain strategic results. This concerns, for example, the protection of the independence of anti-corruption bodies from harmful legislative initiatives.
- Failure to incorporate critical comments from civil society. The final version of the NACP's document still does not take into account comments concerning the ineffectiveness of the e-declaration verification mechanism, the absence of automated allocation of monitoring activities within the NACP.
- The Strategy did not cover all problems that were articulated but not resolved by the previous Anti-Corruption Strategy. For example, it did not contain provisions on the effectiveness of anti-money laundering efforts, despite evident problems in this area.

The experts interviewed also criticised[1946] the absence of a clear link between some of the problems and expected strategic results in the draft new Strategy and issues of combating corruption, or any corruption risks or corrupt practices in the relevant sector. Experts also identified the overall realism of the expected strategic results as a second problematic aspect of the document.

For example, the section of the draft Strategy on combating corruption in the agricultural sector contained a strategic result that, in effect, provides for the reform of JSC 'Ukrzaliznytsia' — although there are neither the resources nor the political will for such changes under wartime conditions, nor is there an obvious link between this reform and corruption risks in the agricultural sector. Similarly, increasing teachers' salaries was envisaged as an anti-corruption measure, while the current budgetary situation does not make it possible to consider such funding realistic.[1947]

The question also remains open as to whether the NACP has sufficient internal capacity to monitor and coordinate the implementation of such an ambitious document, given the additional burden on the Agency in coordinating anti-corruption mainstreaming.

In February and March 2026, the NACP held 18 coordination meetings, to which all interested authorities that had submitted comments and proposals on the relevant structural component of the draft Strategy were invited, as well as representatives of the

1946 Information provided by an anti-corruption expert during an interview conducted on 19.03.2026.

1947 Draft Anti-Corruption Strategy for 2026–2030. ↗

Government Office for Coordination of European and Euro-Atlantic Integration of the Secretariat of the Cabinet of Ministers of Ukraine.[1948]

In early April 2026, following revisions, the draft law 'On the Principles of Anti-Corruption Policy for 2026–2030' was submitted for consideration at a meeting of the Cabinet of Ministers of Ukraine.[1949]

However, the Government did not consider the document within a reasonable timeframe, although at that stage the relevant measure under the Ukraine Plan was still expected to be completed by June 2026.[1950] As a result, on 13 May 2026, the Chair of the Verkhovna Rada Committee on Anti-Corruption Policy registered the unedited NACP version as Draft Law No. 15230[1951] without waiting for Government approval. On 18 May, the Cabinet of Ministers of Ukraine submitted its own version — Draft Law No. 15230-1[1952] — from which a number of key provisions had been removed, including the competitive procedure for appointing the Prosecutor General and reform of the SBI. On 25 May, a group of MPs from the 'European Solidarity' parliamentary faction registered a third version, Draft Law No. 15230-2,[1953] which broadly preserved the ambition of the NACP text and contained additional provisions on institutional reform of the SBI but weakened the decisive role of international experts in the selection of members of the HCJ and the HQCJ.

Following committee discussions, on 15 July 2026 the Verkhovna Rada Committee on Anti-Corruption Policy unanimously recommended that Parliament adopt at first reading a consolidated revised version of the three draft laws. This revised text, subsequently registered as Draft Law No. 15230-d[1954] on 27 July 2026, provides for competitive selection of the SBI Director combined with staff attestation, the restoration of competitive recruitment in prosecution authorities, the involvement of independent international experts in the formation of judicial governance bodies and greater effectiveness of NACP financial control. In some respects, it is therefore even more ambitious than the original draft prepared by the Agency.

Recommendations

1. Parliament and the Government should adopt without further delay the new Anti-Corruption Strategy and State Anti-Corruption Programme, developed with due regard to public analysis of the corruption situation and the results of implementation of the previous strategic documents.

1948 Letter from the National Agency on Corruption Prevention No. 09-15/24628-26 of 15.04.2026.

1949 Ibid.

1950 On Approval of the Ukraine Plan: Order of the Cabinet of Ministers of Ukraine No. 244 of 18.03.2024. ↗

1951 On the Principles of State Anti-Corruption Policy for 2026–2030: Draft Law of Ukraine, registration No. 15230 of 13.05.2026. ↗

1952 On the Principles of State Anti-Corruption Policy for 2026–2030: Draft Law of Ukraine, registration No. 15230-1 of 18.05.2026. ↗

1953 On the Principles of State Anti-Corruption Policy for 2026–2030: Draft Law of Ukraine, registration No. 15230-2 of 25.05.2026. ↗

1954 On Approval of the Anti-Corruption Strategy for 2026–2030: Draft Law of Ukraine, registration No. 15230-d of 27.07.2026. ↗

2. Ensure a sufficient level of human and financial resources, as well as the continuous involvement of civil society, specialists, experts and other stakeholders, including at a high level, in the advocacy and implementation of the Anti-Corruption Strategy and State Anti-Corruption Programme after their adoption.

3. The NACP should involve civil society and external experts in the implementation of EU conditions on anti-corruption mainstreaming on a systematic basis and play a more active coordination and methodological role in anti-corruption mainstreaming in the public sector. It should provide information and recommendations to state authorities and other bodies on the introduction of anti-corruption practices into their activities, rather than limiting itself to references to the internal anti-corruption programmes of such entities.[1955]

4. Amend legislation to enable the NACP to prepare the National Report on the Effectiveness of the Implementation of State Anti-Corruption Policy, as well as the draft new Anti-Corruption Strategy, in the year following the final year of validity of the previous Anti-Corruption Strategy and State Anti-Corruption Programme. The relevant provisions of the Plan for the Ukraine Facility for 2024–2027 should also be clarified.

5. Preserve the current wording of the provision of the Law of Ukraine 'On Preventing Corruption,' which provides for Parliament's approval of the Anti-Corruption Strategy for the relevant period through the adoption of a separate law.

Legal Framework

Effectiveness of Judicial Consideration in the HACC

Progress and issues

The issue of legislative regulation of measures to counter the abuse of procedural rights in criminal proceedings remains unresolved. The NACP formed a working group that developed a relevant draft law, which has now been sent for approval to the state authorities concerned.[1956] It does not cover the issue of monetary penalties against defence counsel, which is a significant shortcoming given the actual practice of their failure to appear at court hearings. The draft law increasing the amount of fines for contempt of court was vetoed by the President on 6 October 2025.[1957] In addition, this draft law did not address procedural improvements — in particular, the requirement that a case concerning administrative liability be considered by a judge other than the one against whom contempt was committed.[1958]

1955 Recommendations 3–5 previously provided by civil society in the Shadow Report 2025 remain relevant (p. 373).

1956 Information provided by a judge of the High Anti-Corruption Court during an interview conducted on 16.03.2026.

1957 On Amendments to the Code of Ukraine on Administrative Offences, the Criminal Code and the Criminal Procedure Code of Ukraine to Ensure Respect for the Court and the Prompt Consideration of Criminal Proceedings by the Court: Draft Law of Ukraine, registration No. 11387 of 28.06.2024. ↗

1958 Enhancing Accountability for Court Abuse and Contempt: Legal Analysis of Draft Law No. 11387. Transparency International Ukraine, 2025. ↗

On 16 June 2026, MPs registered Draft Law No. 15333,[1959] which contains a set of amendments to the CPC of Ukraine aimed at preventing abuse of procedural rights. It also proposes changes to the regulation of matters related to pre-trial investigation time limits. However, the draft law does not provide for monetary penalties for participants in criminal proceedings who fail to appear at court hearings without valid reasons.

At the same time, the practical scale of the problem in HACC cases is significant. A HACC judge noted[1960] that the conduct of certain defence counsel aimed at delaying proceedings, as well as the lack of an adequate response from Bar self-governance bodies, is a systemic problem. Although in most cases abuses are situational in nature, their impact in HACC cases is sufficiently serious. At the same time, representatives of other legal professions pointed out[1961] that a considerable share of so-called 'delays' is caused not by intentional abuse, but by the defence's forced response to a loss of trust in the court in general, given the dynamics and previous decisions in the criminal proceedings. In response to a request, the HACC reported[1962] that, in the first-instance court, the dynamics of rulings initiating disciplinary liability of defence counsel were as follows: 19 rulings in 2024, 14 in 2025 and 4 in January–February 2026. In the AC HACC, for the period from 1 January 2024 to 1 March 2026 inclusive, there was 1 ruling concerning two defence counsel.

On 25 February 2026, the Grand Chamber of the SC adopted an important decision in a case concerning the application of the 'Lozovyi amendments'. The Court departed from the previous position of the Joint Chamber of the Criminal Cassation Court and found that, where the first of the joined proceedings was initiated before 16 March 2018, the extension of time limits by the head of the prosecution office was lawful, and a procedural violation concerning the authority to extend time limits could not serve as grounds for closing the case.[1963] This decision removes one of the most problematic ambiguities in the application of the ground for closing criminal proceedings due to the expiry of pretrial investigation time limits, but it does not resolve the problem raised by anti-corruption bodies and civil society. In addition, Ukraine has expressly undertaken an obligation to remove from the CPC of Ukraine the provision on the automatic closure of criminal proceedings due to the expiry of pre-trial investigation time limits (para. 10, Part 1, Article 284 of the CPC of Ukraine).[1964]

At the same time, relying exclusively on judicial practice is risky. The position of the cassation court on this issue changed at least twice during 2022–2024. According to available data, as of 2023, the Grand Chamber departed from its own previous decisions

1959 On Amendments to the Criminal Procedure Code of Ukraine on Strengthening the Effectiveness of Criminal Proceedings upon Expiry of Pre-Trial Investigation Time Limits and Preventing Abuse of Procedural Rights by Participants in Criminal Proceedings: Draft Law of Ukraine, registration No. 15333 of 16.06.2026. ↗

1960 Information provided by a judge of the High Anti-Corruption Court during an interview conducted on 16.03.2026.

1961 Information provided by an advocate, Head of the Committee of the Ukrainian Bar Association, during an interview conducted on 13.03.2026.

1962 Letter from the High Anti-Corruption Court No. 03.10.1-05/42/2026 of 31.03.2026.

1963 Ruling of the Grand Chamber of the Supreme Court of 25.02.2026 in case No. 755/15993/18. ↗

1964 Joint Statement between Commissioner Marta Kos and Deputy Prime Minister of Ukraine Taras Kachka. Directorate-General for Communication, 2025. ↗

in 31 instances.[1965] However, there has been no progress by Parliament in considering Draft Law No. 12367-2,[1966] which concerns these issues, or by the Government in submitting the relevant draft law to Parliament for consideration. The negative consequences of this delay are confirmed by the fact that, in May 2026, the HACC as a court of first instance again closed criminal proceedings concerning the alleged misappropriation of funds of JSC 'Ukrzaliznytsia' due to problems with extending pre-trial investigation time limits.[1967]

The number of HACC verdicts based on plea agreements continues to grow. At the same time, the texts of some plea-agreement verdicts are closed and public communication on these cases does not make it possible to establish what exactly the state received in exchange for more lenient sentences.[1968] The expert interviewed noted[1969] that the agreement is closed in full, although the technical possibility exists to close only specific parts of the verdict.

A HACC judge also noted[1970] that the practice of closing plea-agreement verdicts in full may fail to serve its purpose of concealing the fact of cooperation if the person convicted under the agreement is to testify against accomplices. This is because, once the criminal proceedings are severed, they will learn that an agreement has been concluded, while the requirement to provide incriminating testimony is mandatory for concluding an agreement in cases of complicity under the CPC of Ukraine. An interviewed attorneys noted[1971] the absence of clear criteria for 'public interest' and methodological recommendations for any of the parties to the proceedings, even though the relevant provision of the CPC of Ukraine has been in force for a considerable time.

The increase in the number of plea-agreement verdicts is positive. However, the limited transparency of the terms of such agreements and the unclear institutional policy of SAPO and the NABU in this area may reduce trust both in the HACC and in the anti-corruption bodies more broadly. At the same time, the practice whereby the parties to an agreement provide for the serving of a real sentence — albeit shorter than the sanction under the relevant article — taking into account Article 69^2 of the CC of Ukraine, can be assessed positively. There are currently several such examples in the practice of SAPO and the HACC.[1972] In addition, there is practice of including special confiscation in plea

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1965 The Supreme Court discussed the results of the analysis of the GC SC's practice on departing from previously formulated legal positions. Supreme Court, 2023. ↗

1966 On Amendments to the Criminal Procedure Code of Ukraine and the Law of Ukraine 'On the Public Prosecutor's Office' to Remove Obstacles for the Parties to Criminal Proceedings in Access to Justice: Draft Law of Ukraine, registration No. 12367-2 of 14.01.2025. ↗

1967 HACC Closes Case against Yaroslav Dubnevych and Accomplices over Misappropriation of Ukrzaliznytsia Funds. HACC.Decided, 2026. ↗

1968 'They Work': What Results the NABU, the SAPO and HACC Show. Texty.org.ua, 2026. ↗

1969 Information provided by an anti-corruption expert during an interview conducted on 19.03.2026.

1970 Information provided by a judge of the High Anti-Corruption Court during an interview conducted on 16.03.2026.

1971 Information provided by an advocate, Head of the Committee of the Ukrainian Bar Association, during an interview conducted on 13.03.2026.

1972 Took a Bribe for a Suspended Sentence but Received a Real Prison Term: HACC Approved a Plea Agreement with a Former PGO Prosecutor. HACC Decided, 2025. ↗; Publication by the Specialised Anti-Corruption Prosecutor's Office and the National Anti-Corruption Bureau of Ukraine on the social network Facebook, 2026. ↗

agreements, but it has not become widespread. Thus, the HACC, as a first-instance court, delivered 11 convictions involving special confiscation in 2024 (including 2 based on plea agreements), 13 in 2025 (including 6 based on agreements) and 1 in January–February 2026.[1973]

When concluding an agreement that provides for release from serving a sentence with probation, the person is deemed to have no criminal record as a legal consequence of conviction after the expiry of the probationary period, in accordance with para. 1, Part 1, Article 89 of the CC of Ukraine. The probationary period may last for a maximum of 3 years, and it is difficult to regard this period as sufficient to legally restrict a convicted person from holding positions in public service.

Supervision over the conduct of persons released from serving a sentence with probation during the probationary period is carried out by the authorised probation body at the convicted person's place of residence and, in respect of service members, by commanders of military units. The authorised probation body conducts social and educational work with convicted persons released from serving a sentence with probation, based on an individual plan and taking into account the assessment of risks of reoffending. However, the probation system faces a number of challenges affecting its effectiveness and further development: insufficient funding, a shortage of qualified staff and a low level of training in working with offenders.[1974] The effectiveness of probation largely depends on social and educational work with probation subjects. In the future, probation should introduce new digital technologies for risk assessment, behaviour monitoring and process automation.[1975] Accordingly, the effectiveness of its application to persons convicted of corruption and corruption-related criminal offences should be carefully examined.

The issue of transferring to the exclusive jurisdiction of the HACC the consideration of motions related to the enforcement of verdicts under Article 539 of the CPC of Ukraine remains unresolved at the legislative level, as no relevant amendments have been made to the CPC of Ukraine. At the same time, in 2024, 3 persons were released on parole from places of serving sentences (including 2 in connection with military service), while in 2025, 2 persons were released on parole in connection with military service.[1976]

The problem of enforcing HACC verdicts concerning asset confiscation is part of much broader systemic challenges in the work of the State Enforcement Service. In April 2026, Parliament adopted Law No. 4833-IX aimed at improving the procedure for enforcing court judgments and decisions of other authorities and digitalising certain stages of enforcement proceedings.[1977] This Law may improve the quality of enforcement of judgments on asset confiscation, given its provisions on automated interaction between registers instead of manual checks, as well as certain provisions concerning the seizure of property. However, full implementation depends on the timely adoption of secon-

1973 Letter from the High Anti-Corruption Court No. 03.10.1-05/42/2026 of 31.03.2026.

1974 Persons Released from Serving a Sentence with Probation. State Institution 'Probation Centre', 2025. ↗

1975 Probation in Ukraine: 10 Years of Successes and Challenges. LB.ua, 2025. ↗

1976 Letter from the High Anti-Corruption Court No. 03.10.1-05/42/2026 of 31.03.2026.

1977 On Amendments to Certain Legislative Acts of Ukraine on Improving the Procedure for Enforcement of Court Judgments and Decisions of Other Authorities and Digitalising Certain Stages of Enforcement Proceedings: Law of Ukraine No. 4833-IX of 07.04.2026. ↗

dary legislation. The Law does not contain separate provisions on improving statistical reporting.

The experts interviewed noted[1978] that the only public source of statistics on the enforcement of court decisions remains the statistical forms of the State Enforcement Service. At the same time, the data from the Automated Enforcement Proceedings System and the statistical forms differ, which the MoJ has acknowledged and is currently trying to address. The Unified State Register of Enforcement Proceedings, which should ensure comprehensive accounting, has still not been created despite the statutory requirement.[1979]

The introduction of single-judge consideration of criminal cases in the HACC has accelerated proceedings and is justified under conditions of critical workload — this is confirmed both by the practice of HACC judges and by general statistics.[1980] At the same time, a key procedural contradiction remains unresolved: some judges believe that, where a motion is granted, collegial consideration of a case should begin already at the preparatory hearing stage, while others consider that this should happen only when the trial on the merits begins.[1981] A HACC judge emphasised[1982] that preparatory hearings in the HACC often last a year or more, and granting a motion for collegial consideration at the end of this stage would effectively mean starting the proceedings from the beginning, which is unacceptable from the perspective of efficiency.

In addition, the list of persons entitled to collegial consideration of cases in the HACC is excessively broad and is not properly balanced against the gravity of the alleged criminal offence. For example, a case involving charges against an MP for inaccurate declaration, which is a non-serious crime, may be heard by a panel of judges.

An analysis of HACC case law revealed the coexistence of two opposing approaches to the procedural consequences of replacing a judge during criminal proceedings. In some cases, the court found it possible to continue the proceedings without starting them anew, referring to the possibility for the new judge to familiarise themselves with the case materials and technical recordings of hearings, the SC's position on the flexible application of the principle of immediacy and the need to comply with reasonable time limits. In other cases, the court effectively restarted the trial, giving priority to the principle of the immutability of the composition of the court and the accused's right to request the direct examination of evidence.[1983]

This inconsistency creates legal uncertainty and risks of abuse by participants in the proceedings. The problem has become particularly acute in connection with the pos-

1978 Information provided by representatives of the Pravo-Justice Project during an interview conducted on 19.03.2026.

1979 After the interview was conducted, on 07.04.2026, the Verkhovna Rada adopted Law of Ukraine No. 4833-IX 'On Amendments to Certain Legislative Acts of Ukraine to Improve the Procedure for Enforcing Court Decisions and Decisions of Other Bodies and to Digitalise Certain Stages of Enforcement Proceedings', which provides for expanding the functionality of the Automated Enforcement Proceedings System.

1980 'They Work': What Results the NABU, the SAPO and HACC Show. Texty.org.ua, 2026. ↗

1981 Six Years of the HACC's Work: Analysis of Achievements, Challenges and Recommendations. Transparency International Ukraine, 2025. ↗

1982 Information provided by a judge of the High Anti-Corruption Court during an interview conducted on 16.03.2026.

1983 Six Years of the HACC's Work: Analysis of Achievements, Challenges and Recommendations. Transparency International Ukraine, 2025, p. 27. ↗

sible transfer of three first-instance HACC judges to the AC HACC following the competition. The need to redistribute their cases among other judges means that the issue of the procedural consequences of replacing a judge will arise in numerous proceedings simultaneously.

As regards extending single-judge consideration to civil cases on recognising assets as unjustified: adoption of the relevant Government draft law (No. 14033,[1984] previously No. 10338) was initially delayed by MPs because of certain concerns,[1985] and the draft law was subsequently withdrawn following the Government's resignation. These concerns are unfounded, as out of 49 persons who were parties to civil forfeiture cases in 2025, only 2 were MPs, while 95% were police officers, other officials, council members and others.[1986]

Draft Law No. 12439,[1987] which contained a risky novelty in the form of time-limited asset seizure every two months, was revised to some extent, but other problematic aspects were added to it. Among the most serious are: the introduction of Article 41[1] of the CC of Ukraine, which grants immunity for actions taken 'on the basis of explanations' from state authorities without any criteria for their lawfulness, creating broad opportunities for the legalisation of corrupt schemes; the possibility to challenge before an investigating judge an investigator's decisions refusing to provide materials, which may in practice force the disclosure of pre-trial investigation secrecy in open hearings; and a significant narrowing of the list of criminal offences for which urgent searches are permitted, making it impossible to use this tool in most corruption cases, except for passive bribery under Article 368 of the CC of Ukraine.[1988] The existence of these problems generated considerable concern among experts and civil society organisations. There has been no progress in the consideration of this draft law to date.

In September 2025, the NPU procured an additional 300 electronic bracelets for approximately UAH 40 million, with delivery expected by 15 December 2025.[1989] This is a positive step: as of July 2025, only 145 of the 300 bracelets on the NPU's balance sheet remained operational, while in NABU cases alone, as of the end of June 2025, there were 365 suspects and 1,429 accused persons.[1990] The shortage of monitoring devices had previously led to specific negative consequences.

As of 31 March 2026, the available number of electronic monitoring devices was 600 sets, of which 127 were faulty, 32 were lost and 6 were undergoing testing.[1991] The draft

1984 On Amendments to the Civil Procedure Code of Ukraine and the Code of Administrative Procedure of Ukraine on Improving the Procedure for Consideration of Cases by the High Anti-Corruption Court: Draft Law of Ukraine, registration No. 14033 of 11.09.2025. ↗

1985 Meeting of the Committee on Ukraine's Integration into the European Union, 27.02.2026 / Rada TV Channel. YouTube, 2026. ↗

1986 Civil Forfeiture in Ukraine: Cases in 2025. HACC Decided, 2026. ↗

1987 On Amendments to the Criminal Procedure Code of Ukraine to Improve Safeguards for the Protection of Business Entities during Criminal Proceedings: Draft Law of Ukraine, registration No. 12439 of 24.01.2025. ↗

1988 Protecting Business or Opening Doors for Corruption: Analysis of Draft Law No. 12439 Before the Second Reading. Transparency International Ukraine, 2025. ↗

1989 Corrupt Officials, Get Ready: Police Ordered Electronic Bracelets Worth UAH 40 Million. Glavcom, 2025. ↗

1990 Publication by Transparency International Ukraine on the social network Facebook, 2025. ↗

1991 Letter from the Ministry of Justice of Ukraine of 02.04.2026 No. 45757/47951-33-26/11.7.

Anti-Corruption Strategy for 2026–2030 contains expected strategic result 1.9.4.4 on ensuring the effective enforcement of court decisions on the application of preventive measures, including electronic monitoring, which reflects the substance of the relevant recommendation by Transparency International Ukraine, albeit in a somewhat different wording.[1992] Despite this, the problem of persons involved in corruption cases absconding remains relevant.[1993]

Recommendations

1. The Verkhovna Rada should finalise and adopt legislation introducing a mechanism to counter the abuse of procedural rights in criminal proceedings, including the possibility of imposing monetary penalties on participants in proceedings and holding them liable for contempt of court.[1994]

2. The Verkhovna Rada should amend the CPC of Ukraine by removing the provision requiring the court to close criminal proceedings due to the expiry of the pre-trial investigation time limit (para. 10, Part 1, Article 284 of the CPC of Ukraine) and granting the court the right to do so where the accused's right to have criminal proceedings considered within a reasonable time has been violated.

3. SAPO should, to a greater extent, make the actual serving of a sentence a condition when concluding plea agreements and, where assets are available, provide for their special confiscation. It should also develop accessible policies on concluding agreements in high-level corruption cases, based on a clear assessment of the public interest.

4. The Verkhovna Rada should amend Article 539 of the CPC of Ukraine to provide that issues related to the enforcement of court verdicts under which a person has been convicted of a corruption or corruption-related criminal offence are considered by the HACC.

5. The Government should effectively implement the reform of the probation system so that persons convicted of corruption and corruption-related criminal offences receive a real corrective effect when released from serving a sentence with probation.

6. The Verkhovna Rada should review the provisions on single-judge consideration of cases in the HACC from the perspective of efficiency and impact on judicial proceedings, eliminate ambiguities regarding the point at which proceedings shift to collegial consideration and extend single-judge consideration by the HACC to cases concerning the recognition of assets as unjustified.

7. The Government and the NPU should ensure a sufficient number of electronic bracelets to monitor suspects and accused persons in corruption cases.

1992 On Approval of the Anti-Corruption Strategy for 2026–2030: Draft Law of Ukraine, registration No. 15230-d of 27.07.2026. ↗

1993 Tymur Mindich Left Ukraine by VIP Taxi — 'Schemes'. Radio Liberty, 2025. ↗

1994 Recommendations 1, 2, 4, 6 and 7 were previously provided by civil society in the Shadow Report 2025 (p. 374) and remain relevant.

8. The Verkhovna Rada should improve the legal regulation of criminal record periods where a person convicted of a corruption or corruption-related criminal offence is released from serving a sentence with probation.

9. The Verkhovna Rada should eliminate legal uncertainty by amending Article 319 of the CPC of Ukraine to expressly provide that, where a judge is replaced, the consent of the participants in criminal proceedings is not a mandatory condition for continuing the trial, provided that all previous hearings have been fully audio- and video-recorded, enabling the new judge to properly familiarise themselves with the course of the proceedings.

Compliance with Investigative Jurisdiction in Corruption Case Investigations

Progress and issues

Violations of the NABU's exclusive investigative jurisdiction remain a problem that received no legislative or institutional solution during the reporting period. At the level of legislative initiative only, there is a proposal to regulate the transfer of cases falling within NABU investigative jurisdiction by establishing a time limit for transferring materials and for a prosecutor to decide on investigative jurisdiction.[1995] Pre-trial investigation bodies — primarily the SSU — continue to investigate and refer to court indictments in corruption cases that formally fall within the NABU's investigative jurisdiction. Cases of serving notices of suspicion in breach of investigative jurisdiction have also been recorded.

A telling example is the case concerning the Commander of Logistics of the Air Force Command of the AFU and the Head of the SSU Office in Zhytomyr region, who were detained in connection with a scheme to misappropriate UAH 1.4 billion during the construction of arched shelters at airfields. According to the investigation, the officials organised the transfer of an undue benefit amounting to approximately UAH 13 million and, at the time of detention, USD 320,000 was being handed over to them. The proceedings are being conducted under Articles 369 and 426[1] of the CC of Ukraine under the procedural guidance of the PGO. At the same time, given the amount involved in the corruption offence and the persons concerned, the case contains features that may indicate the NABU's investigative jurisdiction, yet it is being investigated by the SSU.[1996]

There are also no mechanisms of disciplinary liability for heads of investigative units for systematic violations of investigative jurisdiction or for prosecutors who incorrectly determine the investigative jurisdiction of proceedings. The above-mentioned Draft Law No. 15334 likewise contains no such proposals. The procedure and time limits for transferring criminal proceedings to the NABU from other bodies are not regulated by law and there is no liability for failure to comply with a decision to request the transfer of a case.

1995 On Amendments to the Criminal Procedure Code of Ukraine on Improving the Procedure for Determining Investigative Jurisdiction and Procedural Support for International Cooperation: Draft Law of Ukraine, registration No. 15334 of 16.06.2026. ↗

1996 Corruption in the Air Force: Commander of Logistics and Head of the SSU in Zhytomyr Region Served with Notices of Suspicion. Ukrainska Pravda, 2026. ↗

Recommendations[1997]

1. The SSU, the SBI, the NPU, the ESBU and prosecution bodies should strictly comply with the requirements of procedural legislation concerning the NABU's investigative jurisdiction and, for this purpose, cooperate effectively with one another, for example through the prompt and operational transfer of relevant materials.

2. The PGO, the SSU, the SBI, the NPU and ESBU should examine the possibility of establishing disciplinary liability for heads of pre-trial investigation bodies whose units investigate cases in breach of the NABU's exclusive investigative jurisdiction, as well as for prosecutors who incorrectly determine the investigative jurisdiction of criminal proceedings.

3. The Verkhovna Rada should amend legislation to clearly regulate the procedure and time limits for transferring criminal proceedings to the NABU from other pre-trial investigation bodies, including liability for failure to comply with a decision requesting the transfer of a case.

Practice of the Application of Criminal Law by Anti-Corruption Institutions

Progress and issues

The SC reported that, as of early March 2026, it had not prepared any comprehensive summaries of judicial practice on the application of legislation in corruption cases.[1998] At the same time, three reviews of judicial practice in criminal proceedings concerning corruption and corruption-related offences have been published, containing brief summaries of decisions for 2022, 2023 and 2024. These reviews are a useful tool for navigating the case law, but they do not replace full summaries with a systemic analysis of trends, identification of typical errors and formulation of legal positions.

No amendments were made to the CC of Ukraine during the reporting period to improve the elements of corruption offences, clarify the disposition of Article 364 of the CC of Ukraine, extend the liability of legal entities for bribery of national public officials or improve the rules for calculating limitation periods. Expected strategic result 1.9.5.1 of the draft Anti-Corruption Strategy[1999] provides that legislation on liability for corruption and corruption-related criminal offences will fully comply with EU law. This is proposed to be achieved, inter alia, by improving the elements of corruption criminal offences and corruption-related criminal offences; improving the types and levels of penalties for such offences; extending limitation periods for criminal liability for corruption and corruption-related offences and/or introducing mechanisms for their interruption or suspension; reviewing pre-trial investigation time limits and abolishing provisions on the automatic closure of criminal proceedings due to the expiry of pre-trial investigation time limits; improving mechanisms for asset recovery and for the confiscation of pro-

1997 The recommendations previously provided by civil society in the Shadow Report 2025 remain relevant (p. 377).

1998 Letter from the Supreme Court No. 42/k of 06.03.2026.

1999 On Approval of the Anti-Corruption Strategy for 2026–2030: Draft Law of Ukraine, registration No. 15230-d of 27.07.2026. ↗

ceeds of crime and instrumentalities of criminal offences in accordance with EU law; and improving the legal regulation of criminal-law measures applicable to legal persons in the CC of Ukraine.

The MoJ reported[2000] that, following joint meetings involving the NABU, the SAPO, the SC and NACP, agreement had been reached on the advisability of amending Article 49 of the CC of Ukraine to suspend the running of limitation periods in NABU/SAPO cases for persons called up for military service during mobilisation or a special period in respect of whom court proceedings have been suspended by the court. This proposal will be included in the draft law being developed by the NABU. The broader issue — extending limitation periods and strengthening the grounds for their interruption and suspension in corruption cases — will be further considered by the MoJ as part of legal monitoring involving interested stakeholders and taking into account the case law of the European Court of Human Rights.

The improvement of criminal legislation in the field of combating corruption should take into account new EU standards, as in March 2026 the European Parliament adopted the Directive on combating corruption by criminal law, which had been provisionally agreed with the Council of the EU in December 2025. The Directive establishes common definitions of corruption offences, including bribery, misappropriation, trading in influence, corruption-related illicit enrichment and corruption in the private sector, harmonised sanctions by setting minimum levels for maximum terms of imprisonment at EU level to ensure that maximum penalties under national law are not too lenient, requirements to adopt and regularly update national anti-corruption strategies with the participation of civil society and the annual publication of comparable machine-readable data on investigations and sanctions. Member States will have 24 months to transpose the Directive after its entry into force, subject to certain exceptions.[2001]

Progress should be noted in the Verkhovna Rada's adoption, on 10 March 2026, of Law No. 4811-IX[2002] on Ukraine's accession to the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions.[2003] This is an important step towards OECD membership. However, the Law will enter into force only together with the Law 'On Amendments to the Criminal Code of Ukraine, the Criminal Procedure Code of Ukraine and the Law of Ukraine "On Preventing Corruption" in Connection with Ukraine's Accession to the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions' (Draft Law No. 15056).[2004] On 26 May 2026, Parliament adopted Draft Law No. 15056 as a basis at first reading, and the Verkhovna Rada Committee on Law Enforcement subsequently recommended its adoption at second reading and in full.

2000 Letter of the Ministry of Justice of Ukraine No. 45757/47951-33-26/11.7 of 02.04.2026.

2001 Parliament Greenlights EU Anti-Corruption Rules. European Parliament, 2026. ↗

2002 On Ukraine's Accession to the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions: Law of Ukraine No. 4811-IX of 10.03.2026. ↗

2003 Convention on Combating Bribery of Foreign Public Officials in International Business Transactions of 17.12.1997. ↗

2004 On Amendments to the Criminal Code of Ukraine, the Criminal Procedure Code of Ukraine and the Law of Ukraine 'On Preventing Corruption' in Connection with Ukraine's Accession to the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions: Draft Law of Ukraine, registration No. 15056 of 06.03.2026. ↗

Draft Law No. 15056 is aimed at addressing existing gaps in legislation: aligning the concept of 'official' in note 2 to Article 364 of the CC of Ukraine with the definition in Part 4 of Article 18 of the CC of Ukraine, correcting technical errors in cross-references in the CPC of Ukraine (Part 3 of Article 589 of the CPC of Ukraine in the draft version) and introducing the concept of 'authorised persons of a legal entity' (already present in the CC of Ukraine) into anti-corruption legislation in order to regulate the obligations of legal entities to prevent corruption (Part 4 of Article 61 of the Law 'On Preventing Corruption' in the draft version). By Law No. 4111-IX, Parliament has already improved mechanisms for the liability of legal entities for bribery of foreign public officials.[2005] Despite this, the grounds for the autonomous application of criminal-law measures to legal entities do not cover acts provided for in the articles on misappropriation of another's property by an official and abuse of office (Articles 191 and 364 of the CC of Ukraine), or acts involving national public officials.

Comprehensive reform of confiscation mechanisms remains incomplete. The PGO reported that it had developed the draft law 'On Amendments to the Criminal Code of Ukraine to Introduce a System of Effective Standardised Sets of Criminal-Law Measures' and, by letter of 29 September 2025, sent it to Serhii Ionushas, Head of the Verkhovna Rada Committee on Law Enforcement, for consideration by Parliament.[2006] No further progress on this draft law during the reporting period is known.

As noted above, expected strategic result 1.9.5.1 of the draft Anti-Corruption Strategy provides for bringing legislation into line with EU.[2007] At the same time, current legislation contains systemic gaps that prevent the effective confiscation of criminal assets, which is not a punishment but another criminal-law measure. Confiscation of property as a punishment applies only to property legally owned by the convicted person — assets registered in the names of related persons remain outside its scope even where their criminal origin is evident. Extended confiscation — where the court assesses whether the convicted person's overall assets correspond to their lawful income — is provided for only in procedural legislation (para. 6^1, Part 9 Article 100 of the CPC of Ukraine), without a corresponding provision in substantive criminal law. This creates legal uncertainty and prevents even the seizure of such assets. Non-conviction-based confiscation, for example where limitation periods have expired, is also not provided for in the current CC of Ukraine.

All these mechanisms are mandatory components of Directive (EU) 2024/1260 on asset recovery and confiscation,[2008] which the European Commission, in the 2025 Report under the EU Enlargement Package, expressly identified as a benchmark for harmonising Ukrainian legislation,[2009] while the relevant measure has already been included in the

2005 On Amendments to the Criminal Code of Ukraine, the Criminal Procedure Code of Ukraine and Other Legislative Acts of Ukraine to Improve Mechanisms for Holding Legal Entities Liable for Bribery of Officials of Foreign States: Law of Ukraine No. 4111-IX of 04.12.2024. ↗

2006 Letter of the Prosecutor General's Office No. 30/3-330VYH-26 of 11.03.2026.

2007 On Approval of the Anti-Corruption Strategy for 2026–2030: Draft Law of Ukraine, registration No. 15230-d of 27.07.2026. ↗

2008 Directive (EU) 2024/1260 of the European Parliament and of the Council of 24 April 2024 on asset recovery and confiscation. ↗

2009 2025 Ukraine Report: Communication on EU Enlargement Policy. ↗

Rule of Law Roadmap.[2010] The expiry of the Asset Recovery Strategy for 2023–2025[2011] without achieving the declared result of improving confiscation mechanisms indicates that this problem is being carried over into subsequent periods without significant progress.[2012]

At the same time, the draft Anti-Corruption Strategy only partially incorporated the recommendation to expand the grounds for civil confiscation: it provides for the possibility of filing a claim after the closure of criminal proceedings concerning illicit enrichment but leaves aside situations where a person is acquitted by a court. This gap is significant, since an acquittal and the closure of proceedings are distinct procedural mechanisms, and it is precisely in cases where a person is acquitted due to insufficient evidence in criminal proceedings, which apply a higher standard of proof, that civil confiscation may be the most effective tool for recovering assets that clearly do not correspond to lawful income.

A unified analytical system for monitoring corruption cases is still lacking. The problem of fragmented and incompatible statistical data held by different bodies has been recorded in all previous monitoring cycles and was confirmed during interviews conducted in the reporting year. According to the interviewed expert,[2013] judicial and criminal justice statistics count data differently, there are no verification mechanisms and a culture of professional criminological interpretation of data is effectively absent. The Rule of Law Roadmap provides for the introduction of a unified system for collecting statistical data on corruption proceedings by the fourth quarter of 2026, but the feasibility of meeting this deadline remains questionable.

Another example of this problem is the significant discrepancy in statistics on persons convicted by the HACC who are serving custodial sentences. The Department of the MoJ reported[2014] that, as of 31 December 2024, there were 28 such persons in penal institutions, while as of 31 December 2025 there were 39. At the same time, according to the HACC's own internal data, 68 persons were serving sentences as of the beginning of 2026 — more than twice the previous figure.[2015] As of 1 March 2026, 70 persons sentenced by the HACC to imprisonment had begun serving their sentences, while 15 persons had completed them. Information is available on the enforcement of sentences in respect of 81 persons sentenced to other penalties.[2016]

The likely reasons for the gap between the number of convicted persons and those serving sentences include the following: some cases are pending appellate review; some convicted persons have been released from penal colonies on parole to perform

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2010 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

2011 On Approval of the Asset Recovery Strategy for 2023–2025: Order of the Cabinet of Ministers of Ukraine No. 670 of 01.08.2023. ↗

2012 Apartments Registered in the Wife's Name, Land in the Daughter's Name: How Corrupt Officials Circumvent Confiscation and What Can Be Done About It. Dzerkalo Tyzhnia, 2025. ↗

2013 Information provided by a representative of the academic community during an interview conducted on 18.03.2026.

2014 Letter of the Department for the Execution of Criminal Sentences of the Ministry of Justice of Ukraine No. 74/72-m/5.4.3/14-26/3/1/24.1-26 of 11.03.2026.

2015 Information provided by the Head of the Office of the High Anti-Corruption Court during an interview conducted on 12.03.2026.

2016 Letter of the High Anti-Corruption Court No. 03.10.1-05/42/2026 of 31.03.2026.

military service under Article 81[1] of the CC of Ukraine and some are wanted. At the same time, the discrepancy between the data of the State Criminal Enforcement Service (39 persons) and the HACC (70 persons) indicates the absence of well-established interagency information exchange. As sectoral experts explained,[2017] statistics maintained by the relevant Department of the MoJ on the enforcement of specific categories of judgments are effectively compiled manually 'on request', without systematic record-keeping, while these data have also become less accessible since 2022.

A positive development is that Expected Strategic Result 1.9.4.3 of the draft Anti-Corruption Strategy[2018] provides for the introduction of a coordinated system for collecting, analysing and publishing statistical data, which will make it possible to effectively track the performance of pre-trial investigations, court proceedings and the enforcement of court decisions. If this expected result is achieved, the relevant data will become more specific and measurable.

Recommendations[2019]

1. The SC should provide comprehensive summaries of judicial practice on the application of legislation in corruption cases.

2. The Verkhovna Rada should improve the legislation on liability for corruption-related criminal offences by: aligning the list of corruption-related criminal offences with the defining features of corruption; clarifying the disposition of Article 364 of the CC of Ukraine; extending the mechanisms of liability of legal entities for bribery not only of foreign but also national officials; and improving the rules for calculating limitation periods, in particular by changing the point at which they expire and expanding the grounds for their suspension.

3. The Verkhovna Rada should introduce a comprehensive reform of the confiscation and asset recovery system, including: improving the mechanisms of extended and special confiscation of criminal assets instead of general confiscation of property as a punishment; introducing the mandatory application of special confiscation when plea agreements are concluded in corruption cases; expanding the range of entities empowered to bring the relevant claims; and implementing Directive (EU) 2024/1260 on asset recovery.

4. The Cabinet of Ministers of Ukraine, the State Judicial Administration of Ukraine and the PGO should develop a unified analytical system for monitoring the consideration of cases concerning corruption and corruption-related offences to collect and analyse data on their consideration, outcomes and penalties, with mandatory publication of periodic reports.

2017 Information provided by representatives of the Pravo-Justice Project during an interview conducted on 19.03.2026.

2018 On Approval of the Anti-Corruption Strategy for 2026–2030: Draft Law of Ukraine, registration No. 15230-d of 27.07.2026. ↗

2019 The recommendations previously provided by civil society in the Shadow Report 2025 (p. 383) remain relevant.

Verification of Declarations and Lifestyle Monitoring

Progress and issues

No progress was observed during the period under review in the legislative regulation of financial control either. Legislative shortcomings remain relevant with regard to:

- the possibility for MPs not to indicate in their declarations information on rented real estate of up to 75 m^2 where the costs are reimbursed to them;
- the requirement to indicate information on the same asset in only one section of the declaration;
- the declarant's unlimited right to familiarise themselves with all materials of the full verification concerning them after it has been completed;
- the need to expand the range of officials of legal entities under public law who are subject to declaration requirements, etc.[2020]

The European Commission's recommendation to extend asset declaration obligations to staff of top political officials, including their advisers and assistants, also remains unimplemented.[2021] The issue of asset declarations by officials of legal entities under public law likewise remains unresolved.[2022]

Contrary to the recommendations of the European Commission in the 2025 Report under the EU Enlargement Package, the NACP continues not to publish the LAC rules,[2023] as well as the criteria for the risk-based approach and the procedures for verifying declarations submitted by employees of certain categories. The NACP provided information[2024] that it is considering involving representatives of civil society organisations active in the field of corruption prevention in the process of improving the LAC rules. However, such involvement will not entail disclosure of these rules to the public.

The NACP's approaches to the erroneous interpretation of the Law of Ukraine 'On Preventing Corruption' in terms of the form and content of financial control at the level of its own regulations also remain unchanged. First, there are two procedures — control of declaration completeness and automated full verification of declarations — that are not provided for by the Law of Ukraine 'On Preventing Corruption' and were introduced by the NACP on its own initiative. International external auditors strongly criticised this model in their 2023 report,[2025] which was also reflected in the 2025 Report under the EU Enlargement Package.

In addition, several procedures have identical objectives: automated verification, full verification and lifestyle monitoring; as well as control of declaration completeness and

2020 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the 2024 European Union Enlargement Package, 2025, p. 386. ↗

2021 2025 Ukraine Report: Communication on EU Enlargement Policy. ↗

2022 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the 2024 European Union Enlargement Package, 2025, p. 386. ↗

2023 2025 Ukraine Report: Communication on EU Enlargement Policy. ↗

2024 Letter of the National Agency on Corruption Prevention No. 09-15/24628-26 of 15.04.2026.

2025 Report of the External Independent Evaluation of the Effectiveness of the NACP for 2020–2021. 2023. ↗

LAC. They are artificially separated by the Agency, despite the Law of Ukraine 'On Preventing Corruption' having remained unchanged in this respect for many years. The procedures are not coordinated with one another, which is also emphasised in the Rule of Law Roadmap.[2026]

The European Commission's recommendation to update legislation to strengthen liability for unjustified wealth and to lower the thresholds for administrative and criminal liability for illicit enrichment and false asset declarations also remains relevant.[2027]

In this regard, it should be noted that Law No. 4496-IX[2028] entered into force in July 2025. It increased the thresholds for administrative liability for false asset declarations under Article 172^6 of the CUAO from 100–500 to 150–750 subsistence minimums (UAH 499, 200 — 2,496,000 in 2026), and the thresholds for criminal liability under Article 366^2 of the CC of Ukraine from 500–2,000 to 750–2,500 and over 2,500 subsistence minimums, with a corresponding increase in the amounts of fines. At the same time, Law No. 4496-IX[2029] lowered the threshold for illicit enrichment under Article 368^5 of the CC of Ukraine to 3,000 subsistence minimums for able-bodied persons and expanded the range of its subjects, including members of military medical commissions and employees of expert teams assessing everyday functioning (former MSECs). It also raised the threshold for civil confiscation of unjustified assets under Article 290 of the CivPC of Ukraine from 500 to 750 subsistence minimums (UAH 2,496,000 in 2026) and established maximum periods for retaining persons in the Unified State Register of Persons Who Have Committed Corruption or Corruption-Related Offences depending on the type of liability — from one year to the expiry of the criminal record.

The increase in thresholds is generally justified by the depreciation of the hryvnia by approximately 50% since the previous rules were adopted in December 2020. However, there is a risk that, due to the retroactive effect of the new thresholds, some ongoing investigations into inaccurate asset declarations may be closed.

The structural benchmark of the new IMF Memorandum[2030] is aimed at improving the mechanism of full verifications. It provides that each declaration will receive a risk score determined through automated data analysis and cross-checking against state registers. Declarations assessed as low-risk will be verified automatically, while the NACP will focus on detailed verifications, primarily of declarations submitted by high-ranking officials and cases showing the highest corruption risks. Meeting this benchmark by the end of June 2026 is a mandatory condition for the continuation of the financial support programme. However, meeting the benchmark through the adoption of new regulations alone does not in itself guarantee a change in practice if those regulations merely reproduce the current approaches in updated wording.

2026 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

2027 2025 Ukraine Report: Communication on EU Enlargement Policy. ↗

2028 On Amendments to the Code of Ukraine on Administrative Offences, the Criminal Code of Ukraine, the Criminal Procedure Code of Ukraine and Other Legislative Acts of Ukraine to Increase Liability for Corruption or Corruption-Related Offences: Law of Ukraine No. 4496-IX of 17.06.2025. ↗

2029 Ibid.

2030 IMF–Ukraine: Letter of Intent and Memorandum of Economic and Financial Policies of 13.02.2026. ↗

In 2025, the IMF supported both the strengthening of the asset declaration mechanism and lifestyle monitoring in such areas as tax, customs, public procurement and energy.[2031] Although the legislative regulation of lifestyle monitoring did not change during the reporting period, the NACP communicated its intention to strengthen it to meet these requirements.[2032]

It is important to emphasise once again the need for proper regulation of the lifestyle monitoring procedure, accompanied by open public consultations. A member of the NACP Public Council stressed[2033] that the Public Council insists on introducing time limits for the Agency's conduct of such monitoring procedures. This is critically necessary from the perspective of the principles of legal certainty and proportionality, as well as the protection of officials' right to privacy against disproportionately prolonged interference.

In this regard, it should be noted that, since the fourth quarter of 2025, the NACP has been receiving international technical assistance supported by the IMF. This assistance includes a review of internal procedures for conducting full verifications and lifestyle monitoring with a view to providing recommendations aimed at increasing the effectiveness of financial control measures in areas with heightened corruption risks.[2034]

Problems also remain relevant regarding the absence of separate procedures for full verifications and lifestyle monitoring in respect of judges and CCU judges, as well as the avoidance of declaration requirements by officials of legal entities under public law.[2035]

Recommendations[2036]

1. The NACP should adopt new regulations on the risk-based system for verifying declarations in line with the structural benchmark of the IMF Memorandum, while ensuring that these regulations not only formally comply with the Memorandum's requirements, but also address the identified systemic problem with the verification of declarations submitted by top officials.

2. The provisions of the Law of Ukraine 'On Preventing Corruption' should be improved with regard to electronic declaration requirements and the full verification procedure carried out by the NACP, namely by:

- excluding provisions that allow MPs not to indicate in their declarations information on rented real estate of up to 75 m² where the costs are reimbursed to them;

2031 The IMF Supports Maintaining the Area of Lifestyle Monitoring Implemented by the NACP. National Agency on Corruption Prevention, 2025. ↗

2032 Results of the NACP's Work in 2025: Lifestyle Monitoring and Control of Declaration Completeness. National Agency on Corruption Prevention, 2026. ↗

2033 Information provided by a member of the NACP Public Council during an interview conducted on 25.03.2026.

2034 Letter of the National Agency on Corruption Prevention No. 09-15/24628-26 of 15.04.2026.

2035 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the 2024 European Union Enlargement Package, 2025, pp. 388–390. ↗

2036 Recommendations 2–11 previously provided by civil society in the Shadow Report 2025 remain relevant, with partial updates (pp. 388–390).

- excluding provisions requiring information on the same asset to be indicated in only one section of the declaration;
- limiting the declarant's right to familiarise themselves with all materials of the full verification concerning them after it has been completed;
- expanding the range of officials of legal entities under public law and including in the list of declarants heads of separate subdivisions and branches of legal entities and their deputies, as well as staff of top political officials, including their advisers and assistants.

3. Amend the legislation to lower the thresholds for administrative and criminal liability for illicit enrichment and inaccurate asset declarations. Such lowering of thresholds should be based on the ratio between the amount involved in the offence and the average level of official income of public officials in different categories.

4. Oblige public officials, at the level of law and/or subordinate legislation, to declare information on the settlor of a trust, as well as trustees and beneficiaries where they are not the controller of the trust. Disclosure of information on the expenses of family members should also be made mandatory.

5. Amend the legislation to increase the limitation periods for liability for inaccurate asset declarations and consider increasing the limitation period for civil confiscation of unjustified assets. The legislation should provide for the possibility of suspending or interrupting limitation periods in cases concerning corruption and corruption-related criminal offences, following the example of European approaches.

6. Conduct a comprehensive assessment of the entire system of financial control business processes, identify procedures where duplication, conflicts or inconsistencies may exist between subordinate legislation and the Law of Ukraine 'On Preventing Corruption'. Based on the results of this assessment, introduce the necessary changes to the legislative framework to improve the financial control procedure, taking into account Ukraine's international commitments.

7. Adopt legislation and implement practical measures to ensure the quality and relevance of data on the identification of individuals and objects registered in the registers and databases used for completing, controlling and verifying asset declarations, through impartial and prompt responses to identified incomplete or incorrect data in state registers and databases.

8. Ensure adequate budget funding for the NACP's activities related to sending international requests for information within the framework of financial control.

9. Amend the legislation to ensure the openness of LAC rules, including for the NACP Public Council.

10. Develop and approve, in agreement with the High Council of Justice and the Constitutional Court of Ukraine, separate procedures for the full verification of declarations and lifestyle monitoring of judges.

11. Prevent officials of legal entities under public law from avoiding declaration requirements by self-identifying as legal entities under private law.

State Funding of Political Parties

Progress and issues

In its latest report, the OECD found that the legislation on political parties still requires comprehensive updating, particularly with regard to procedures for holding parties liable for violations of political finance rules. It separately emphasised the absence of any legislative initiatives to regulate the rights of the parliamentary opposition, some representatives of which continue to face restrictions on travel abroad or asset freezes.[2037]

The Roadmap on the Functioning of Democratic Institutions provides for a measure requiring the entry into force, by the fourth quarter of 2027, of a law that will ensure the compliance of party legislation with key international standards and previous recommendations of the Venice Commission and the Organization for Security and Co-operation in Europe.[2038]

This document also sets out a group of measures aimed at reducing the influence of individual financial-industrial groups on political parties and improving state funding, with implementation due by the fourth quarter of 2026. These include: defining in law prohibitions on the use of state funding; amending legislation to reduce the risk of hidden financing; and introducing a mechanism for the continuous monitoring of parties' financial and economic activities, including in-kind contributions, with the involvement of the public and the use of software tools.[2039]

Measures to improve the effectiveness of liability mechanisms are also to be implemented by the fourth quarter of 2026. These include defining clear elements of offences in the area of party and election campaign finance in law, distinguishing between administrative and criminal liability depending on the degree of public danger and introducing more proportionate and effective sanctions.[2040]

During the period under review, legislation on political party financing did not undergo significant changes. No amendments were adopted to the CUAO or the CC of Ukraine to strengthen liability for the relevant violations, although the NACP, together with the CSOs OPORA, Chesno Movement and other institutions, is developing the relevant legislative amendments within a working group.[2041]

According to the information provided by the NACP,[2042] a separate draft law to improve the procedure for imposing administrative liability for violations in the area of party financing has been prepared by the Agency. However, it is still awaiting the completion of app-

2037 OECD (2025), OECD Integrity and Anti-Corruption Review of Ukraine, OECD Public Governance Reviews, OECD Publishing, Paris. ↗

2038 Roadmap on the Functioning of Democratic Institutions: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

2039 Ibid.

2040 Ibid.

2041 Report on the Implementation of the Recommendations of the Commission for the External Independent Evaluation of the NACP's Performance for 2021–2022. National Agency on Corruption Prevention. ↗

2042 Ibid.

roval procedures before submission to the Cabinet of Ministers of Ukraine and has not yet been published.

The key legislative development was the registration, on 10 December 2025, of the draft new Law of Ukraine 'On Political Parties' in the Verkhovna Rada, registration No. 14289,[2043] which is intended to replace the current 2001 Law.[2044] The draft law was developed over six years by a working group involving MPs and civil society representatives and provides for: updating the legal framework for the establishment, registration, operation and termination of political parties; introducing a mandatory electronic system for recording party membership; gender quotas in governing bodies of at least 40%; a detailed classification of private contributions and their limits; and a three-tier system for distributing state funding with a 2% vote threshold and a baseline annual amount of UAH 700 million, subject to indexation. The draft law also contains a transitional provision which temporarily, for the period of martial law, allows parties to use state funding for measures aimed at strengthening defence capability and ensuring national security — a provision that legalises, at the regulatory level, a practice that previously relied only on non-binding clarification by the NACP and was criticised as contradicting the legal nature of political parties.[2045]

The alternative Draft Law No. 14289-1,[2046] registered in parallel, proposes a more liberal regulatory approach: a higher threshold for state funding (3% of votes instead of 2%), a lower gender balance requirement (no more than two-thirds of one sex instead of 40%), higher permissible thresholds for inaccurate reporting data triggering the suspension and termination of state funding (200 and 2,000 subsistence minimums, compared with 100 and 1,000 in Draft Law No. 14289), longer time limits for parties to respond to warnings from the oversight body, as well as the absence of requirements for mandatory electronic membership records and public disclosure of banking information on the movement of funds.[2047]

Draft Law No. 11462 on improving the rules for financing election campaigns, registered back in August 2024, remains under consideration by the Verkhovna Rada Committee on the Organisation of State Power, Local Self-Government, Regional Development and Urban Planning and has still not been adopted,[2048] despite the urgent need to digitalise election reporting and consolidate oversight powers within the NACP.

In March 2026, the Head of the Agency also noted[2049] that an initiative was being discussed to limit citizens' contributions to 20% of their confirmed income over the previous five years. This is intended to prevent the 'splitting' of large amounts through nominees who have no official income.

2043 On Political Parties: Draft Law of Ukraine, registration No. 14289 of 10.12.2025. ↗

2044 On Political Parties in Ukraine: Law of Ukraine No. 2365-III of 05.04.2001. ↗

2045 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the 2024 European Union Enlargement Package, 2025, p. 397. ↗

2046 On Political Parties: Draft Law of Ukraine, registration No. 14289-1 of 30.12.2025. ↗

2047 Ibid.

2048 On Amendments to Certain Legislative Acts of Ukraine to Improve the Rules for Financing Election Campaigns and Exercising Oversight over Electoral Funds: Draft Law of Ukraine, registration No. 11462 of 05.08.2024. ↗

2049 How the Financing of Political Processes Works in Ukraine. 'Hovoryt OPORA' YouTube Channel, 2026. ↗

The need also remains relevant to legislatively abolish the five-year restriction on public access to parties' financial reports and restore open access to reports for 2016–2017.[2050]

Recommendations[2051]

1. To eliminate legal uncertainty and prevent potential abuses, it would be advisable to regulate the issue of political parties' use of state funding for purposes related to ensuring Ukraine's defence and public security at the level of NACP subordinate legislation.

2. Parliament should adopt new draft law on the activities of political parties before the next regular elections. As well as the Draft Law No. 11462 on improving the rules for financing election campaigns, exercising oversight over electoral funds and creating the 'National Elections' and 'Local Elections' modules within the POLITDATA Register system.

3. Review the system of legislative sanctions for violations of requirements by political parties, including banned parties, with a view to making it more balanced, proportionate and broad in scope.

4. Amend the Law of Ukraine 'On Preventing Corruption' and clarify the status of NACP clarifications, including those for political parties, so that they are no longer merely recommendatory. The NACP should review its approach to issuing clarifications to avoid including provisions that contradict legislation, by organising public consultations on such documents.

5. The NACP should take measures to make political parties' reports for 2016–2017 publicly available and initiate amendments to the Law of Ukraine 'On Political Parties in Ukraine' so that reports remain public for more than five years to preserve continuity and enable comparison of their dynamics.

6. The NACP should strengthen its capacity to identify signs of foreign interference in election campaign financing and establish analytical cooperation with relevant stakeholders.

Corruption Risk Management

Progress and issues

The Rule of Law Roadmap[2052] provides that public authorities should develop sectoral anti-corruption measures on an ongoing basis, based on a genuine risk assessment and with the involvement of civil society.

The latest OECD report notes[2053] that there is a regulatory gap between the NACP, which is responsible for corruption risk assessment and the Ministry of Finance of Ukraine,

2050 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the 2024 European Union Enlargement Package, 2025, p. 395. ↗

2051 The recommendations previously provided by civil society in the Shadow Report 2025 remain relevant (p. 395).

2052 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

2053 OECD (2025), OECD Integrity and Anti-Corruption Review of Ukraine, OECD Public Governance Reviews, OECD Publishing, Paris. ↗

which exercises general internal control, as these two systems are not linked at regulatory level. As a result, corruption risk assessment is perceived as a formal requirement rather than a genuine management tool. In addition, heads of institutions often delegate anti-corruption functions to lower levels, despite legislative requirements concerning their personal responsibility.

As of the end of 2025, 148 public authorities had valid anti-corruption programmes, while 12 did not. This is an improvement compared with 2024, when the figures were 144 and 23 respectively, but it remains insufficient.[2054] As of the end of July 2026, these figures were 99 and 59 respectively.[2055] The statutory list of entities required to develop and approve such programmes did not change during the reporting period.

Internal anti-corruption programmes continue to demonstrate low effectiveness, and their content does not produce tangible, practical results, instead providing for a series of formal measures. This is also confirmed by the NACP report on the state of implementation of authorities' anti-corruption programmes in 2025.[2056] In the report's conclusions, the Agency points to formalism in the process of developing and implementing anti-corruption programmes and to the need for further improvement of both regulatory and methodological support and practical mechanisms for implementing anti-corruption programmes.

Experts identify as a separate problem[2057] the fact that anti-corruption programmes are developed only by the authorised officer, without the involvement of other units, which makes a proper assessment of sectoral risks impossible. The potential for involving the public in this process also remains not fully used.

The procedure for approval of programmes by the NACP has procedural shortcomings. For example, at present an authority first approves a programme by order and only then submits it to the NACP. If the NACP has comments, the authority must go through a lengthy procedure for amending an act that is already in force.[2058]

According to the Rule of Law Roadmap, by the end of 2027 the NACP should significantly strengthen its capacity to provide methodological support, coordinate anti-corruption approaches and monitor their implementation.[2059] In addition, anti-corruption authorised officers themselves need an expanded mandate, resources and accountability, with support from the NACP, in order to effectively implement anti-corruption programmes at institutional level.[2060]

As of the end of July 2026, the NACP assessed only one organisation in terms of effectiveness of authorised officers' activities. However, according to published information, the total number of reporting forms submitted was 3,395, of which 711 were

2054 Anti-Corruption Programmes of Public Authorities. National Agency on Corruption Prevention. ↗

2055 Ibid.

2056 Analytical Report on the State of Implementation of Anti-Corruption Programmes of Public Authorities in 2025. ↗

2057 Information provided by an anti-corruption expert during an interview conducted on 18.03.2026.

2058 Ibid.

2059 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

2060 Ibid.

submitted late.[2061] According to experts,[2062] there remains a need to improve the training of authorised officers and increase their salaries. Experts also noted that the NACP responds to authorised officers' requests under the general procedure, within one month. At the same time, for example, a conflict of interest must be resolved within two working days under the law. In such circumstances, authorised officers are forced to navigate complex situations on their own.

The draft Anti-Corruption Strategy registered in Parliament covers most of the problems related to institutional development and strengthening the independence of anti-corruption authorised officers, as well as improving the quality of anti-corruption programmes.[2063] Well-designed measures in the future state anti-corruption programme aimed at implementing the relevant strategic results could improve the situation.

The NACP has not updated the catalogue of corruption risks for more than two years, which has made it incomplete and outdated.[2064] In particular, the catalogue does not even partially cover such important areas as human resource management.[2065]

In 2025–2026, in the 'Strategic Analysis of Corruption Risks' section, the NACP published nine studies on corruption risks: in forestry, during centralised rear support procurement for the Armed Forces of Ukraine, in housing and social infrastructure reconstruction, in the areas of justice and during the reform of customs authorities, including in the field of mandatory roadworthiness testing of vehicles, among other areas.[2066]

During 2025, the NACP conducted 117 anti-corruption examinations of normative legal acts and provided 370 recommendations to eliminate possible corruption-related abuses, which were effectively fully incorporated.[2067] In the first half of 2026, the NACP conducted 101 anti-corruption examinations and issued 322 recommendations to eliminate potential corruption risks. Of these, 99% were taken into account by the developers of normative legal acts.[2068] At the same time, the NACP's excessive discretion in selecting normative acts for anti-corruption examination remains, as does the parallelism between the NACP's and the MoJ's approaches to anti-corruption examination, which creates gaps in the identification of corruption-generating factors.

Recommendations[2069]

1. Public authorities and local self-government bodies should have internal anti-corruption programmes approved by the NACP, which properly reflect the analysis of corruption risks, with liability for their absence introduced in legislation.

2061 Evaluation of the Effectiveness of Authorised Officers. National Agency on Corruption Prevention, 2025. ↗

2062 Information provided by an anti-corruption expert during an interview conducted on 18.03.2026.

2063 Draft Anti-Corruption Strategy for 2026–2030. ↗

2064 Catalogue of Corruption Risks. National Agency on Corruption Prevention, 2026. ↗

2065 Information provided by an anti-corruption expert during an interview conducted on 18.03.2026.

2066 Strategic Analysis of Corruption Risks. National Agency on Corruption Prevention, 2026. ↗

2067 Results of the NACP's Work in 2025: Anti-Corruption Examination and Strategic Analysis of Corruption Risks. ↗

2068 99% of Recommendations Taken into Account by Drafters: Results of NACP Anti-Corruption Examination in the First Half of 2026. National Agency on Corruption Prevention. ↗

2069 The recommendations previously provided by civil society in the Shadow Report 2025 remain relevant (pp. 401–402).

2. Village and settlement councils, district state administrations and separate structural subdivisions of local state administrations, as well as the Office of the President, should be included in the statutory list of entities that adopt anti-corruption programmes.

3. Amend the legislation to provide for measures aimed at eliminating gaps and legal uncertainty in anti-corruption examinations, to:

- establish clear time limits and a procedure for the Verkhovna Rada's consideration of the results of anti-corruption examinations;
- limit the NACP's discretion in selecting draft normative legal acts for anti-corruption examination;
- introduce a unified methodology for anti-corruption examination that meets current needs;
- shift the focus of examination to the early stages of law-making activity through the entry into force of the Law of Ukraine 'On Law-Making Activity' and amendments to the Rules of Procedure of the Verkhovna Rada and the Rules of Procedure of the Cabinet of Ministers of Ukraine.

4. Amend the legislation to strengthen the institutional capacity, independence and financing of anti-corruption authorised officers. Restore systematic institutional and methodological support for anti-corruption authorised officers by the NACP.

5. Ensure proper updating of the catalogue of corruption risks maintained by the NACP at least once every six months, with expanded coverage of new sectors.

Monitoring of Conflicts of Interest

Progress and issues

The Rule of Law Roadmap provides for the introduction of legislative amendments to strengthen the prevention and management of conflicts of interest, including the definition of the concepts, gift policies, post-employment restrictions and the transfer of corporate rights, by the fourth quarter of 2026.[2070]

Despite this, during the period under review, legislation on the management of conflicts of interest effectively underwent no significant changes. No relevant comprehensive legislative initiatives have been registered so far, although the relevant strategic results were included in the draft Anti-Corruption Strategy for 2026–2030.[2071]

The Rule of Law Roadmap also provides for two interrelated legislative measures: defining the NACP's internal procedures for monitoring and controlling compliance with conflict of interest requirements, with a deadline of the end of 2025, and adopting legislative amendments on apparent conflicts of interest, with a deadline of the fourth quarter of 2027.

2070 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

2071 On Approval of the Anti-Corruption Strategy for 2026–2030: Draft Law of Ukraine, registration No. 15230-d of 27.07.2026. ↗

In November 2025, the NACP finally approved the Procedure for Monitoring and Controlling Compliance with Legislative Acts on Ethical Conduct, Prevention and Management of Conflicts of Interest in the Activities of Persons Authorised to Perform State or Local Self-Government Functions and Persons Equivalent to Them.[2072]

Civil society has long drawn attention to the need to properly regulate the monitoring of compliance with legislative requirements on preventing and managing conflicts of interest and other restrictions.[2073] However, the document approved by the Agency is rather superficial and contains a number of gaps that need to be addressed. In particular, the current Procedure does not provide for clear time limits or scope of monitoring, nor does it establish clear criteria for the mandatory initiation of monitoring, leaving the Agency with excessive discretion, among other issues.

In February 2025, the NACP partially updated its methodological recommendations on preventing and managing conflicts of interest, as well as compliance with restrictions aimed at preventing corruption.[2074] New provisions were added to the recommendations concerning conflicts of interest when exercising powers related to remuneration, where close persons work together and when deciding on incentive payments. In all other respects, the recommendations have remained unchanged since January 2024.

In June 2025, the Procedure for Drawing Up Administrative Offence Reports by the NACP was approved and registered with the MoJ.[2075] This is a positive step intended to improve the quality of the NACP's reports. However, it addresses only part of the problem concerning judicial consideration of the Agency's reports, as the NACP still has no right to participate in court hearings or lodge appeals, which, among other procedural shortcomings, remains a key legislative gap. This results in an extremely low rate of administrative liability being imposed based on NACP reports, both for violations related to conflicts of interest and for other corruption-related offences.[2076]

As regards the legislative introduction of the concept of an apparent conflict of interest, envisaged by the Rule of Law Roadmap by the fourth quarter of 2027, a relevant parliamentary study was prepared in 2026.[2077] It analyses the experience of EU Member States and identifies two regulatory models: a normative model, involving the statutory definition of the concept and prohibitions, and a procedural model, involving mandatory disclosure and management mechanisms.

2072 On Approval of the Procedure for Monitoring and Controlling Compliance with Legislative Acts on Ethical Conduct, Prevention and Management of Conflicts of Interest in the Activities of Persons Authorised to Perform State or Local Self-Government Functions and Persons Equivalent to Them: Order of the National Agency on Corruption Prevention No. 339/25 of 20.11.2025. ↗

2073 Shadow Report on Chapter 23 'Justice and Fundamental Rights' of the European Commission's 2023 Report on Ukraine, 2024, pp. 261–262. ↗

2074 Methodological Recommendations on the Application of Certain Provisions of the Law of Ukraine 'On Preventing Corruption' Concerning the Prevention and Management of Conflicts of Interest and Compliance with Restrictions on Preventing Corruption of 03.02.2025. ↗

2075 On Approval of the Procedure for Drawing Up Administrative Offence Reports in the National Agency on Corruption Prevention: Order of the National Agency on Corruption Prevention No. 169/25 of 10.06.2025. ↗

2076 For details, see the subsection 'Institutional Framework' on monitoring conflicts of interest.

2077 Parliamentary Study on the Legal Nature of Apparent Conflicts of Interest. Research Service of the Verkhovna Rada of Ukraine, 2026. ↗

Experts have expressed reservations[2078] about the premature introduction of this institution without first addressing more systemic problems, in particular the extremely low effectiveness of liability mechanisms even under the current rules on actual and potential conflicts of interest.

The OECD report[2079] also points to the absence of a legally designated body responsible for monitoring compliance with post-employment restrictions after leaving public service, which effectively leaves this area without oversight. Although the relevant information could, in theory, be obtained through verification of declarations, the law does not provide for this method of controlling compliance with post-employment restrictions.[2080]

Recommendations

1. Adopt legislative amendments to further strengthen the institution of conflict of interest and the relevant anti-corruption requirements, by improving the definition of conflict of interest, legislative provisions on its management, secondary employment and holding multiple positions, strengthening restrictions on gifts and post-employment restrictions and improving the rules for the transfer of corporate rights by officials.

2. Introduce comprehensive amendments to the CUAO to improve the rules on guaranteeing equality of arms; introduce an effective method of notifying persons that an offence report has been drawn up in respect of them and sent to court; and establish clear and sufficient time limits that would enable the NACP to collect the necessary evidence and submit case materials to the court in a timely manner in accordance with established procedures.

3. Supplement the CUAO with a provision stating that the NACP has the right to participate in a court hearing concerning a person in respect of whom it has drawn up an administrative offence report. The NACP should also be granted the right to appeal in cases concerning corruption-related administrative offences.

4. The NACP should finalise the Procedure for Monitoring and Controlling Compliance with Legislative Acts on Preventing and Managing Conflicts of Interest by establishing clear time limits and scope of monitoring and criteria for its mandatory initiation, to eliminate the Agency's excessive discretion and ensure the predictability and accountability of its work.

5. Consider legislatively granting the NACP powers to monitor compliance with post employment restrictions after leaving public service, in particular through the analysis of asset declarations.

2078 Information provided by an anti-corruption expert during an interview conducted on 18.03.2026.

2079 OECD (2025), OECD Integrity and Anti-Corruption Review of Ukraine, OECD Public Governance Reviews, OECD Publishing, Paris. ↗

2080 Ibid.

Whistleblower Framework

Progress and issues

The Rule of Law Roadmap[2081] also provides for the adoption and implementation of amendments to align whistleblower protection legislation with Directive (EU) 2019/1937[2082] by the second quarter of 2027. Similarly, the 2025 Report under the EU Enlargement Package[2083] stated that the current legislation requires further alignment with Directive (EU) 2019/1937.

Despite this, according to the OECD's assessment under the fifth round of monitoring of the Istanbul Anti-Corruption Action Plan, Ukraine's progress in the area of whistleblower protection in 2025 was assessed at 90.2 points out of 100, with experts positively noting the comprehensive regulatory framework and the established reporting system.[2084] At the same time, the non-compliance of national legislation with Directive (EU) 2019/1937 remains a serious shortcoming for the entire system.

Ukraine still has no separate law on the protection of whistleblowers who disclose information of public interest, and the current legislation does not cover persons who report violations that do not constitute corruption offences within the meaning of the Law of Ukraine 'On Preventing Corruption'. As early as 2024, the Interdisciplinary Anti-Corruption Research and Education Centre (ACREC) developed 20 key benchmarks for a future comprehensive law.[2085] However, no progress has been observed in this area so far, and no comprehensive legislative initiatives have been registered in Parliament.

The NACP clarification of 12 June 2023 also remains unchanged.[2086] Contrary to international practice, it links whistleblower status to the legal fact of a public authority providing a legal qualification of the information contained in the report.

In November 2025, at the Fifth Annual Conference 'Whistleblowers of Corruption in Ukraine: Achievements and Challenges', the NACP presented a roadmap for the development of the whistleblowing framework for 2026. It provides for: an analysis of international legislation with the participation of the European Commission and the Venice Commission; the development of a draft law to broaden the definition of a whistleblower and improve the reward mechanism; modernisation of the Whistleblower Portal; educational programmes and information campaigns.[2087] However, the text of the roadmap, with specific measures and deadlines, has not yet been published.

2081 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

2082 Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law. ↗

2083 Ukraine 2025 Report. Communication on EU Enlargement Policy. ↗

2084 Ukraine Fifth Round of Anti-Corruption Monitoring Follow Up Report. OECD. 2025. ↗

2085 The Gold Standard of Legal Guarantees for the Protection of Whistleblowers: 20 Key Benchmarks That Should Define the Content of the Law on Whistleblower Protection in Ukraine. ACREC, 2024. ↗

2086 Clarification of the National Agency on Corruption Prevention No. 2 of 12.06.2023 'On the Legal Status of a Whistleblower'. ↗

2087 The NACP Presented a Roadmap for the Development of the Whistleblowing Framework for 2026. National Agency on Corruption Prevention, 2025. ↗

On 18 March 2026, Draft Law No. 15089 on improving the procedure for ensuring the safety of corruption whistleblowers in the security and defence sector was registered in the Verkhovna Rada.[2088] As of the end of July 2026, it was under consideration by the Verkhovna Rada Committee on National Security, Defence and Intelligence. This draft law is a step in the right direction, as it introduces protection mechanisms for military whistleblowers, namely transfer to another unit, 90 days' leave and deferment from conscription. At the same time, the document does not fundamentally address the most critical problem — the risk of criminal liability under Article 328 of the CC of Ukraine in the event of reporting an offence involving information that constitutes a state secret.

In addition, the draft law does not provide for the creation of specialised channels for reporting corruption in the military sphere, which is also a known problem due to statutory subordination and the principle of unity of command provided for in the Statute of Internal Service of the Armed Forces of Ukraine.[2089] Thus, a service member is effectively required to report any information through their commander, even where that commander is the subject of the violation. Reporting through regular channels, such as the NACP, the NABU and others, in conditions of martial law and access to classified information, again entails the risk of liability under Article 328 of the CC of Ukraine for disclosure of a state secret, since staff of those bodies will not have equivalent access. In other words, Draft Law No. 15089 provides for the protection of military personnel after a report has been made but does not resolve the question of how such a report can be made safely and lawfully.

In this regard, the NACP reported[2090] that it had developed a concept for a draft Law of Ukraine on the creation of protected internal channels for reports containing state secrets or official information collected in the course of operative-search or defence activities. However, this draft law has not yet been published.

Also in 2025, Government Draft Law No. 14274[2091] on regulating the payment of rewards to whistleblowers, which was also developed by the NACP, was submitted to Parliament. It established that the reward is to be paid from state budget funds allocated directly to the NACP, rather than depending on the actual recovery of funds from the convicted person. This approach is structurally unstable, at least because the number and amount of rewards are too unpredictable to allow a specific amount to be budgeted in advance.[2092] However, following the change in the composition of the Government in July 2026, the draft law was withdrawn.

Civil society previously recommended an alternative approach:[2093] paying rewards exclusively from funds returned to the state budget as a result of the disclosure of the offence.

2088 On Amendments to Certain Legislative Acts of Ukraine to Improve the Procedure for Ensuring the Safety of Corruption Whistleblowers in the Security and Defence Sector: Draft Law of Ukraine, registration No. 15089 of 18.03.2026. ↗

2089 On the Statute of Internal Service of the Armed Forces of Ukraine: Law of Ukraine No. 548-XIV of 24.03.1999. ↗

2090 Results of the NACP's Work in 2025: Development of the Whistleblowing Framework. National Agency on Corruption Prevention, 2026. ↗

2091 On Amendments to the Criminal Procedure Code of Ukraine and Other Legislative Acts of Ukraine to Regulate the Payment of Rewards to Whistleblowers: Draft Law of Ukraine, registration No. 14274 of 04.12.2025. ↗

2092 Ibid.

2093 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the 2024 European Union Enlargement Package, p. 409. ↗

This approach is more logical and self-financing: the amount of rewards directly correlates with the actual fiscal result of the disclosure, prevents an unforeseen burden on the budget and strengthens the incentive for effective investigations.

The need also remains relevant to distinguish a whistleblower from a confidential informant in the CPC of Ukraine and to prohibit confidential informants from claiming a whistleblower reward.[2094]

A working group under the parliamentary Committee on Freedom of Speech is currently operating to develop proposals on countering strategic lawsuits against public participation (SLAPPs). The relevant draft law is expected to be registered in 2026.[2095]

The need to adopt anti-SLAPP legislation is further demonstrated by a high-profile case in July 2026. The Pecherskyi District Court of Kyiv granted an application for interim measures filed by Parkovyi-2 LLC and prohibited journalists of Slidstvo.Info and the Anti-Corruption Action Centre from publishing an investigation into 143 real estate properties purchased by Oleksandr Sukhachov, brother of the SBI Director, from Kharkiv developer Stroy City at prices tens of times below market value. The same developer subsequently became a subject in criminal proceedings investigated by the SBI itself.[2096]

The court ruling stated that publication would 'cause irreparable harm to the Applicant's rights', and that the claimant maintained that information on the real-estate transactions constituted a 'commercial secret'.[2097] The material was ultimately published only because one of the co-authors, who was not named in the court ruling and was therefore not prohibited from disclosing the information collected, passed the text to newsrooms that were likewise not named in the ruling. In other words, journalists' protection from SLAPP claims was effectively provided not by the legal system but by editorial solidarity. This case clearly demonstrates why the adoption of the relevant legislation, currently being developed by a working group under the parliamentary Committee on Freedom of Speech, is urgent: without clear procedural mechanisms for dismissing unfounded claims at an early stage, court injunctions will remain an effective tool for suppressing journalistic investigations into possible conflicts of interest within law enforcement bodies.

Recommendations

1. The NACP should develop and Parliament should adopt a separate legislative act that would provide for:

- a broad definition of a whistleblower disclosing information of public interest;
- the extension of protection guarantees to persons who assisted whistleblowers and facilitated disclosure; were perceived as whistleblowers; were preparing to make a disclosure but did not manage to complete it; participate in professional organisations; volunteers and interns, etc.;

2094 Ibid, p. 407.

2095 Draft Law on Countering SLAPPs to Be Registered in Early 2026. Detector Media, 2025. ↗

2096 Apartments for the Price of a Smartphone: How the SBI Director's Brother Obtained 143 Properties from a Developer Later Investigated by the SBI. Radio Svoboda, 2026. ↗

2097 Copy of the Ruling of the Pecherskyi District Court of Kyiv of 06.07.2026 in Case No. 757/36548/26-ts. ↗

- guarantees for the safety of participants in proceedings without linkage to criminal justice;
- extending the definition of a regular reporting channel to public authorities whose competence includes reviewing and deciding on issues in respect of which the relevant information is disclosed. Regular channels should also be mandatorily established by bodies responsible for monitoring compliance with laws in the relevant areas and by other relevant state bodies, institutions and organisations;
- reporting information with restricted access, including state secrets, through an external reporting channel where it is in the public interest, without liability for doing so. The legislator should inclusively develop and adopt legislative amendments on exemption from liability for whistleblowers disclosing information of public interest, including state secrets, under Articles 361, 361[2], 328, 330, 422 and 39 of the CC of Ukraine.[2098]

2. The Verkhovna Rada should support Draft Law No. 15089 on the protection of military whistleblowers after its further revision, in particular with regard to introducing protected reporting channels that would preclude the requirement to report through a commander where that commander is the subject of the violation, as well as exempting military whistleblowers from liability in the event of disclosure of information, including state secrets, under Articles 361, 361[2], 328, 330, 422 and 39 of the CC of Ukraine.

3. The NACP should develop a new draft law to replace the withdrawn Draft Law No. 14274 on the payment of rewards to whistleblowers, considering the need to revise the funding mechanism: providing for fixed budget expenditure is a structurally unstable solution because the amount of payments is unpredictable. Instead, it is recommended to provide for rewards to be paid exclusively from funds returned to the state budget as a result of the disclosure of the offence.

4. Bring national legislation on countering strategic lawsuits against public participation (SLAPPs) into line with Directive (EU) 2024/1069, considering Ukraine's experience in introducing the framework for protecting corruption whistleblowers.

5. Amend NACP Clarification No. 2 of 12 June 2023 'On the Legal Status of a Whistleblower' with regard to the interpretation of the legal provision on the conditions under which a person acquires the rights and guarantees of a whistleblower. Revise the NACP's legal position that a person acquires whistleblower rights only if they reported possible facts of a corruption-related criminal offence and/or a criminal offence related to corruption, and the pre-trial investigation body, following the report, entered information in the Unified Register of Pre-Trial Investigations specifically concerning a corruption offence.

6. Distinguish whistleblowers from confidential informants — freelance agents of law enforcement agencies — in the CPC of Ukraine, while prohibiting the latter from claiming a reward.

2098 Recommendations 1 and 4–6 previously provided by civil society in the Shadow Report 2025 remain relevant (p. 415).

Lobbying

Progress and issues

The 2025 Report under the EU Enlargement Package[2099] stated that the NACP needs to develop its capacity to effectively and impartially monitor compliance with lobbying legislation.

The Rule of Law Roadmap covers five measures in the area of lobbying. By the end of 2025, the NACP was to define internal procedures for monitoring and controlling compliance with lobbying legislation. In the first quarter of 2026, the full launch of the Transparency Register and the adoption of subordinate legislation to implement the Law of Ukraine 'On Lobbying' were envisaged. By the end of 2026, the NACP is to conduct a communication campaign to reduce the negative public perception of lobbying. Finally, by the third quarter of 2027, the NACP, together with the Government and the Verkhovna Rada, is to eliminate legislative gaps in the lobbying system and strengthen the rules governing the interaction of public servants with lobbyists.

The first two measures were implemented by the NACP: on 1 September 2025, the Law of Ukraine 'On Lobbying'[2100] and the Rules of Ethical Conduct for Lobbyist[2101] entered into force, and the Transparency Register[2102] began operating.

On 3 October 2025, the NACP approved the Procedure for Monitoring Compliance with Legislative Requirements on Lobbying,[2103] which defines the procedure for the NACP's monitoring of lobbyists' compliance with legislative requirements, in particular the accuracy of information submitted to the Transparency Register and the detection of unregistered lobbying activities. Monitoring may be initiated based on reports from individuals or legal entities, as well as information from the media and open sources.

On 1 January 2026, the first reporting campaign on lobbying activities began. Under the Law, each lobbyist is required to submit reports to the Transparency Register twice a year: for the first half of the year — by 31 July, and for the second half — by 31 January of the following year. Lobbyists registered from 1 September 2025 were required to submit their first reports by 31 January 2026, covering their activities from the date of registration up to and including 31 December 2025.[2104]

According to the information provided by the NACP, as of March 2026, 130 lobbying reports had been submitted to the Transparency Register.[2105] However, information published by the Agency at the end of July indicates that, with ten days remaining before

2099 Ukraine 2025 Report: Communication on EU Enlargement Policy. ↗

2100 On Lobbying: Law of Ukraine No. 3606-IX of 23.02.2024. ↗

2101 On Approval of the Rules of Ethical Conduct for Lobbying Entities: Resolution of the Cabinet of Ministers of Ukraine No. 1128 of 01.10.2024. ↗

2102 Transparency Register. National Agency on Corruption Prevention. ↗

2103 On Approval of the Procedure for Monitoring Compliance with Legislative Requirements on Lobbying: Order of the National Agency on Corruption Prevention No. 303/25 of 03.10.2025. ↗

2104 On Lobbying: Law of Ukraine No. 3606-IX of 23.02.2024, Part 1 Article 17. ↗

2105 Letter of the National Agency on Corruption Prevention No. 205-05/18452-26 of 23.03.2026.

the deadline for reporting for the first half of the year, 35 reports had been submitted to the Transparency Register, representing 18.92% of the total number due in that reporting campaign.[2106]

Regarding violations in the field of lobbying, as of the end of July 2026, according to the Transparency Register, the NACP had drawn up seven protocols in respect of persons[2107] who failed to submit lobbying reports or submitted them late during the first lobbying reporting campaign, covering the second half of 2025.[2108] In addition, one person had already been held administratively liable by a court and fined.[2109]

Also in July 2025, the Verkhovna Rada Committee on Law Enforcement recommended including Draft Law No. 13340-1[2110] on the agenda. This draft law proposes postponing administrative liability for violations in the area of lobbying until 1 September 2026. It is currently awaiting a first-reading hearing in Parliament.

A number of important issues concerning lobbying remain unregulated in legislation: the absence of a requirement for civil servants to meet lobbyists only after their registration in the Transparency Register; the absence of an obligation for lobbyists to disclose lobbying expenses and information on the officials targeted by their activities at the registration stage, with subsequent updating of such information; the current reporting frequency of twice a year, which may prove insufficient to ensure an adequate level of transparency, etc.[2111]

The rather broad definition of 'commercial interest' in the Law of Ukraine 'On Lobbying' is also problematic, especially after the repeal of the Commercial Code of Ukraine, as is the insufficient distinction between lobbying and advocacy.[2112] As a result, there remains a risk that the new Law may affect the activities of expert civil society organisations.

Draft Law No. 8327 on rules of ethical conduct for MPs of Ukraine, which was registered back at the end of 2022, still remains unconsidered by Parliament.[2113] At the same time, in March 2026, the Verkhovna Rada Committee on the Rules of Procedure considered the revised version of the draft law and recommended adopting it as a basis in the first reading, subject to further revision.[2114] Thus, there is some movement of the draft law in Parliament, although regulation of ethical issues in lobbying remains one-sided for now.

2106 Lobbying Reporting: 10 Days Until the Campaign Deadline. National Agency on Corruption Prevention, 2026. ↗

2107 Ibid.

2108 NACP Draws Up and Refers to Court the First Protocols for Violations of Lobbying Legislation. National Agency on Corruption Prevention, 2026. ↗

2109 Ibid.

2110 On Amending Paragraph 2 of the Law of Ukraine 'On Amendments to the Code of Ukraine on Administrative Offences to Establish Liability for Violations of Lobbying Legislation': Draft Law of Ukraine, registration No. 13340-1 of 20.06.2025. ↗

2111 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the 2024 European Union Enlargement Package, 2025, pp. 412–414. ↗

2112 Information provided by an anti-corruption expert during an interview conducted on 18.03.2026.

2113 On Amendments to Certain Laws of Ukraine on the Ethics of MPs of Ukraine: Draft Law of Ukraine, registration No. 8327 of 30.12.2022. ↗

2114 Ibid.

Overall, there are still quite a few questions regarding the practical application of the new legislation. Despite this, the NACP's creation of a separate sector for monitoring compliance with lobbying legislation within the Department for Stakeholder Engagement and Support for the Adoption of Anti-Corruption Policy Acts should be assessed positively.[2115]

The NACP periodically publishes explanatory materials on the new lobbying framework. In July 2026, the Agency approved the 'Clarification on the Application of Lobbying Legislation', which is based, inter alia, on a survey and submissions from stakeholders.[2116] The Agency had previously also published material on the difference between a conflict of interest in lobbying and a conflict of interest of an official.[2117] However, there remains an acute need for a full-fledged communication campaign.

Recommendations[2118]

1. The NACP should conduct a communication campaign to reduce the negative perception of lobbying and explain the purpose of its regulation, in particular in order to increase the transparency of the work of state bodies.

2. Amend the Law of Ukraine 'On Lobbying'. To improve the regulation of commercial lobbying, it would be advisable to:

- expand the subject matter of lobbying to include individual acts, for example decision-making in public procurement processes, the appointment of certain officials, etc.;
- clarify the mechanisms for verification, monitoring and ensuring compliance with legislation to be carried out by the NACP;
- include the activities of associations of local self-government bodies and scientific and technical activities within the scope of the Law;
- introduce a condition that civil servants may meet with lobbyists only after the latter have registered in the Transparency Register;
- oblige lobbyists to submit information on lobbying expenditure and on the officials targeted by their activities to the Transparency Register at the time of registration, with subsequent updating of this information;
- increase the frequency of lobbyists' reporting to more than twice a year;
- expand the public part of the Transparency Register by including additional requirements to disclose information on lobbying contacts, lobbied officials and their functions, the purpose and type of lobbying, information on meetings (date, topic,

2115 NACP Structure. National Agency on Corruption Prevention, 2025. ↗

2116 NACP Approves Clarification on the Application of Lobbying Legislation. National Agency on Corruption Prevention, 2026. ↗

2117 How a Conflict of Interest During Lobbying Differs from a Conflict of Interest of an Official. National Agency on Corruption Prevention, 2025. ↗

2118 The recommendations previously provided by civil society in the Shadow Report 2025 remain relevant (pp. 412–414).

duration, format, etc.), links to the decision targeted by the influence and documents confirming lobbying activities;

- create an open and regularly updated system for publishing the agendas of public meetings and official meetings with lobbyists, with the necessary level of automation.

3. Extend the scope of the Laws of Ukraine 'On Lobbying' and 'On Preventing Corruption' to patronage service, in particular advisers to top officials, and change the legal framework governing the number, status and activities of assistants to MPs of Ukraine. The maximum number of such assistants should be limited to six, and the powers of assistants to MPs who do not work under an employment contract should be narrowed. Alternatively, the status of assistants to MPs working on a voluntary basis could be abolished altogether.

To increase the transparency of assistants' work, comprehensive publication of their profiles and activity reports on the Verkhovna Rada website should be introduced. In addition, a requirement to disclose the private interests of MPs' advisers should be included, and provisions should be introduced prohibiting relatives of MPs from serving as their assistants.

4. Adopt a Code of Ethics for MPs, providing for mechanisms to ensure its effectiveness, alongside amendments to legislation on local self-government bodies that would oblige local councils to adopt their own codes of ethics.

5. Amend the CUAO to make it possible to impose an administrative penalty for committing an offence in the area of lobbying on both lobbyists and civil servants within six months of the date of commission of such an offence, but no later than two years from the date of its commission, by analogy with what is currently provided for corruption-related offences.

ZMINA
HUMAN RIGHTS CENTER

Protection of Fundamental Rights and Freedoms



The Institution of the Ukrainian Parliament Commissioner for Human Rights (Ombudsman) and the Human Rights Framework

During the reporting period, *no progress* was made on issues related to the functioning of the national human rights institution.

Throughout 2025, the number of complaints submitted to the Ukrainian Parliament Commissioner for Human Rights (Commissioner, Ombudsman) increased. At the same time, funding for the institution and its staffing levels also increased. However, the regulatory and legal framework governing the Commissioner's activities remained unchanged during the reporting period. On 26 May 2026, the Verkhovna Rada of Ukraine (Verkhovna Rada, Parliament) adopted Draft Law No. 13181 at first reading as a basis. The draft law provides for a new version of the Law of Ukraine 'On the Ukrainian Parliament Commissioner for Human Rights'. It is currently being prepared for the second reading. The draft law introduces several changes that can generally be assessed as positive. Nevertheless, human rights organisations have raised several concerns regarding Draft Law No. 13181, in particular as to the non-compliance of certain provisions with the Venice Principles and Paris Principles.

Throughout 2025, the National Preventive Mechanism (NPM) continued to conduct monitoring visits with the involvement of civil society organisations (CSOs). The financial support for the NPM remains insufficient. Since 2022, there has been a downward trend in funding. At the same time, the NPM requires significantly greater financial resources to cover transport costs, compensation for the participation of civil society monitors, maintenance of the information platform, training and other activities. Most of these needs are currently covered by CSOs with the support of international partners.

Draft Law No. 13597 is under consideration in Parliament, providing that authorised officials of the Secretariat of the Commissioner or representatives of the Commissioner may draw up protocols on violations of legislation in the field of prevention and counteraction to discrimination. This raises the issue of expert and resource capacity for such activities, as the number of discrimination complaints submitted to the Commissioner increases each year. During the reporting period, efforts intensified to establish a system for collecting, recording and analysing information on violations of anti-discrimination legislation. Such a system will ensure the synchronisation of data on discrimination cases held by various public authorities.

In September 2025, a new institution — the Office of the Military Ombudsman — was established as a permanent auxiliary body under the President of Ukraine (President). The establishment of this institution and the appointment of a human rights defender as the Military Ombudsman constituted an important positive step towards strengthening the system for the protection of the rights of Ukraine's defenders. At the same time, the absence of liability for failure to comply with the lawful demands of the Military Ombudsman remains a pressing issue. This matter is to be addressed by Draft Law No. 13267. In addition, there is a problem of insufficient funding for the Office of the Military Ombudsman.

The Government has initiated the process of updating the National Human Rights Strategy. In March 2026, the Ministry of Justice of Ukraine (MoJ) published the draft of

the new National Human Rights Strategy for public consultation. It is envisaged that the Strategy will be in force until 2035 inclusive (the current Strategy is open-ended) as a framework policy document defining the strategic objectives, priorities and principles for ensuring and protecting human rights and freedoms in Ukraine, taking into account the conditions of martial law, the consequences of the armed aggression of the Russian Federation and the needs of post-war recovery. Following the public consultation, most proposals submitted by civil society organisations were rejected. As of the end of July 2026, neither the draft updated National Human Rights Strategy nor, consequently, its implementation plan had been adopted.

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Throughout 2025, the Commissioner received 152,592 complaints.[2119] In 2025, **the number of submitted complaints increased by 24%** compared to the previous year (123,221 complaints in 2024).[2120] As of 9 July 2026, the Commissioner had received 87,704 appeals, including those concerning the protection of the rights of service members, veterans, prisoners of war and their families; procedural rights and respect for rights in places of detention; the right to petition, access to information and personal data protection; and the protection of the rights of persons affected by the armed aggression of the Russian Federation.[2121]

At the same time, **funding for the institution and its staffing levels also increased**. In 2026, the total budget of the Secretariat of the Commissioner is planned at more than UAH 515 million.[2122] For comparison, the institution's budget amounted to approximately UAH 411 million in 2025[2123] and UAH 357 million in 2024.[2124] Thus, since 2022, the budget of the Secretariat of the Commissioner has more than doubled.

As of 1 March 2026, the authorised staff size of the Secretariat of the Commissioner amounted to 595 positions.[2125] For comparison, in 2025 this number stood at 555, in 2024 — 520, in 2023 — 458 and in 2022 — 382 positions. At the same time, a significant proportion of positions remain vacant.[2126] The average salary within the institution increased by 6% in 2025 compared to 2024.[2127] In addition, as of 1 March 2026, 86 experts and regional coordinators were engaged through extra-budgetary funding within relevant projects and specific areas of work.[2128]

2119 Letter of the Ukrainian Parliament Commissioner for Human Rights of 27.03.2026 No. 01.36/678.14/688.13/26/ZI.

2120 Annual Report of the Ukrainian Parliament Commissioner for Human Rights on the state of observance and protection of human and citizens' rights and freedoms in Ukraine in 2024 / Ukrainian Parliament Commissioner for Human Rights. 2025. ↗

2121 Since the beginning of the year, the Ombudsman has received more than 87,700 complaints, most concerning the rights of service members, veterans and prisoners of war. Interfax-Ukraine. 2026. ↗

2122 Passport of the Budget Programme for 2026. Ukrainian Parliament Commissioner for Human Rights. ↗

2123 Passport of the Budget Programme for 2025. Ukrainian Parliament Commissioner for Human Rights. ↗

2124 Passport of the Budget Programme for 2024. Ukrainian Parliament Commissioner for Human Rights. ↗

2125 Letter of the Ukrainian Parliament Commissioner for Human Rights of 27.03.2026 No. 01.36/678.14/688.13/26/ZI.

2126 Number of Employees of State Authorities and Remuneration for 2024. Ministry of Finance of Ukraine. ↗; Number of Employees of State Authorities and Remuneration for 2025. Ministry of Finance of Ukraine. ↗

2127 Ibid.

2128 Letter of the Ukrainian Parliament Commissioner for Human Rights of 27.03.2026 No. 01.36/678.14/688.13/26/ZI.

The overall situation regarding the regulatory and legal framework governing the Commissioner's activities remained unchanged during the reporting period. As noted in the previous report,[2129] the Law of Ukraine 'On the Ukrainian Parliament Commissioner for Human Rights'[2130] (Law on the Commissioner) requires amendments. Draft Law No. 13181,[2131] which proposes a new version of the Law on the Commissioner, was registered in Parliament in April 2025. It was granted the status of a European integration draft law and was recommended by the relevant committee for adoption in the first reading. At the end of May 2026, Parliament adopted Draft Law No. 13181 at first reading as a basis. The draft law proposes several changes that can generally be assessed as positive (including lowering the age requirement for candidates and increasing the financial independence of the Commissioner), as noted in the previous report.[2132]

At the same time, human rights organisations have raised several concerns regarding Draft Law No. 13181.[2133] Among the key concerns is the non-transparent and non-inclusive procedure for appointing the Commissioner, which does not provide for an open competition or the involvement of civil society and therefore does not comply with the Venice[2134] and Paris[2135] Principles. After the draft law was adopted at first reading, its text could be further revised, including through the establishment of a working group involving representatives of civil society, human rights organisations and international partners. An appeal calling for such a working group to be established was submitted to the Verkhovna Rada Committee on Human Rights, Deoccupation and Reintegration of Temporarily Occupied Territories of Ukraine, National Minorities and Interethnic Relations.[2136]

During the reporting period, no amendments were introduced to Article 12 of the Law of Ukraine 'On the Legal Regime of Martial Law'[2137] with regard to eliminating the possibility of dismissing the Commissioner during the period of martial law on the grounds of a vote of no confidence. This ground for dismissal was introduced in 2022 and expanded the list of grounds provided for in the Law on the Commissioner. Such a situation poses a threat to the independence of the institution.

2129 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the European Union Enlargement Package in 2024, 2025, p. 417. ↗

2130 On the Ukrainian Parliament Commissioner for Human Rights: Law of Ukraine No. 776/97-VR of 23.12.1997. ↗

2131 On the Ukrainian Parliament Commissioner for Human Rights: Draft Law of Ukraine, registration No. 13181 of 17.04.2025. ↗

2132 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the European Union Enlargement Package in 2024, 2025, p. 419. ↗

2133 Draft Law on the Ukrainian Parliament Commissioner for Human Rights Does Not Comply with International Standards — ZMINA Analysis. ZMINA Human Rights Centre, 2025. ↗; Legal Opinion of the Centre for Civil Liberties on Draft Law No. 13181 on the Ukrainian Parliament Commissioner for Human Rights. Centre for Civil Liberties, 2025. ↗

2134 Principles on the Protection and Promotion of the Ombudsman Institution ('Venice Principles'), adopted by the Venice Commission at its 118th Plenary Session (Venice, 15–16 March 2019). ↗

2135 Principles Relating to the Status of National Institutions for the Promotion and Protection of Human Rights ('Paris Principles'): Annex to United Nations General Assembly Resolution 48/134 of 20.12.1993. ↗

2136 ZMINA Appeal to the Verkhovna Rada Committee: The Law on the Human Rights Commissioner Must Comply with European Standards. ZMINA. 2026. ↗

2137 On the Legal Regime of Martial Law: Law of Ukraine No. 389-VIII of 12.05.2015. ↗

Implementation of the National Preventive Mechanism Function

The NPM in Ukraine operates under the 'Ombudsman+' model, which provides for the involvement of civil society organisation representatives in monitoring visits. In 2025, the Commissioner engaged 156 CSO representatives to conduct visits to places of deprivation of liberty.[2138] Medical professionals, including psychiatrists, specialists from the State Labour Service of Ukraine and nutrition experts were also involved in the visits.

In total, 626 visits were carried out within the framework of the NPM across all regions of Ukraine in 2025, except for the temporarily occupied territories of Ukraine (TOT) and areas of active hostilities.[2139] During the first half of 2026, 240 such visits were conducted.[2140] In addition to institutions under the authority of public bodies, the NPM team also conducts visits to privately owned facilities (for example, residential care institutions, the network of which has significantly expanded since 2022).

During 2025, the Secretariat of the Commissioner, in cooperation with CSOs, implemented the pilot project 'Regional Groups of the National Preventive Mechanism'.[2141] The purpose of the project was to test a model of autonomous work of civil society monitors within regional groups during follow-up NPM visits to social care institutions. In addition, in 2025 the project 'Systematic Monitoring of Human Rights Compliance at the State Institution **"Kyiv Pre-Trial Detention Centre"**' was completed. Within this project, 70 visits were carried out between November 2024 and April 2025, including daily, night-time, thematic, follow-up and comprehensive visits. The pilot project identified systemic human rights violations and shortcomings in the organisation of the institution's activities, which are also observed in other facilities. To address the identified violations and prevent their recurrence, the Commissioner submitted a relevant letter to the Department for the Execution of Criminal Sentences and three submissions to the MoJ.[2142]

The financial support for the NPM remains insufficient. Since the start of the full-scale invasion, there has been a downward trend in NPM funding[2143] (2023 — UAH 2.65 million, 2024 — UAH 2.65 million, 2025 — UAH 2.39 million, 2026 — UAH 2.39 million).[2144] At the same time, the NPM requires significantly greater financial resour-

2138 Special Report of the Ukrainian Parliament Commissioner for Human Rights 'On the Situation Regarding the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in Ukraine in 2025' / Ukrainian Parliament Commissioner for Human Rights. Kyiv, p. 17. ↗

2139 Annual Report of the Ukrainian Parliament Commissioner for Human Rights on the State of Observance and Protection of Human and Civil Rights and Freedoms in Ukraine in 2025, p. 7. ↗

2140 Human at the Centre of the State: Four Years of Transforming the Human Rights Protection System. Ukrinform. 2026. ↗

2141 Special Report of the Ukrainian Parliament Commissioner for Human Rights 'On the Situation Regarding the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in Ukraine in 2025' / Ukrainian Parliament Commissioner for Human Rights. Kyiv, p. 17. ↗

2142 Report on the Visits to the Kyiv PTDC Using New Tools, 2025. ↗

2143 Funding of the NPM is carried out under a separate budget programme 5991020 'Measures for the Implementation of the National Preventive Mechanism'.

2144 Passports of Budget Programmes. Ukrainian Parliament Commissioner for Human Rights. ↗

ces to cover transport costs, compensation for the participation of CSO representatives in visits, maintenance of the information platform, organisation of training activities and other related needs. Most of these needs are currently covered by CSOs with the support of international partners.

The issue of compensating NPM monitors from among CSO representatives for travel, subsistence during visits and accommodation (in the case of cluster visits) remains unresolved. The Secretariat of the Commissioner has developed a draft procedure for compensating monitors; however, it has not been approved. No expenditures for these purposes are envisaged in the NPM budget for 2026.[2145]

In September 2025, with the support of the Council of Europe project, an assessment of the effectiveness of the NPM in Ukraine was conducted.[2146] The results indicate that the NPM is an independent and impartial operational mechanism which, despite the current challenging situation in Ukraine, has managed to maintain its full functionality by conducting regular visits and publishing reports on them, as well as annual and thematic reports.[2147] **One of the areas requiring improvement is the implementation of NPM recommendations by the relevant public authorities** at both central and local levels. Experts also highlighted challenges such as the lack of financial and human resources necessary to ensure the effective functioning of the NPM.

In 2025, **with the support of the Council of Europe, an automated NPM system was developed**. Its implementation is expected to organise and structure the body of information, recommendations and methodological materials accumulated over the years of the NPM's operation in Ukraine. This will enable a reduction in the time required to prepare visit reports and allow for the visualisation of a map of Ukraine indicating all places of deprivation of liberty, visited facilities, identified violations and corresponding recommendations.[2148] The full population of the system and its launch for public access are planned for 2026.

In April 2026, the Commissioner approved the NPM Strategy for 2026–2028, aimed at enhancing the effectiveness of the prevention of torture and ill-treatment in places of deprivation of liberty.[2149]

Counteracting Discrimination

The Ombudsman is vested with the authority to respond to cases of discrimination[2150] and performs the function of a national equality body. In addition, the mandate of the Commissioner includes oversight of compliance with the principle of non-discrimination across various areas of social relations, including in the private sphere.

2145 Information provided by a representative of the Ukrainian Parliament Commissioner for Human Rights in places of detention during an interview conducted on 18.03.2026.

2146 Assessment of the Effectiveness of the NPM in Ukraine. Viktor Zakharia, George Tugushi. 2025. ↗

2147 Ibid.

2148 National Preventive Mechanism. ↗

2149 On Approval of the National Preventive Mechanism Strategy for 2026–2028: Order of the Ukrainian Parliament Commissioner for Human Rights No. 34.15/26 of 20.04.2026. ↗

2150 On the Principles of Prevention and Combating Discrimination in Ukraine: Law of Ukraine No. 5207-VI of 06.09.2012, Article 10. ↗

In 2025, **efforts intensified to establish a system for collecting, recording and analysing information on violations of anti-discrimination legislation**. At present, various public authorities and law enforcement bodies collect information on discrimination cases; however, the methods of collection, recording and the scope of such information differ. As the Commissioner is responsible for monitoring and consolidating the results of compliance with the principle of non-discrimination, the Commissioner should play a coordinating role in the data collection process. This includes obtaining and analysing information not only from individual complaints or the Commissioner's own monitoring, but also from complaints submitted to other public authorities. In the context of the European integration process, approaches to data collection should be based on the standards currently applied within the EU. In cooperation with CSO partners, the Commissioner is developing a methodology for collecting, recording and analysing data on discrimination cases. It is also planned to conduct a series of webinars for public authorities on how to collect data on discrimination cases in line with EU standards.[2151]

Draft Law No. 13597,[2152] which has been granted the status of a European integration draft law, is currently under consideration in the Verkhovna Rada of Ukraine. Among other provisions, it envisages that authorised officials of the Secretariat of the Commissioner or representatives of the Commissioner will be empowered to draw up protocols on violations of legislation in the field of prevention and counteraction to discrimination. Despite the Commissioner's support for this draft law, the issue of adequate resource provision for this activity remains pressing, as the number of discrimination complaints submitted to the Commissioner increases each year. In 2025, the Commissioner received 2,535 complaints concerning cases of discrimination, compared to 1,110 in 2024.[2153] During the first half of 2026, the Commissioner received 622 complaints.[2154] At present, only one department[2155] within the Secretariat of the Commissioner is responsible for handling discrimination-related complaints. In the event of the adoption of Draft Law No. 13597, the workload of this department will increase significantly and may become critical.[2156]

Military Ombudsman

In September 2025, **Parliament adopted the Law of Ukraine 'On the Military Ombudsman'**.[2157] In the same month, the Office of the Military Ombudsman was established as

2151 Information provided by a representative of the Commissioner for Equal Rights and Freedoms, Rights of National Minorities, Political and Religious Beliefs during an interview conducted on 18.03.2026.

2152 On Amendments to the Code of Ukraine on Administrative Offences and the Criminal Code of Ukraine Regarding Combating Discrimination: Draft Law of Ukraine, registration No. 13597 of 04.08.2025. ↗

2153 Information provided by a representative of the Commissioner for Equal Rights and Freedoms, Rights of National Minorities, Political and Religious Beliefs during an interview conducted on 18.03.2026.

2154 According to data from ZMINA Human Rights Centre obtained during meetings, consultations and other events involving representatives of the Ukrainian Parliament Commissioner for Human Rights and the Commissioner's Secretariat.

2155 Department for the Observance of Equal Rights and Prevention of Discrimination of the Department for Monitoring the Observance of Equal Rights and Freedoms, Rights of National Minorities, Political and Religious Beliefs of the Secretariat of the Ukrainian Parliament Commissioner for Human Rights.

2156 Ibid.

2157 On the Military Ombudsman: Law of Ukraine No. 4603-IX of 17.09.2025. ↗

a permanent auxiliary body under the President.[2158] Through the Military Ombudsman, the President exercises democratic civilian control over the security and defence sector with regard to ensuring the rights of service members in connection with the performance of their military duties, reservists and persons liable for military service during training, members of volunteer formations of territorial communities, persons involved in carrying out tasks of the resistance movement, as well as personnel of law enforcement agencies engaged in direct participation in hostilities.

The establishment of the institution of the Military Ombudsman and the appointment of human rights defender Olha Reshetylova (Kobylynska)[2159] to this position constitute an important positive step towards strengthening the system for the protection of the rights of Ukraine's defenders, who, due to the specific nature of military service — particularly in wartime — are in a vulnerable position. During the first seven months of 2026, the Military Ombudsman received almost 12,000 appeals concerning medical care, payments, military service and other matters.[2160]

At present, a key issue is the absence of liability for failure to comply with the requirements of the Military Ombudsman, as this is not regulated by law. This undermines the ability of the Military Ombudsman to fulfil the assigned mandate and to ensure effective protection of the rights of military personnel. Draft Law No. 13267[2161] is currently under consideration in the Verkhovna Rada of Ukraine. Its adoption may address this issue by establishing administrative and criminal liability for failure to comply with the lawful demands of the Military Ombudsman. The draft law was adopted by Parliament in October 2025 in the first reading and is currently being prepared for second reading.

In addition, there is an issue of insufficient funding for the Office of the Military Ombudsman. For 2026, UAH 55.7 million has been allocated for its activities, which is almost twice less than required. In this regard, there is an urgent need to amend the Law of Ukraine 'On the State Budget of Ukraine for 2026' to increase funding for the needs of the Office of the Military Ombudsman.[2162]

National Human Rights Strategy

As noted in the previous report,[2163] the National Human Rights Strategy (Strategy)[2164] was adopted in 2021 and outlines the key directions of activity in the field of human rights protection. The implementation of the Strategy is ensured through a correspon-

2158 On the Office of the Military Ombudsman: Decree of the President of Ukraine No. 691/2025 of 19.09.2025. ↗

2159 On the Appointment of O. Kobylinska as Military Ombudsman: Decree of the President of Ukraine No. 792/2025 of 15.10.2025. ↗

2160 Information provided by the Military Ombudsman during an interview conducted on 27.07.2026.

2161 On Amendments to the Criminal Code of Ukraine and the Code of Ukraine on Administrative Offences Regarding the Activities of the Military Ombudsman: Draft law of Ukraine, registration No. 13267 of 08.05.2025. ↗

2162 Information provided by the Military Ombudsman during an interview conducted on 02.04.2026.

2163 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the European Union Enlargement Package in 2024, 2025, p. 421. ↗

2164 On the National Human Rights Strategy: Decree of the President of Ukraine No. 119/2021 of 24.03.2021. ↗

ding action plan. Since 2024, such an action plan has not been approved, and the Strategy itself required updating.

The MoJ initiated consultations with human rights organisations and public authorities on updating the Strategy in the summer of 2025. Work was organised to collect proposals, prepare the draft and discuss it in relation to specific operational objectives. This process continued until December 2025 inclusive, after which communication between the Ministry and human rights organisations as participants in the process ceased.

On 19 March 2026, within the framework of electronic public consultations, the MoJ published the draft Presidential Decree 'On Approval of the National Human Rights Strategy until 2035'.[2165] According to the draft Decree, it is planned to adopt a new Strategy for the period up to 2035 (the current Strategy is open-ended) as a long-term framework policy document in the field of human rights. In the explanatory note,[2166] the development of the new Strategy is justified by the need to take into account the objectives of the Rule of Law Roadmap,[2167] as well as the recommendations of the European Commission set out in the Ukraine Progress Reports within the EU Enlargement Package for 2023 and 2024.

The draft Strategy contains three strategic objectives and 24 operational objectives, including those related to fundamental human rights and freedoms in Ukraine, the protection of vulnerable groups and the restoration of rights of persons affected by the armed aggression against Ukraine, as well as increasing the level of legal awareness and legal culture in society. However, certain operational objectives duplicate existing state policies, particularly in the area of ensuring the rights of internally displaced persons (IDPs). At the same time, the draft Strategy does not address the protection of the rights of service members and Ukrainians who left the country because of the war.

Following consultations on the draft Strategy, the MoJ published a report stating that more than 600 proposals had been received from CSOs, over 90% of which were not taken into account.[2168]

Given the practice of public consultations conducted by state authorities, there are grounds to assume that no substantial changes will be introduced to the draft Strategy following the consultation process. It should also be noted that the Rule of Law Roadmap includes an indicator requiring the development and adoption of an Action Plan for the implementation of the National Human Rights Strategy within six months of the adoption of the relevant Presidential Decree approving the Strategy.[2169] Accordingly, there is a risk that this measure of the Roadmap will not be implemented in a timely manner and without ensuring an inclusive process involving representatives of human rights organisations.

2165 Notice on Conducting Electronic Public Consultations on the Draft Decree of the President 'On Approval of the National Human Rights Strategy for the Period up to 2035'. Ministry of Justice of Ukraine, 2026. ↗

2166 Ibid.

2167 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

2168 Report on the Results of Electronic Public Consultations on the Draft Decree of the President 'On Approval of the National Human Rights Strategy for the Period up to 2035' / Ministry of Justice of Ukraine. 2026. ↗

2169 Ibid.

Recommendations

1. Revise Draft Law No. 13181 for the second reading, taking into account Ukraine's international obligations, including by establishing, under the Verkhovna Rada Committee on Human Rights, Deoccupation and Reintegration of Temporarily Occupied Territories of Ukraine, National Minorities and Interethnic Relations, a working group involving representatives of human rights organisations.

2. Amend Article 12 of the Law of Ukraine 'On the Legal Regime of Martial Law' and remove the provisions allowing for the dismissal of the Commissioner during the period of martial law on the grounds of a vote of no confidence.

3. Ensure adequate funding for the activities of the NPM.

4. Ensure the possibility of providing compensation to civil society monitors for their participation in NPM visits (at least travel, subsistence and accommodation costs).

5. Ensure the coordinating role of the Commissioner in the system for collecting, recording and analysing information on violations of anti-discrimination legislation.

6. The Secretariat of the Commissioner should conduct a needs assessment in the event of the adoption of Draft Law No. 13597 and ensure an increase in the number of staff involved in processing discrimination complaints.

7. Adopt Draft Law No. 13267 in the second reading, introducing liability for failure to comply with the lawful demands of the Military Ombudsman.

8. Amend the Law of Ukraine 'On the State Budget of Ukraine for 2026' to increase funding allocated to the Office of the Military Ombudsman.

9. Revise the draft National Human Rights Strategy taking into account the proposals of human rights organisations. Develop an implementation plan for the Strategy in an inclusive manner, involving representatives of public authorities, experts from human rights organisations and international partners.

Combating Torture and Inhuman or Degrading Treatment

During the reporting period, limited progress was observed in combating torture and inhuman or degrading treatment.

Systemic human rights violations in places of detention — including inadequate conditions of detention, limited access to medical care, violations of labour rights and instances of ill-treatment — continue to be documented during regular visits by the NPM.

The penitentiary healthcare system has not yet been integrated into the general healthcare system, which negatively affects access to quality and independent medical care. There remains a need to incorporate penitentiary medicine into the healthcare system coordinated by the Ministry of Health of Ukraine (MoH) and ensure the provision of quality medical care to persons held in detention.

Despite the introduction of new formats for documenting bodily injuries in 2024, their practical application does not comply with the standards of the Istanbul Protocol. Proper photographic documentation is not carried out, comprehensive records are not maintained, and law enforcement authorities are not duly informed. There remains a need to ensure the effective implementation of the Istanbul Protocol, including oversight of the documentation of bodily injuries and the professional development of medical personnel.

Opioid substitution therapy has been introduced only partially and remains inaccessible to a significant proportion of persons in places of detention. In this regard, further expansion of its implementation is required.

The mechanism for release from serving a sentence on health grounds remains excessively formalised and does not account for the critical condition of seriously ill persons, leading to cases of death during the procedure. There is a need to review legislative approaches to determining the grounds for release and to simplify the relevant procedures.

The institution of human rights inspectors in places of detention remains limited in effectiveness due to their institutional dependence on the administrations of penitentiary institutions. In this regard, there is a need to ensure their genuine independence and to introduce effective oversight of their activities.

The impact of the war has significantly worsened the situation in places of detention: penitentiary institutions remain outside the civil protection system, and evacuation measures are implemented only partially. In this context, there is an urgent need to ensure the integration of places of detention into the civil protection system and to carry out timely evacuation of persons from high-risk areas. The impact of the war has also led to the emergence of new places of detention — Territorial Centres of Recruitment and Social Support (TCR and SS). The number of human rights violations documented in these institutions is increasing, which necessitates independent monitoring and response to human rights violations, including torture and ill-treatment during the detention of mobilised persons.

Prevention of Torture and Ill-Treatment (Activities of the National Preventive Mechanism)

The NPM continues its work in the prevention of torture and cruel, inhuman or degrading treatment. Based on the results of visits conducted in 2025, the NPM continues to document **systemic human rights violations** identical to those identified in previous years, including: the right to life and safe conditions of detention; protection from torture and cruel, inhuman or degrading treatment or punishment; adequate conditions of detention; the right to liberty and security of person; the right to healthcare and medical assistance; labour rights and protection from exploitation; the rights of persons with disabilities and persons with reduced mobility, among others. Such violations are recorded by the NPM in reports following visits to places of detention, and the respective institutions are provided with recommendations for their elimination.[2170] At the same time,

2170 Special Report of the Ukrainian Parliament Commissioner for Human Rights 'On the State of Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in Ukraine in 2025'. P. 21. ↗

some recommendations require additional resources and systemic solutions, which complicates their prompt implementation (in particular, regarding the arrangement of shelters or ensuring adequate living space).

The systemic nature of these violations indicates the need for a fundamental change in the State's approach to organising and ensuring the functioning of the system of places of detention in line with international standards. One such systemic solution could be the removal of penitentiary medicine from the subordination of the MoJ and its transfer to the management of the MoH, as recommended by the United Nations Committee against Torture following its 82nd session.[2171]

To address the problem of inadequate conditions of detention, the Operational Plan for the Implementation in 2025 and 2026 of the Strategy for the Reform of the Penitentiary System until 2026 provides for measures to improve conditions, with a specific indicator defined: 1,000 places in penitentiary institutions where detention conditions comply with national and international standards by the fourth quarter of 2026.[2172] It should be noted that the introduction of clear quantitative indicators enables objective monitoring of progress or the lack thereof.

In 2025, the Commissioner submitted 62 recommendations to state authorities, local self-government bodies, enterprises, institutions and organisations to eliminate violations identified as a result of NPM visits.[2173] Law enforcement authorities entered information into the Unified Register of Pre-Trial Investigations and initiated **10 proceedings concerning criminal offences in places of detention**.[2174]

Protection of the Rights of Convicted and Detained Persons in the Penitentiary System, as well as Other Persons in Places of Detention

As of 1 January 2026, the total number of persons held in penitentiary institutions and pre-trial detention centres amounted to **34,925**.[2175] Compared to the previous year, this figure decreased by 5.9%. At the same time, this did not lead to a significant improvement in the situation.

Responses to human rights violations in places of detention are carried out both with the participation of national state authorities and international institutions authorised to protect the rights of persons held in places of detention.

1) **The European Committee for the Prevention of Torture (CPT)** conducted its second ad hoc visit to Ukraine since the beginning of the full-scale invasion from 26 May to 6 June 2025, with the aim of examining the conditions of detention of

2171 Concluding Observations on the Seventh Periodic Report of Ukraine. Committee against Torture, CAT/C/UKR/CO/7, 17.06.2025. Para. 22. ↗

2172 On Approval of the Operational Plan for the Implementation in 2025 and 2026 of the Strategy for Reforming the Penitentiary System for the Period up to 2026: Order of the Cabinet of Ministers of Ukraine No. 1188 of 29.10.2025. ↗

2173 Special Report of the Ukrainian Parliament Commissioner for Human Rights 'On the State of Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in Ukraine in 2025'. P. 14. ↗

2174 Ibid.

2175 Ibid, p. 31.

persons in psychiatric hospitals, as well as individuals residing in social care institutions.[2176] Following the visit, the CPT prepared and submitted a report with recommendations to the Government of Ukraine; however, it has not yet been published on its official website.

2) On 24–25 April 2025, the **United Nations Committee against Torture** considered Ukraine's Seventh Periodic Report[2177] on the implementation of the provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as well as alternative reports submitted by civil society organisations.[2178] Following the review, the Committee issued concluding observations in which it recommended, inter alia, that the State: ensure effective, independent and prompt investigation of all allegations of torture and ill-treatment, as well as the accountability of those responsible; improve conditions of detention, reduce overcrowding, ensure adequate medical care and consider transferring penitentiary medicine to the management of the MoH; strengthen the functioning of the NPM by ensuring adequate financial and human resources, as well as proper implementation of its recommendations; and ensure effective complaint mechanisms in places of detention, including their confidentiality and the protection of applicants from reprisals.

At the national level, the mechanism for the protection of the rights of convicted and detained persons in Ukraine continues to develop through the following institutional mechanisms and human rights protection tools:

1) Commissions for Reviewing Complaints on Inadequate Conditions of Detention in Pre-Trial Detention Facilities and Penitentiary Institutions (Commissions).

In 2025, seven Commissions were established under the interregional departments on the execution of criminal penalties of the MoJ.[2179] As a result of their activities, 242 complaints were reviewed (6 remain under consideration); in 7 cases, inadequate conditions of detention were confirmed, while in 235 cases no violations were identified.[2180] At the same time, issues related to the regulatory framework governing the activities of the Commissions remain unresolved. In particular, the mechanism for reducing the term required for conditional early release or replacement of punishment has not been launched due to the absence of amendments to the Criminal Code of Ukraine (CC of Ukraine); there is no possibility of judicial appeal against the decisions of the Commissions (no amendments have been made to Article 303 of the Criminal Procedure Code of Ukraine (CPC of Ukraine)); and the obligation to send

2176 Council of Europe anti-torture Committee visits Ukraine. Council of Europe, 2025. ↗

2177 Seventh periodic report submitted by Ukraine under article 19 of the Convention pursuant to the optional reporting procedure, due in 2018. Committee against Torture. CAT/C/UKR/7, 11.02.2019. ↗

2178 Info from Civil Society Organisations (for the session): European Prison Litigation Network (EPLN) and Protection for Prisoners of Ukraine (PPU); Human Rights Centre ZMINA, Ukrainian Legal Advisory Group (ULAG), Ukraine without Torture, Freerights & World Organisation Against Torture (OMCT); Juvenile Justice Advocates International; Kharkiv Human Right Protection Group (2025); Kharkiv Human Rights Protection Group (2020); REDRESS. Committee against Torture, 82nd session. 2025. ↗

2179 North-Eastern Interregional Directorate (Kharkiv, Poltava, Sumy, Luhansk regions); Western Interregional Directorate (Lviv, Zakarpattia, Ternopil, Ivano-Frankivsk, Rivne, Volyn regions); Central-Western Interregional Directorate (Vinnytsia, Chernivtsi, Khmelnytskyi regions); South-Eastern Interregional Directorate (Dnipropetrovsk, Zaporizhzhia, Donetsk regions); North-Central Interregional Directorate (Chernihiv, Zhytomyr, Cherkasy regions); South-Central Interregional Directorate (Odesa, Mykolaiv, Kherson, Kirovohrad regions); under the Department in Kyiv and Kyiv region.

2180 On the Activities of the Commissions for the Review of Complaints Regarding Improper Conditions of Detention in Pre-Trial Detention Facilities and Penitentiary Institutions as of 01.01.2026. ↗

copies of complaints to the administration of the institution remains, which calls into question confidentiality.[2181] Moreover, amendments to the Regulation on the Commission introduced in March 2026 provide for the exclusion of periods of detention already recognised by the European Court of Human Rights (ECtHR) as violations of the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR).[2182] This may result in incomplete determination of the duration of violations, affect compensation and contradict the State's obligation to take into account the case-law under the ECHR.

2) Human Rights Inspectors in Correctional Colonies, Pre-Trial Detention Centres (PTDC) and Temporary Detention Facilities (TDF). Following the appointment of senior inspectors for the observance of the rights of convicted persons and the prevention of torture in correctional colonies at the end of November 2024, the selection process for inspectors in PTDC continued in 2025. As of 25 March 2026, the positions of senior inspectors were filled in 62 institutions (PTDC and penitentiary institutions).[2183]

Although representatives of civil society organisations were involved in the selection procedure on a voluntary basis, human rights defenders continue to point to the institutional dependence of inspectors on the management of penitentiary institutions. This directly affects the independence of inspectors, the objectivity of assessments, the effectiveness of responses to violations, as well as the level of trust in this mechanism among detainees and the public.[2184]

3) Direct appeals of persons deprived of liberty to state authorities for the protection of their rights. In 2025, **5,738 appeals** were submitted to the State Criminal-Executive Service of Ukraine (SCESU), of which 3,199 were from convicted and detained persons, their relatives, or human rights organisations. Of these, 446 appeals concerned inadequate conditions of detention, 55 concerned alleged torture (which, according to the SCESU, were not confirmed), and 11 concerned the failure to provide or the improper provision of medical care.[2185]

The introduction of these human rights protection mechanisms in places of detention has not eliminated systemic human rights violations, including violations of labour rights. In 2025, cases of labour exploitation of convicted persons were documented, including excessive working hours (over 40 hours per week), improper formalisation of employment contracts, violations of occupational safety standards, inadequate remuneration and the failure to provide special clothing and other personal protective equip-

2181 On Approval of the Regulation on the Commission for the Review of Complaints Regarding Improper Conditions of Detention in Pre-Trial Detention Facilities and Penitentiary Institutions: Resolution of the Cabinet of Ministers of Ukraine No. 1549 of 31.12.2024, para. 20. ↗

2182 On Amendments to the Regulation on the Commission for the Review of Complaints Regarding Improper Conditions of Detention in Pre-Trial Detention Facilities and Penitentiary Institutions: Resolution of the Cabinet of Ministers of Ukraine No. 313 of 12.03.2026. ↗

2183 Letters of the Department for the Execution of Criminal Penalties of 26.03.2026 No. 14/2 and of 21.06.2026 No. 06_0159.

2184 Information provided by experts of NGO 'Protection of Prisoners of Ukraine' during an interview conducted on 17.03.2026.

2185 Appeals on Torture, Conditions of Detention and Medical Care: What the Official Statistics of the MoJ and the SCESU Show for 2025. Protection of Prisoners of Ukraine, 2026. ↗

ment, resulting in injuries.[2186] Improper formalisation or the absence of formal employment relations with convicted persons deprives them of the right to pension provision in the future, as periods of employment are not counted towards their length of service. Moreover, this prevents the application of conditional early release, for which a conscientious attitude to work is a mandatory criterion.[2187]

During 2020–2025, 159 criminal proceedings were registered concerning violations of the labour rights of convicted persons, the majority of which relate to breaches of occupational safety legislation and safety rules during the performance of work (Articles 172, 271 and 272 of the CC of Ukraine). At the same time, **only 7 indictments against 8 persons were referred to court**, while in a significant number of cases pre-trial investigations are ongoing or remain at the initial stages.[2188]

The **problem of inadequate conditions of detention** remains equally acute, particularly in pre-trial detention centres, where numerous monitoring visits continue to identify overcrowding, poor sanitary conditions, insufficient access to natural light and fresh air and other shortcomings. Under Strategic Objective No. 1 of the Operational Plan for the Implementation of the Strategy for Reforming the Penitentiary System for the Period up to 2026,[2189] adequate detention conditions are to be created for 3,000 convicted and detained persons by the end of 2026. Such places must comply with national and international standards, including at least 4 sq m of living space per person and 5 sq m in prison healthcare facilities, an individual bed, cleanliness, sufficient natural light, ventilation and heating and the absence of dampness.

In practice, during 2025 and the first half of 2026, **2,575 places meeting international detention standards were created in penitentiary institutions, while 260 such places were created in pre-trial detention centres.**[2190] These figures indicate an intensification of State efforts to bring detention conditions into line with international standards. At the same time, the creation of compliant places in pre-trial detention centres should be a priority, as these institutions are where the most systemic and persistent problems are concentrated, resulting in human rights violations and detention conditions that fail to meet international standards.

In addition to the existing mechanisms for protecting the rights of convicted and detained persons described above, in June 2026 the **Government developed a draft law establishing a dual system of regular penitentiary inspections**. It aims to introduce a new format for oversight of human rights compliance in places of deprivation of liberty and to bring Ukraine's penitentiary system closer to European standards.[2191] The new model provides for two complementary levels of oversight — internal (administrative)

2186 Special Report of the Ukrainian Parliament Commissioner for Human Rights 'On the State of Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in Ukraine in 2025'. P. 37. ↗

2187 Ibid, p. 38.

2188 Analytical Report 'Analysis of Ensuring Labour Rights of Convicted Persons: Legal Regulation and Practice of Application'.

2189 On Approval of the Operational Plan for the Implementation in 2025 and 2026 of the Strategy for Reforming the Penitentiary System for the Period up to 2026: Order of the Cabinet of Ministers of Ukraine No. 1188 of 29.10.2025. ↗

2190 Letter of the Department for the Execution of Criminal Penalties of 16.06.2026 No. 06_0205.

2191 Government Approves Draft Law on Establishing a Dual System of Regular Penitentiary Inspections. Ministry of Justice of Ukraine. 2026. ↗

and external penitentiary inspections. Their activities are intended not only to identify violations but, above all, to ensure systematic monitoring of detention conditions, respect for the rights and freedoms of persons held in detention and protection of the lawful rights and interests of institutional staff.

Provision of Medical Care in the Penitentiary System, Documentation of Bodily Injuries and Implementation of the Istanbul Protocol

The penitentiary healthcare system remains under the management of the Ministry of Justice and is not integrated into the State's unified medical space.

The pilot project launched in 2024–2025 to provide medical care to convicted persons and persons in custody within the unified healthcare space, covering persons held in the Lutsk Pre-Trial Detention Centre and Bila Tserkva Correctional Colony No. 35, is currently not being implemented. In January 2026, a decision was taken to transfer the Healthcare Centre of the SCESU in full to the MoH from 1 January 2028, without conducting additional pilot projects. At the same time, abandoning the pilot projects prevents an assessment of the practical mechanisms for integrating penitentiary medicine into the unified healthcare space, while the integration itself has effectively been postponed until 2028.

NPM reports indicate **systematic non-compliance with the principle of equivalence between healthcare provided in penitentiary institutions and healthcare available within the general healthcare system** (the unified healthcare space). One of the key reasons for this is the low staffing level of medical units, which leads to systemic breaches of standards of treatment for persons deprived of liberty. Although initial and preventive medical examinations of convicted persons should include mandatory participation by a physician or family doctor, a psychiatrist and a dentist, NPM visits reveal a significant number of vacancies for these specialists. This makes comprehensive medical examinations impossible and impedes the timely detection of diseases at an early stage.[2192] In recent years, **medical staffing shortages** have consistently remained at 13–20%.[2193]

Opioid substitution therapy for convicted and detained persons with dependencies remains only partially implemented. As of 1 July 2026, it had been implemented in 27 penitentiary institutions and pre-trial detention centres, representing 31% of the total.[2194] At the same time, such therapy should be further expanded in institutions to ensure the right of individuals to choose treatment methods in accordance with Article 38 of the Law of Ukraine 'Fundamentals of the Legislation of Ukraine on Healthcare'.[2195]

2192 Special Report of the Ukrainian Parliament Commissioner for Human Rights 'On the State of Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in Ukraine in 2025' / Ukrainian Parliament Commissioner for Human Rights. Kyiv, 2026. P. 44. ↗

2193 Letter of the State Institution 'Health Centre of the State Criminal-Executive Service of Ukraine' of 16.06.2026 No. 06_0207.

2194 Ibid.

2195 Fundamentals of the Legislation of Ukraine on Healthcare: Law of Ukraine No. 2801-XII of 19.11.1992. ↗

The issue of **releasing convicted persons from further serving their sentence on health grounds** remains problematic. Some convicted persons whose illnesses are not included in the legislatively defined list of diseases cannot be released on health grounds, despite being unable to care for themselves and being in a critical condition. Therefore, the regulatory limitation that allows release only where the illness corresponds to the List of Diseases[2196] fails to take into account situations where a person's condition is severe, but their illness is not included in the list. The lack of such a social service as third-party care also remains an issue.[2197] The procedure for the release of convicted persons is complex, as it requires assessment by a medical advisory commission followed by judicial consideration. For persons at the terminal stage of illness, such a procedure is effectively unmanageable, which is confirmed by statistical data: in 2025, 56 persons were released on health grounds (excluding cases of death during the consideration of release); 2 persons died during the review by the medical advisory commission, 10 persons died during court proceedings and 1 person died during the execution of the court decision.[2198]

Although in 2024, in implementation of the recommendations of the **Istanbul Protocol**, Order of the MoH No. 186 approved the primary accounting documentation form No. 511/o Certificate on the Documentation of Bodily Injuries,[2199] the NPM continues to record cases of improper documentation of bodily injuries in patients, as well as failures to notify law enforcement authorities of such facts;[2200] failure to issue certificates and to enter information into the Register of Recorded Cases of Bodily Injuries of Convicted Persons;[2201] and the absence of photographs of recorded injuries attached to the certificates, as required by the Istanbul Protocol.[2202]

Such practices significantly complicate effective investigation of possible cases of ill-treatment and the bringing of perpetrators to justice, as repeatedly emphasised by the CPT.[2203] At the same time, in 2025, 7,504 primary injury documentation forms (form No. 511/o) were completed for convicted and detained persons, as well as prisoners of

2196 On Approval of the Procedure for Organising the Provision of Medical Care to Persons Sentenced to Imprisonment: Order of the Ministry of Justice of Ukraine and the Ministry of Health of Ukraine No. 1348/5/572 of 15.08.2014. Annex 13. ↗

2197 A Death Sentence Instead of Life Imprisonment: What Is Wrong with the System of Release from Punishment Due to Illness. ZMINA, 2025. ↗

2198 Letter of the State Institution 'Healthcare Centre of the State Criminal-Executive Service of Ukraine' (HC SCESU) of 20.03.2026 No. 03_0081.

2199 On Amendments to Paragraph 1 of the Order of the Ministry of Health of Ukraine of 14 February 2012 No. 110: Order of the Ministry of Health of Ukraine No. 186 of 02.02.2024. ↗

2200 Special Report of the Ukrainian Parliament Commissioner for Human Rights 'On the State of Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in Ukraine in 2025' Ukrainian Parliament Commissioner for Human Rights. P. 46. ↗

2201 Report on the Results of the Monitoring Visit to Oleksiivska Correctional Colony No. 25. Kharkiv Human Rights Protection Group, 2025. ↗

2202 Report on the Results of the Monitoring Visit to Pervomaiska Correctional Colony No. 117. Kharkiv Human Rights Protection Group, 2025. ↗

2203 Report to the Ukrainian Government on the visit to Ukraine carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 16 to 27 October 2023. P. 34). ↗

war.[2204] Given this high number, the State should take measures to standardise approaches to completing such forms in line with the standards of the Istanbul Protocol.

Currently, the Prosecutor General's Office (PGO), together with the MoH, is developing a joint order to approve the procedure for informing prosecution authorities by healthcare institutions of cases where bodily injuries inflicted by law enforcement officials are identified in patients.[2205] A prosecutor is required to immediately submit a motion requesting that a unit of the State Bureau of Investigation (SBI) verify information provided by a person who reports, during any court hearing, that violence was used against them during detention or while in custody. Such motions must be submitted by the prosecutor regardless of whether a formal complaint has been filed, if the person's appearance, condition, or other circumstances known to the prosecutor give rise to a reasonable suspicion of a violation of legal requirements during detention or custody in an authorised state body or institution.[2206]

Investigation of Torture and Accountability of Perpetrators, Activities of the SBI

During 2025 and the first half of 2026, investigators of the SBI conducted pre-trial investigations in **5,036 criminal proceedings concerning acts of torture, other forms of ill-treatment and human rights violations committed by state representatives**, of which 558 criminal proceedings were initiated in 2025 and 344 in the first half of 2026. As a result of pre-trial investigations, indictments in **91 criminal proceedings concerning 157 persons were referred to court**.[2207] In February 2025, SBI investigators completed an investigation into an organised group operating within the State Institution 'Bozhkovska Correctional Colony (No. 16)', whose members systematically applied torture to detainees, which, inter alia, resulted in the death of one person. Prosecutors of the PGO referred an indictment to court against five officials accused of torture, while the group leader was additionally charged with the intentional infliction of grievous bodily harm. According to the investigation, the torture was systemic in nature and was applied to newly arrived detainees to subjugate them; for example, one documented case involved more than 200 blows inflicted on a convicted person.[2208] This is **one of the first cases in Ukraine where the head of a penitentiary institution has been brought to trial for mass torture**.

In September 2025, the SBI completed pre-trial investigations into the **functioning of a 'criminal vertical' within the State Institution 'Kyiv Pre-Trial Detention Centre'**. The proceedings involve 14 suspects, including staff members of the institution, detainees

2204 Letter of the State Institution 'Healthcare Centre of the State Criminal-Executive Service of Ukraine' (HC SCESU) of 20.03.2026 No. 03_0081.

2205 Information provided by the Head of the Department for Combating Violations of Human Rights in Law Enforcement and Penitentiary Sectors of the Prosecutor General's Office during an interview conducted on 19.03.2026.

2206 On Amendments to the Order of the Prosecutor General of 30.09.2021 No. 309 'On the Organisation of Prosecutors' Activities in Criminal Proceedings': Order of the Acting Prosecutor General No. 24 of 31.01.2025. ↗

2207 Report on the Activities of the State Bureau of Investigation for 2025. 2026. p. 42. ↗; Information provided by the Head of a Department within the Directorate of the Main Investigation Department of the State Bureau of Investigation during an interview conducted on 30.06.2026.

2208 SBI Submitted to Court a Case on Torture and Murders in Bozhkivska Colony No. 16. State Bureau of Investigation, 2025. ↗

and medical personnel. They are charged with abuse of authority, official negligence, abandonment in danger, failure to provide assistance and other offences.[2209]

In February 2026, the Supreme Court (SC) adopted a final decision in the so-called 'Kaharlyk case', which had also been investigated by the SBI, upholding the decision of the court of appeal.[2210] In this case, the head of the criminal police unit and an operative officer were found guilty of committing torture, rape and other offences, and were each sentenced to 11 years' imprisonment.[2211]

These examples and statistical data demonstrate **certain positive developments in the practice of SBI investigations into torture and the accountability of perpetrators**. Such developments are also confirmed by assessments of civil society representatives specialising in the protection of human rights in places of detention.[2212]

An important development in the prevention of torture and other forms of ill-treatment has also been the **integration of an electronic system for monitoring complaints of torture into the overall document management system of the SBI**,[2213] which enables SBI investigators to access the content of complaints without waiting for notifications from places of detention or other law enforcement bodies.

In 2025, **a specialisation of investigators for the investigation of torture** and other forms of ill-treatment was introduced within the structure of the SBI (**157 investigators** were designated[2214]), aimed at concentrating expertise and improving the quality of investigations. At the same time, specialised investigators combine this category of cases with other proceedings due to a **shortage of human resources and the increasing overall workload of the SBI, linked to the expansion of its jurisdiction in the military sphere**. In particular, the SBI is directing additional efforts towards pre-trial investigations of cases involving abuse of power or official authority in the military sphere, including offences of torture and abuse of authority committed by military officials, inter alia, personnel of TCR and SS, with the number of such cases steadily increasing. **Draft Law No. 5305**, which provides for an increase in the maximum number of SBI staff **to 2,500 (instead of the current 1,900)**, could address the shortage of human resources; however, it has been awaiting second reading in the Verkhovna Rada since 2021.[2215]

Although in 2022 the provisions of the CC of Ukraine were improved through the introduction of a rule on the non-applicability of statutes of limitations for criminal liability for torture committed by state representatives (Part 5 Article 49 of the CC of Ukraine),[2216]

2209 SBI Completed the Investigation into Torture and Other Systemic Violations in the Kyiv Pre-Trial Detention Facility. State Bureau of Investigation, 2025. ↗

2210 Case on Torture and Rape on the Premises of the Kaharlyk Police Department of the Obukhiv Police Unit of the Main Directorate of the National Police in Kyiv Region in 2020.

2211 Ruling of the Cassation Criminal Court within the Supreme Court of 19.02.2026 in Case No. 368/1301/20. ↗

2212 Information provided by experts of NGO 'Protection of Prisoners of Ukraine' and the Kharkiv Human Rights Protection Group during interviews conducted on 17.03.2026 and 23.03.2026.

2213 Report on the Activities of the State Bureau of Investigation for 2025. 2026. p. 42. ↗

2214 SBI Strengthens Work on Investigating Torture and Human Rights Violations. State Bureau of Investigation, 2026. ↗

2215 On Amendments to Certain Laws of Ukraine on Improving the Legal Framework for the Activities of the State Bureau of Investigation: Draft Law of Ukraine, registration No. 5305 of 26.03.2021. ↗

2216 On Amendments to the Criminal Code of Ukraine on Improving Liability for Torture: Law of Ukraine No. 2812-IX of 01.12.2022. ↗

the practical effect of these amendments has remained limited due to the principle of non-retroactivity of criminal law. In cases initiated prior to these amendments, it has not been possible to hold perpetrators accountable due to the length of judicial proceedings. For example, in a case concerning the beating and death of a person in 2015 in Zamkova Correctional Colony No. 58, the court closed the proceedings at the end of 2025 due to the expiry of the statute of limitations.[2217]

Impact of the War on the Situation in Places of Detention

Penitentiary institutions remain **outside the civil protection system**, which creates a constant threat to the life and health of persons held therein. Since the beginning of Russia's full-scale invasion of Ukraine, **36 such institutions have been damaged or destroyed**, while a further **41 remain in temporarily uncontrolled territories**.[2218] In regions affected by hostilities, the destruction is systemic in nature, leading to the suspension of institutional operations, evacuation, and the placement of persons in inadequate conditions.

As of January 2026, **11 penitentiary institutions are not functioning due to evacuation**. The Ombudsman's recommendations to urgently carry out the evacuation/relocation of facilities or the evacuation of persons held in places of detention located in areas of active hostilities or nearby settlements, as well as in areas located within less than 50 km from the state border with the Russian Federation, to appropriate institutions situated in safe areas, have been implemented only by some regional military administrations. As of July 2026, these recommendations remain unimplemented, or no information on their implementation has been provided to the Ombudsman, in the following regions: Donetsk, Kherson, Zhytomyr, Chernihiv, Poltava, Kirovohrad, Vinnytsia and Odesa regions. At the same time, relocation measures have been implemented in Kharkiv and Mykolaiv regions, while in Sumy region they are still in progress.[2219]

The war has also affected the process of **conditional early release of persons from further serving their sentence for military service**. In 2024, amendments were introduced to the CC of Ukraine, adding Article 81[1] 'Conditional Early Release from Serving a Sentence for Military Service'.[2220] During 2025, 5,557 persons applied to the administrations of penitentiary institutions for the application of Article 81[1]. Over the entire period of the application of this provision, courts have granted **11,873** motions for conditional early release, while **295** motions have been rejected.[2221]

2217 Ruling of the Khmelnytskyi Court of Appeal of 18.12.2025 in Case No. 686/13590/16-k. ↗

2218 Special Report of the Ukrainian Parliament Commissioner for Human Rights 'On the State of Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in Ukraine in 2025'. Ukrainian Parliament Commissioner for Human Rights. P. 45. ↗

2219 Ibid.

2220 On Amendments to the Criminal Code of Ukraine, the Criminal Procedure Code of Ukraine and Other Legislative Acts of Ukraine on the Introduction of the Institution of Conditional Early Release from Serving a Sentence for Direct Participation in the Defence of the Country, Protection of Its Independence and Territorial Integrity: Law of Ukraine No. 3687-IX of 08.05.2024. ↗

2221 Conditional Early Release for Military Service: What the Statistics on the Application of Article 81-1 of the CC of Ukraine Show. Protection of Prisoners of Ukraine, 2026. ↗

The armed aggression of the Russian Federation has also led to the emergence of new places of detention — TCR and SS, where persons subject to mobilisation measures are effectively held, as noted above. Given the increasing number of cases of ill-treatment and bodily injuries during mobilisation measures associated with the activities of TCR and SS,[2222] there is a growing need to strengthen preventive and oversight mechanisms in these places of detention. In 2025, official reports of the Commissioner for the first time included information on visits to these places of detention,[2223] as a result of which the Ombudsman recorded significant problems related to staffing, violations of citizens' rights during mobilisation and military registration procedures, among others.[2224]

Recommendations

1. Amend the legislation regulating the activities of the Commissions for Reviewing Complaints on Inadequate Conditions of Detention in Pre-trial Detention Facilities and Penitentiary Institutions. In particular, it is necessary to provide at the legislative level for: a mechanism for reducing the term after which conditional early release may be applied, the replacement of a court-imposed sentence with a more lenient one, or the removal of a criminal record; the possibility to appeal decisions of the Commission; and the possibility of confidential correspondence between a detainee or convicted person and the Commission.

2. Continue bringing detention conditions in penitentiary institutions and pre-trial detention centres into line with national and international standards, making the improvement of conditions in pre-trial detention centres a priority. Ensure the creation of a sufficient number of places in pre-trial detention centres that meet established standards for living space, sanitary and hygienic conditions, natural light, ventilation, heating and other basic conditions of detention.

3. Address the problem of the provision of medical care in penitentiary institutions by integrating penitentiary medicine into the general healthcare system coordinated and financed by the MoH. Ensure the improvement of medical services and ensure compliance with the principle of equivalence between healthcare in penitentiary institutions and healthcare provided within the general healthcare system.

4. Continue the implementation of opioid substitution therapy for persons in places of detention.

5. Ensure further implementation of the Istanbul Protocol to enable the effective application of the medical standard for the early identification and documentation of evidence of torture, as well as proper recording and investigation of cases of torture, by providing training for medical personnel on standards for documenting bodily injuries.

2222 Publication by Dmytro Lubinets on the social network Telegram, 2026. ↗

2223 Special Report of the Ukrainian Parliament Commissioner for Human Rights 'On the State of Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in Ukraine in 2025'. ↗

2224 Annual Report on the State of Observance and Protection of Human and Civil Rights and Freedoms in Ukraine in 2025. ↗

6. Amend the legislation on release from serving a sentence on health grounds, by revising the approach to determining the list of diseases and simplifying the procedure for release for seriously ill persons held in places of detention.

7. Ensure the institutional independence of human rights inspectors by changing their subordination from the MoJ and strengthening guarantees of their independence.

8. Ensure the effectiveness of pre-trial investigations into torture and other forms of ill-treatment, in particular by increasing the number of SBI investigators; introducing clear specialisation of investigators; and ensuring public reporting on the results of investigations.

9. Ensure respect for the labour rights of convicted persons, including proper formalisation of employment relations, remuneration, safe working conditions and effective investigation of violations.

10. Ensure the integration of places of detention into the civil protection system and the timely evacuation/relocation of facilities or evacuation of persons held in places of detention located in areas of active hostilities or nearby settlements, as well as in areas located within less than 50 km from the state border with the Russian Federation, to appropriate institutions situated in safe areas.

11. Include TCR and SS in the visit plans of the NPM on a regular basis, including at the regional level.

Freedom of Expression

During the reporting period, *some progress* was observed in the funding of the public broadcaster. In addition, there has been good progress in the issue of access by media, journalists and citizens to information on the activities of Parliament's committees.

At the same time, for the fourth consecutive year, the funding of the National Council of Ukraine on Television and Radio Broadcasting (National Council or media regulator), as well as the remuneration of its members, continues to depend on the legislative and executive branches of power, indicating a lack of progress in addressing this issue. This threatens the independence of the media regulator.

As of 31 July 2026, neither the methodology for determining market boundaries in the sphere of media nor the methodology for determining the boundaries of the market of distribution (dissemination) and consumption of advertising information had been approved. This makes it impossible to measure the level of concentration in these markets and to properly assess potential risks to media pluralism in Ukraine. At the same time, the development of the relevant methodologies is being considered within the Working Group on the Implementation of the European Media Freedom Act (EMFA). Accordingly, *limited progress* has been made in this area.

The 24-hour information marathon 'United News #UArazom' (Unified Telethon) continues to broadcast. At the same time, opinion polls indicate that a large proportion of respondents express distrust in the Unified Telethon as a source of information.

Progress in the investigation of high-profile offences committed against journalists is *limited*. In addition, threats and pressure against journalists and media outlets, including in the digital environment, have been documented, as well as cases in which the publication of investigative journalism materials has been prohibited.

Problems related to the implementation of the ECtHR judgment in the case of Sedletska v. Ukraine remain unresolved. At the same time, the Working Group on the Implementation of the EMFA is actively developing proposals aimed at strengthening the protection of journalistic sources, taking into account the ECtHR's findings in the above-mentioned case. Accordingly, *limited progress* has been made in this area.

In September 2025, the Ministry of Culture and Strategic Communications of Ukraine approved the Procedure and Conditions for Insuring the Life, Health and Working Capacity of Journalists and Other Employees of Media Entities during Assignments to Areas of Military (Combat) Operations and/or the Temporarily Occupied Territories of Ukraine. Despite *some progress* in addressing the issue of adequate insurance for journalists and other media workers operating in areas affected by hostilities, the Procedure and Conditions *have not fully resolved* the problem because of existing legal inconsistencies. The legal mechanism for insuring journalists and other media workers operating in areas affected by hostilities requires further improvement, including alignment with international humanitarian law, particularly as regards the terminology used, the Law of Ukraine 'On Insurance' and other normative legal acts.

On 28 April 2026, the Verkhovna Rada adopted at first reading the draft of the new Civil Code of Ukraine (Draft Law No. 15150). If Parliament adopts it in the proposed version, serious risks may arise for the work of journalists and media outlets and for the public's exercise of the right to receive information of public interest.

The risk of restricting general access to court decisions included in the Unified State Register of Court Decisions (USRCD), which may contain information of public interest, has not been eliminated. This risk stems from the provisions of Draft Law No. 7033-d. In addition, the President of Ukraine did not veto the Law of Ukraine 'On Amendments to the Code of Ukraine on Administrative Offences, the Criminal Code and the Criminal Procedure Code of Ukraine to Ensure Compliance with Guarantees of the Advocacy (reg. No. 12320), which, *inter alia*, proposes the introduction of administrative liability for publicly equating a lawyer with the client to whom he/she provides legal assistance. Thus, no progress has been observed in addressing these issues.

At the same time, Ukraine is actively working on developing amendments to national legislation aimed at implementing anti-SLAPP legislation and the EMFA.

Implementation of the Law of Ukraine 'On Media'

For the fourth consecutive year, the provisions of the Law of Ukraine 'On Media'[2225] aimed at strengthening the financial independence of the National Council have been suspended.[2226] The remuneration of the Head, First Deputy Head, Deputy Head, Secretary and members of the National Council continues to depend on the Cabinet of

2225 On Media: Law of Ukraine No. 2849-IX of 13.12.2022. ↗

2226 On the State Budget of Ukraine for 2026: Law of Ukraine No. 4695-IX of 03.12.2025, para. 3 of the Final Provisions.↗

Ministers of Ukraine.[2227] **This situation places the media regulator in a position of dependence on the legislative and executive branches of power and creates opportunities for exerting pressure on its representatives**. It should be noted that the European Commission emphasised the need to address this issue in the Ukraine 2025 Progress Report under the European Union Enlargement Package (2025 EU Enlargement Package Report).[2228] However, **no progress has been made on this issue**.

Active work is continuing to **define the criteria for online media**. In particular, in October 2025, the Co-Regulatory Body for Online Media began working on this issue[2229] and, by March 2026, the **relevant proposals had already been prepared**.[2230] On 10 July 2026, the draft Criteria for Classifying Persons as Entities in the Sphere of Online Media was published on the National Council's website for public consultation.[2231]

In October 2025[2232] and January 2026,[2233] the National Council published clarifications regarding the registration of entities in the sphere of media operating without the use of radio frequency spectrum. As a result, certain entities that had already been registered by the National Council as online media and were operating as such faced risks of fines being imposed by the media regulator.

Media entities at risk of sanctions include, for example, those that livestream programmes on accounts on video-sharing platforms. This is because such activities may exhibit characteristics of audiovisual media.[2234] At the same time, under Ukrainian legislation, audiovisual media have the right to commence their activities only after registration by the National Council.[2235] The operation of audiovisual media without such registration is considered a gross violation and entails the imposition of a fine.[2236] Therefore, some experts point to a potential need to revise the approach to regulating activities on online platforms.[2237] At the same time, as of 21 July 2026, no information had been identified on the application of such sanctions.[2238]

2227 On Amendments to Annex 1 to the Resolution of the Cabinet of Ministers of Ukraine of 20 April 2016 No. 304: Resolution of the Cabinet of Ministers of Ukraine No. 276 of 30.03.2023. ↗

2228 Ukraine 2025 Report. Communication on EU Enlargement Policy, p. 79. ↗

2229 Composition of the Working Group on the Development of Criteria for Classifying Persons as Subjects in the Field of Online Media. ↗ ; The Co-Regulatory Body for Online Media Has Begun Work on a Code That Will Define the Criteria for Online Media, — Halyna Petrenko. Detector Media, 2025. ↗

2230 Information provided by a representative of NGO 'Digital Security Laboratory' during an interview conducted on 12.03.2026.

2231 Criteria for Classifying Persons as Entities in the Sphere of Online Media. National Council of Ukraine on Television and Radio Broadcasting. 2026. ↗

2232 Legislative Requirements for the Registration of Entities in the Sphere of Media Operating without Radio Frequency Spectrum. National Council of Ukraine on Television and Radio Broadcasting, 2025. ↗

2233 Registration Entities in the Sphere of Media that Broadcast without Radio Frequency Spectrum: Clarification of the National Council. National Council of Ukraine on Television and Radio Broadcasting, 2026. ↗

2234 'A Tough Position of the National Council, or Whether Channels on YouTube, TikTok and Twitch Must Register' Detector Media, 2026. ↗

2235 On Media: Law of Ukraine No. 2849-IX of 13.12.2022, Parts 1, 4 Article 63. ↗

2236 Ibid., para. 10 Part 4, para. 9 Part 11 Article 110.

2237 'A Tough Position of the National Council, or Whether Channels on YouTube, TikTok and Twitch Must Register'. Detector Media, 2026. ↗

2238 National Council in the First Half of 2026: Changes in the Approach to Registration, Competitions, Fines and Licence Revocations. Detector Media. 2026. ↗

The methodologies in the field of protection of economic competition in the media sector have still not been approved: the methodology for determining market boundaries in the sphere of media and the methodology for determining the boundaries of the market of distribution (dissemination) and consumption of advertising information.[2239] These methodologies are important for assessing media pluralism in Ukraine and aligning Ukrainian legislation with the EU acquis, including with the requirements of the EMFA. The main problem is the difference in the approaches of the Antimonopoly Committee of Ukraine (AMCU) and the National Council to resolving this issue, in particular the AMCU's failure to take account of the specifics of the media market.[2240] The need to define in Ukrainian national legislation an 'assessment of the impact of key media market concentrations on media pluralism and editorial independence' was emphasised by the European Commission in the 2025 EU Enlargement Package Report.[2241] However, as of 31 July 2026, there had been no changes in this respect.

In the context of protecting economic competition in the sphere of media, the Law of Ukraine 'On Media' does not fully comply with the requirements of the EMFA as regards the definition of the powers of the media regulator to assess media market concentration and its impact on media pluralism and editorial independence.[2242]

At the same time, in 2026 a Working Group on the Implementation of the EMFA was established under the Verkhovna Rada Committee on Humanitarian and Information Policy. The Working Group is developing draft normative legal acts to align Ukrainian legislation with the EMFA, including in the area of protection of economic competition in the sphere of media.[2243]

There is a prospect of partially addressing issues related to the financing of the National Council and the remuneration of its members during martial law, removing the requirement for state registration of the media regulator's acts by the MoJ and approximating Ukrainian legislation to the requirements of the EMFA — for example, by expanding the range of entities in the sphere of media required to disclose information about their beneficial owners[2244] — if Draft Law No. 12111[2245] is adopted in the final version proposed by the lead committee.[2246]

2239 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine for 2024, 2025, pp. 456–457. ↗

2240 Albanesi E., Bleyer-Simon K., Boryslavska O., Brogi E., Opryshko D. EU Accession and Media Pluralism in Ukraine: reflection paper / European University Institute, Robert Schuman Centre for Advanced Studies, Centre for Media Pluralism and Media Freedom. 2026.

2241 Ukraine 2025 Progress Report within the European Union Enlargement Package, p. 79. ↗

2242 The powers of the National Council to assess the level of concentration in the media market and its impact on media pluralism and editorial independence, as defined by the Law of Ukraine 'On Media', do not comply with the requirements of point (c) of Article 22(1), read in conjunction with recital 65 of the EMFA. See also: Albanesi E., Bleyer-Simon K., Boryslavska O., Brogi E., Opryshko D. EU Accession and Media Pluralism in Ukraine: reflection paper / European University Institute, Robert Schuman Centre for Advanced Studies, Centre for Media Pluralism and Media Freedom. 2026.

2243 Ibid.

2244 Ibid.

2245 On Amendments to Certain Laws of Ukraine Regarding Media Activities: Draft Law of Ukraine, registration No. 12111 of 10.10.2024. ↗

2246 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's Progress under the European Union Enlargement Package in 2024 / Agency for Legislative Initiatives [et al.]. Kyiv, 2025. P. 458. ↗

Functioning of the Public Broadcaster and the Unified Telethon

In 2026, **the funding of the public broadcaster increased somewhat compared with 2025**. The corresponding amount allocated in the state budget is UAH 2.47 billion.[2247] This allocation is lower than the amount that should be provided according to the formula established by the Law of Ukraine 'On Public Media of Ukraine'.[2248] Given that state budget expenditures have significantly increased during the war, Mykola Chernotytskyi, Chair of the Management Board of the public broadcaster, considers it appropriate to apply the formula '0.2% of GDP for the previous year minus military expenditures', which would amount to UAH 2.6 billion in 2026.[2249]

The allocated amount falls slightly short of these projections. However, M. Chernotytskyi considers that the funding allows the public broadcaster to maintain its current position, cover inflation and make modest investments in content-production teams. Suspilne considers the amount allocated for 2026 acceptable under martial law.[2250]

In 2026, the 24-hour information marathon 'United News #UArazom' (Unified Telethon) continues to operate. The results of sociological surveys indicate that a large proportion of respondents surveyed do not trust it as a source of information. The reported level of distrust ranges from 39% (30% do not trust it and 9% tend not to trust it)[2251] to 42% (19% do not trust it at all and 23% tend not to trust it).[2252]

Persecution and Intimidation of Journalists, Investigation of Attacks and Other Forms of Pressure on Journalists

In 2025, the Institute of Mass Information recorded 130 violations of freedom of expression in Ukraine. Of these, 67 crimes were committed by Russia as a result of its full-scale invasion of Ukraine. 26 media workers were killed, and 16 editorial offices were destroyed or damaged. There were also instances of intimidation of journalists, cyberattacks against Ukrainian media and other violations.[2253]

As of the end of July 2026, limited progress had been made in investigating attempts to intimidate investigative journalist Yurii Nikolov in 2024.[2254] According to the ZMINA

2247 On the State Budget of Ukraine for 2026: Law of Ukraine No. 4695-IX of 17.12.2025, Annex No. 3, line 493. ↗

2248 The funding of NPBC shall be no less than 0.2% of the expenditures of the General Fund of the State Budget of Ukraine for the previous year. On Public Media of Ukraine: Law of Ukraine No. 1227-VII of 17.04.2014, Part 3 Article 14. ↗

2249 Suspilne Announced the Minimum Level of Financial Support for 2026. Suspilne Broadcasting, 2025. ↗

2250 The Marathon, Culture, Patriotic Cinema: What Else Will the State Spend Money on in 2026? Detector Media, 2025. ↗

2251 Ukrainians Trust Telegram and YouTube More Than Traditional Media: Results of a Sociological Survey / Rating Group. 2025. Pp. 6–7. ↗

2252 Ukrainian Media. News Consumption and Trust in 2025 / Internews Ukraine. 2025. P. 14. ↗

2253 'Freedom of Speech in Ukraine in 2025: 130 Violations, Most Attributed to Russia'. Institute of Mass Information, 2026. ↗

2254 Unknown Persons Staged a Provocation against Investigative Journalist Yurii Nikolov — They Tried to Force Their Way into His Apartment, Demanding That He 'Go and Serve'. Detector Media. 2024. ↗

Human Rights Centre, law enforcement authorities identified the perpetrators of the attack. However, information concerning the possible organisers of the intimidation attempts is still being verified.[2255] There is no information on progress in the investigation into prolonged covert surveillance by Ukrainian security service officers of the Bihus.Info[2256] investigative journalism team.

It is also necessary to mention the most high-profile **cases of restrictions on freedom of expression, pressure on journalists and media outlets and smear campaigns against them** occurred in 2026. For example, statements by a service member of the 425th Separate Assault Regiment 'Skelia'[2257] contained indications of pressure and hidden threats against a journalist. The relevant video appeared after the publication of an investigative report on non-combat deaths that had occurred in the unit between late 2025 and spring 2026.[2258] The editorial team filed a complaint concerning the threats with the National Police of Ukraine (NPU) and, later, in the absence of a response, also lodged a complaint concerning the investigator's inaction.[2259]

Another example is an injunction imposed by the Pecherskyi District Court of Kyiv prohibiting publication of an investigation into the property, agreements and investments of the brother of the Director of the SBI.[2260] According to the Media Movement, the case displays characteristics of a SLAPP.[2261] Another example of pressure on journalists, is the so-called 'Mindich case', in which covertly collected information on journalists, including compiled profiles, was discovered in the office of one of the individuals involved.[2262]

The results of monitoring conducted by the NGO 'Human Rights Platform' for the period September–November 2025 indicate instances of threats and pressure against journalists and media in the digital environment.[2263] In particular, journalists of The Kyiv Independent reported receiving threats from the management of Fire Point to refer to the Security Service of Ukraine (SSU) should the editorial office refuse to retract information concerning an investigation by National Anti-Corruption Bureau of Ukraine (NABU) into alleged overpricing of drones by this company.[2264] Another example concerns online attacks against Daryna Trunova, a presenter of Channel 24, which occurred after she publicised the case of Roman Sopin, who, according to available information, was taken

2255 Attack on Journalist Yurii Nikolov's Apartment in 2024: Investigators Identified the Perpetrators but Are Still Examining Possible Organisers. ZMINA. 2026. ↗

2256 Verkhovna Rada Summons Head of the SSU to Explain Surveillance of Bihus.Info. Detector Media. 2024. ↗

2257 Video by 'Skelia' Service Member Mykola Kharkhan Contains Hidden Threats against Babel Journalists, Media Lawyers Say. Detector Media. 2026. ↗

2258 The 'Skelia' Assault Regiment Has Combat Achievements and Is Well Equipped. Witnesses Also Say People Are Tortured and Beaten to Death There. A Babel Investigation. Babel. 2026. ↗

2259 Head of the SBI Says the Bureau Opened a Case over Threats against Babel Journalists. The Editorial Office, However, Received an Official Refusal. Babel. 2026. ↗

2260 Ruling of the Pecherskyi District Court of Kyiv of 06.07.2026 in case No. 757/36548/26-ц. ↗

2261 Statement by the Media Movement on Pressure against Investigative Journalism. Detector Media. 2026. ↗

2262 'Hundreds of Dossiers on Journalists, Detectives and Politicians Found in Mindich's "Office": What Is Known So Far'. BBC News Ukrainian, 2025. ↗

2263 Analytical Report on Digital Rights for September–November 2025. Human Rights Platform, 2026. Pp. 10–11. ↗

2264 Publication by Olha Rudenko on the social network Facebook, 2025. ↗

by representatives of the TCR and SS and sent to a military medical commission and subsequently died in hospital following a traumatic brain injury.[2265]

Moreover, there has been an increase in fake videos using digitally generated images of well-known Ukrainian presenters created through artificial intelligence (AI).[2266] Coordinated disinformation campaigns targeting journalists, editors, media outlets and their owners through anonymous Telegram channels and other anonymous online resources were also observed.[2267]

All of this indicates that **problems related to the implementation of the ECtHR judgment in the case Gongadze v. Ukraine persist**.[2268] In addition, the recommendation of the European Commission to promptly, independently and effectively investigate cases of direct intimidation and persecution, as well as indirect forms of pressure on journalists and media,[2269] made to Ukraine in the 2025 EU Enlargement Package Report, remains relevant.

Insurance of Journalists and Other Media Workers

The Law of Ukraine 'On State Support for Media, Guarantees of Professional Activity and Social Protection of Journalists'[2270] requires media entities to insure the life, health and working capacity of journalists and other employees against accidents during assignments to areas of military (combat) operations and/or the temporarily occupied territories of Ukraine.

On 26 September 2025, the Ministry of Culture and Strategic Communications of Ukraine approved the Procedure and Conditions for Insuring the Life, Health and Working Capacity of Journalists and Other Employees of Media Entities during Assignments to Areas of Military (Combat) Operations and/or the Temporarily Occupied Territories of Ukraine. The act sets out the specific features of the relevant insurance coverage, the amounts of insurance payments, the minimum insured amount and other conditions.[2271] It applies exclusively during martial law in Ukraine or in certain localities and for six months from the date of its termination or cancellation.

This indicates **some progress in addressing the insurance of journalists** and other media workers operating in areas of military (combat) operations. At the same time, the **relevant Procedure and Conditions contain a number of shortcomings that impede**

2265 '24 Channel Host Daryna Trunova Faces Online Attacks After Publicising a Story About the Death of a Mobilised Man'. Women in Media, 2025. ↗

2266 Analytical Report on Digital Rights for September–November 2025. Human Rights Platform, pp. 8–9. ↗

2267 Ibid.

2268 Gongadze v Ukraine no. 34056/02. Judgment of 08.11.2005. ↗

2269 Ukraine 2025 Progress Report within the European Union Enlargement Package, p. 7. ↗

2270 On State Support for Media, Guarantees of the Professional Activities and Social Protection of Journalists: Law of Ukraine No. 540/97-VR of 23.09.1997, Part 8 Article 15. ↗

2271 On Approval of the Procedure and Conditions for Insurance of the Life, Health and Working Capacity of Journalists and Other Employees of Media Entities during Assignments to Areas of Military (Combat) Operations and/or Temporarily Occupied Territories of Ukraine: Order of the Ministry of Culture and Strategic Communications of Ukraine No. 810 of 26.09.2025. ↗

the establishment of an effective insurance mechanism for such persons.[2272] These include the extension of this act to the temporarily occupied territories of Ukraine, the use of the term 'captivity' in relation to journalists, the low minimum insured amount, unresolved issues concerning taxation of insurance premiums and the absence of mechanisms for monitoring compliance with the obligation to insure journalists etc.[2273]

Access for the Media and Public to Parliament and Public Information

On 20 January 2026, Law No. 4212-IX[2274] entered into force, **requiring parliamentary committees to inform the public about their activities**, in particular by publishing work plans, schedules of committee meetings, agendas of committee meetings, draft acts and acts adopted by committees, minutes, transcripts of committee meetings and hearings, as well as video recordings of open committee meetings on their webpages on the official website of the Verkhovna Rada.

Committees of the Verkhovna Rada are required to ensure live streaming of their open meetings on their webpages on the official website of the Verkhovna Rada. Video recordings of such broadcasts must be published on the relevant committee webpages on the official website of the Verkhovna Rada no later than 24 hours after the end of the meeting and must remain publicly available without time limitation. Verkhovna Rada committees generally comply with the requirements of the law.

Between September 2025 and June 2026 inclusive, **cases were recorded in which grounds for restricting access to public information were applied formally or excessively broadly**.[2275] Administrators of public information often fail to take account of the public interest in the information requested or to properly analyse the substance of the request.[2276]

On 11 June 2026, the Ministry of Digital Transformation of Ukraine (MDT) published for public consultation Draft Law 'On Amendments to the Law of Ukraine "On Access to Public Information" Regarding Access to Public Information and Its Re-use'.[2277] Its purpose is to harmonise Ukrainian legislation on public information, including open data, with EU law by updating certain provisions governing access to public information and its re-use.

At the same time, the draft law creates a number of serious risks to the right of access to public information. These include extending the period for publishing public information from 5 to 20 working days, repealing provisions that establish a specific list of

2272 Insurance Policy for a Journalist: Attractive Promise or Real Protection? Ekonomichna Pravda. 2026. ↗

2273 Ibid.

2274 On Amendments to Certain Laws of Ukraine Regarding Strengthening Certain Guarantees of Media and Journalists' Activities and Ensuring Citizens' Right of Access to Information: Law of Ukraine No. 4212-IX of 14.01.2025. ↗

2275 Oleksiyuk T. Report on the Results of Monitoring Compliance with the Right of Access to Public Information in the Digital Environment in Ukraine, September 2025 – May 2026 / NGO 'Human Rights Platform'. Kyiv, 2026. 22 p. Pp. 21–22. ↗

2276 Ibid.

2277 Notice of Public Discussion of the Draft Law of Ukraine 'On Amendments to the Law of Ukraine "On Access to Public Information" Regarding Access to Public Information and Its Re-use'. Ministry of Digital Transformation of Ukraine. 2026. ↗

information subject to mandatory publication, narrowing the range of administrators of public information and narrowing the concept of a 'request'.[2278] This creates **significant risks for public oversight of the transparency and accountability of holders of public information** and may also create opportunities for corruption offences.

Implementation of Anti-SLAPP Legislation

In Ukraine, there are cases that fall within the category of strategic lawsuits against public participation (SLAPPs). However, it is currently difficult to assess their prevalence, as no systematic record of such cases is maintained.

The existing legal framework in Ukraine is insufficiently effective in providing protection against SLAPPs. Therefore, on 2 June 2025, a working group was established under the parliamentary Committee on Freedom of Speech to develop effective mechanisms for countering SLAPPs.[2279] Its primary objective is to prepare draft laws to implement into Ukrainian legislation Directive (EU) 2024/1069 on protecting persons who engage in public participation from manifestly unfounded claims or abusive court proceedings ('Strategic lawsuits against public participation')[2280] and Recommendation CM/Rec(2024)2 on countering the use of strategic lawsuits against public participation (SLAPPs).[2281]

From June 2025 to January 2026 inclusive, the working group prepared initial drafts of a dedicated anti-SLAPP law, as well as corresponding amendments to the Civil Procedure Code of Ukraine, the Commercial Procedure Code of Ukraine and other legislative acts of Ukraine. These **drafts received a positive assessment from Council of Europe experts** as complying with the relevant EU Directive and Council of Europe Recommendation.[2282] The draft laws have undergone public hearings and the working group is currently finalising the texts in light of the comments received.[2283] As regards mechanisms for supporting victims of SLAPPs, legal and other assistance in such cases is currently provided to journalists and other media actors only by civil society organisations using grant funding.[2284]

2278 How a Government Initiative under the EU Banner Could Undermine Access to Public Information. ZMINA. 2026. ↗; Under the EU Banner: The Ministry of Digital Transformation and the Right to Information. NV. 2026. ↗; Wrong by Design: How Restrictions on the Right to Information Are Being Proposed under the Guise of European Integration. Ukrainska Pravda. 2026. ↗

2279 The Composition of the Working Group on Developing Effective Mechanisms to Counter SLAPPs is Approved. Committee on Freedom of Speech of the Verkhovna Rada of Ukraine, 2025. ↗

2280 Directive (EU) 2024/1069 of the European Parliament and of the Council of 11 April 2024 on protecting persons who engage in public participation from manifestly unfounded claims or abusive court proceedings ('Strategic Lawsuits Against Public Participation'). ↗

2281 Recommendation CM/Rec(2024)2 of the Committee of Ministers to member States on countering the use of strategic lawsuits against public participation (SLAPPs), adopted by the Committee of Ministers on 05.04.2024 at the 1494th meeting of the Ministers' Deputies. ↗

2282 Information provided by a representative of NGO 'Human Rights Platform' during an interview conducted on 12.03.2026; Kusari F. Legal Opinion on Legislative Changes on the Protection of Public Participation from Manifestly Unfounded Claims or Abuse of Judicial Proceedings in Ukraine. LEX__2026_09 / Council of Europe Project 'Safeguarding Freedom of Expression and Freedom of the Media in Ukraine – Phase II'. 27.02.2026. ↗

2283 Albanesi E., Bleyer-Simon K., Boryslavska O., Brogi E., Opryshko D. *EU Accession and Media Pluralism in Ukraine: reflection paper* / European University Institute, Robert Schuman Centre for Advanced Studies, Centre for Media Pluralism and Media Freedom. 2026.

2284 Information provided by a representative of NGO 'Human Rights Platform' during an interview conducted on 12.03.2026.

Issues Related to the Development of the New Civil Code of Ukraine

On 28 April 2026, the Verkhovna Rada adopted at first reading the draft of the new Civil Code of Ukraine.[2285]

Civil society organisations working in the sphere of media have highlighted[2286] **serious risks to the work of journalists and media outlets** and to the public's exercise of the right to receive information of public interest if Parliament adopts the Civil Code of Ukraine in the version of Draft Law No. 15150. In particular, they note that the proposed provisions define the 'right of reply' excessively broadly, which may have a chilling effect on investigative journalists; formulate the 'presumption of innocence' unclearly, potentially exposing media outlets to lawsuits for publishing materials concerning persons suspected of corruption or other offences; weaken whistleblower protection; and enable public figures to seek the removal of archival materials through the exercise of the 'right to be forgotten'.[2287] A number of risks associated with the draft are described in the relevant Council of Europe opinion.[2288]

As of 22 July 2026, Draft Law No. 15150 was being prepared for the second reading.

Other issues

Issues highlighted in previous Shadow Reports[2289] remain unresolved, including those related to:

- the implementation of the ECtHR judgment in the case of *Sedletska v. Ukraine*[2290] (regarding guarantees for the protection of journalistic sources).[2291] At the same time, the Working Group on the Implementation of the EMFA is actively developing proposals aimed at strengthening the protection of journalistic sources, taking into account the ECtHR's findings in the case concerned. Accordingly, limited progress has been made in this area;
- Draft Law No. 7033-d,[2292] which proposes granting access to rulings on temporary access to items and documents only one year after their inclusion in the USRCD;

2285 Civil Code of Ukraine: Draft, registration No. 15150 of 09.04.2026. ↗

2286 Statement by Media Organisations on Threats to Freedom of Expression in the Draft New Civil Code of Ukraine. Detector Media. 2026. ↗

2287 Ibid.

2288 Serbin D. Legal Opinion on Certain Provisions (Concerning Freedom of Expression, Media and Access to Information) of the Draft Civil Code of Ukraine (registration No. 15150) / Council of Europe Project 'Safeguarding Freedom of Expression and Freedom of the Media in Ukraine – Phase II' (SFEM-UA – Phase II). 02.06.2026. 28 p. ↗

2289 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine for 2024, 2025, pp. 462–464. ↗; Shadow Report on Chapter 23 'Justice and Fundamental Rights' of the European Commission's Report on Ukraine for 2023, 2024, pp. 316–320. ↗

2290 *Sedletska v. Ukraine* No. 42634/18. Judgment of 01.04.2021. ↗

2291 Albanesi E., Bleyer-Simon K., Boryslavska O., Brogi E., Opryshko D. *EU Accession and Media Pluralism in Ukraine: reflection paper* / European University Institute, Robert Schuman Centre for Advanced Studies, Centre for Media Pluralism and Media Freedom. 2026.

2292 On Amendments to Certain Laws of Ukraine Regarding the Prevention of Disclosure of Certain Information in the Texts of Court Decisions: Draft Law of Ukraine, registration No. 7033-d of 13.01.2023. ↗

- the Law of Ukraine 'On Amendments to the Code of Ukraine on Administrative Offences, the Criminal Code and the Criminal Procedure Code of Ukraine to Ensure Compliance with Guarantees of the Advocacy (registration No. 12320 of 16 December 2024),[2293] which, *inter alia*, proposes the introduction of administrative liability for publicly equating an advocate with the client to whom he/she provides legal assistance (as of 31 July 2026, the law has not been signed by the President).

Recommendations

1. Cease the practice of suspending the provisions of the Law of Ukraine 'On Media' concerning the funding of the National Council, regarding the remuneration of the Head, First Deputy Head, Deputy Head, Executive Secretary and members of the regulator and fully comply with the requirements of the aforementioned Law.[2294]

2. Amend Article 7 of the Law of Ukraine 'On Media' to define the respective powers of the National Council and the AMCU in protecting economic competition in the sphere of media, taking into account the provisions of the EMFA.

3. Develop a methodology for determining market boundaries in the sphere of media, taking into account the EMFA and Recommendation CM/Rec(2018)1 of the Committee of Ministers of the Council of Europe on media pluralism and transparency of media ownership. Develop a methodology for determining the boundaries of the market for the distribution (dissemination) and consumption of advertising information, taking into account the relevant EU *acquis*.

4. Ensure adequate funding of the public broadcaster in accordance with the Law of Ukraine 'On Public Media of Ukraine'.

5. Reassess the appropriateness of further consolidation of national television channels within the single information platform of the 24-hour news marathon 'United News #UArazom' and revise the format of implementing a unified information policy under martial law.

6. Ensure proper implementation of the ECtHR judgment in the case *Gongadze v. Ukraine* by improving the effectiveness of investigations into offences committed against journalists and media workers.

7. Amend Ukrainian legislation to implement the provisions of the EMFA and the ECtHR judgment in the case *Sedletska v. Ukraine*, with a view to eliminating the possibility of covert access to journalists' communications data and geolocation and strengthening the protection of journalistic sources and communications.

8. Improve the legal framework for insuring journalists and other media workers and establish an effective mechanism for insuring risks related to their work in areas affected by hostilities, bringing it into line with international humanitarian law, particularly

2293 On Amendments to the Code of Ukraine on Administrative Offences, the Criminal Code of Ukraine and the Criminal Procedure Code of Ukraine Regarding Ensuring Compliance with Guarantees of the Advocacy: Draft Law of Ukraine, registration No. 12320 of 16.12.2024. ↗

2294 Recommendations 1, 4–6 were already provided by civil society in the 2025 Shadow Report (pp. 459–460) and remain relevant. ↗

as regards the terminology used, the Law of Ukraine 'On Insurance' and other normative legal acts.

9. Reject the draft Civil Code of Ukraine (Draft Law No. 15150).

10. To veto the Law of Ukraine 'On Amendments to the Code of Ukraine on Administrative Offences, the Criminal Code and the Criminal Procedure Code of Ukraine to Ensure Compliance with Guarantees of the Advocacy (registration No. 12320 of 16 December 2024).

Right to Privacy and Personal Data Protection

The protection of personal data is a fundamental human right guaranteed by Article 32 of the Constitution of Ukraine,[2295] which ensures the inviolability of private and family life. However, the current system of legal regulation and state supervision in this field does not comply with modern European standards. The Law of Ukraine 'On Personal Data Protection'[2296] of 2010 is conceptually outdated and does not address many of the risks arising from the development of electronic services, digital technologies and cybersecurity.

The supervisory function in this field is exercised by the Commissioner, who does not have the authority to impose administrative sanctions independently. The existing two-stage model of response, under which the Commissioner merely identifies violations and initiates proceedings, while the final decision is made by a court, creates a significant time gap between the detection of an offence and the imposition of liability. As a result, the effectiveness of the enforcement mechanism is reduced. This differs significantly from the European model of independent regulators vested with direct corrective and sanctioning powers.[2297]

In 2014, Ukraine signed the Association Agreement with the European Union (which entered into force on 1 September 2017), under which it committed to modernising its legislation in accordance with the highest European and international standards. To implement this reform, two key draft laws were developed — 'On Personal Data Protection' (No. 8153) and 'On the National Commission on Personal Data Protection and Access to Public Information' (No. 6177), aimed at updating the legal framework and the system of independent supervision. As of July, neither draft law has been adopted in full.

A separate dimension of the problem is data protection under martial law.[2298] Special attention should be given to the protection of personal data of individuals belonging to high-risk groups. During the war, cases have become widespread where the personal data of Ukrainian service members and their family members have been used for

2295 Constitution of Ukraine No. 254k/96-VR of 28.06.1996. ↗

2296 On Personal Data Protection: Law of Ukraine No. 2297-VI of 01.06.2010. ↗

2297 Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation), Article 58 'Powers'. ↗

2298 On the Introduction of Martial Law in Ukraine: Decree of the President of Ukraine No. 64/2022 of 24.02.2022. ↗

the purposes of surveillance, psychological pressure, disinformation, fraud and physical persecution.[2299]

Thus, in the context of Ukraine's progress within the European Union Enlargement Package 2025, the following issues remain unresolved:

- modernisation of personal data protection legislation with a view to harmonising it with European and international standards;
- establishment of an independent regulator vested with enforcement powers, including the imposition of sanctions;
- introduction of specific security protocols under martial law, in particular with regard to the protection of state registers and databases containing information on high-risk individuals.

A comprehensive reform in this field is required to ensure an appropriate balance between a high level of protection of human rights and the state's digital development.

Legislation in the Field of Personal Data Protection

The right to personal data protection is based on Article 32 of the Constitution of Ukraine,[2300] which prohibits arbitrary interference in private and family life, except in cases provided for by law. At the international level, within the Council of Europe system, Article 8 of the ECHR[2301] is of key importance. In addition, Ukraine is a party to Convention No. 108 for the Protection of Individuals with regard to Automatic Processing of Personal Data,[2302] as well as a signatory to the amending Protocol CETS No. 223, which modernises it into 'Convention 108+' (as of July, it has not yet been ratified[2303]).

The sources of regulation also include the Law of Ukraine 'On Personal Data Protection',[2304] secondary legislation and explanations of the Commissioner. The Law establishes general rules for the processing of personal data; however, as already noted in the Shadow Report on Chapter 23 'Justice and fundamental rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's Progress under the 2024 EU Enlargement Package (Shadow Report 2025),[2305] the current act is outdated and does not cover a significant part of data protection issues related to digital transformation, electronic commerce and the use of modern technologies.

2299 Cyber Police and the Office of the Ombudsman Warn against Fraud Related to Prisoners of War and Missing Persons. Ministry of Internal Affairs of Ukraine, 2024. ↗

2300 Constitution of Ukraine No. 254k/96-VR of 28.06.1996. ↗

2301 Convention for the Protection of Human Rights and Fundamental Freedoms (with Protocols) (European Convention on Human Rights) of 04.11.1950. ↗

2302 Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data of 28.01.1981. ↗

2303 Protocol amending the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (CETS No. 223), opened for signature on 10 October 2018. ↗

2304 On Personal Data Protection: Law of Ukraine No. 2297-VI of 01.06.2010. ↗

2305 Shadow on Chapter 23 'Justice and fundamental rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's Progress under the 2024 EU Enlargement Package, 2025, p. 425. ↗

In 2014, Ukraine signed the Association Agreement with the European Union[2306] (which entered into force on 1 September 2017), under which it undertook to ensure an appropriate level of protection of personal data in accordance with the highest European and international standards, which in practice means the gradual approximation of national legislation in this field to European Union law (the EU acquis). At the time the Association Agreement was signed, the EU's regulatory framework on personal data protection was based, in particular, on Directive 95/46/EC.[2307] In 2016, the European Union carried out a reform, within the framework of which it adopted the General Data Protection Regulation (Regulation (EU) 2016/679, GDPR)[2308] and Directive (EU) 2016/680,[2309] which governs the protection of personal data in the context of the prevention, investigation, detection and prosecution of criminal offences and the execution of criminal penalties.

To implement this reform, Draft Law No. 5628 'On Personal Data Protection'[2310] was developed in 2021. On 16 August 2022, the Verkhovna Rada submitted it for consideration in the first reading; however, it did not receive the required number of votes. One of the reasons for criticism by experts and Members of Parliament was the perceived excessive interference in business activities and the severity of sanctions.[2311]

Following the rejection of Draft Law No. 5628, work on the reform continued, and a new Draft Law — No. 8153[2312] — was developed, which took into account a number of previously expressed comments and was adopted by the Verkhovna Rada in the first reading in January 2024. The main changes concern the expansion of the rights of personal data subjects, the strengthening of liability for violations of legislation and the introduction of basic rules for automated data processing using artificial intelligence technologies.

In 2021, Draft Law No. 6177 'On the National Commission on Personal Data Protection and Access to Public Information'[2313] was also developed, providing for the establishment of an independent executive authority with a special status to supervise compliance with legislation in these areas. Over the course of five years, this draft law has not progressed to the next stage of consideration due to comments on certain of its provisions and its dependence on the broader reform in the field of personal data pro-

2306 Association Agreement between Ukraine, of the one part, and the European Union, the European Atomic Energy Community and their Member States, of the other part, of 27.06.2014. ↗

2307 Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data. ↗

2308 Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation). ↗

2309 Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA. ↗

2310 On Personal Data Protection: Draft Law of Ukraine, registration No. 5628 of 07.06.2021. ↗

2311 Expert discussion 'Draft Law No. 5628 "On Personal Data Protection" — One Step Forward or Two Steps Back?'. ZMINA, 2026. ↗

2312 On Personal Data Protection: Draft Law of Ukraine, registration No. 8153 of 25.10.2022. ↗

2313 On the National Commission on Personal Data Protection and Access to Public Information: Draft Law of Ukraine, registration No. 6177 of 18.10.2021. ↗

tection. While Draft Law No. 8153 is aimed at updating the legal framework, Draft Law No. 6177 is intended to provide the institutional basis for its implementation. Issues related to the funding of the new body and guarantees of its institutional independence remain subject to debate, as well as the risks of excessive regulatory pressure on business due to high sanctions.[2314]

As of July 2026, neither draft law has been adopted in full. In the Report within the framework of the European Union Enlargement Package 2025,[2315] the European Commission noted that Ukraine has not achieved significant progress in the field of personal data protection, meaning that the existing legislation and the institutional capacity of state supervision do not comply with EU standards.

System of State Supervision in the Field of Personal Data Protection

The system of state supervision in the field of personal data protection is not limited solely to the supervisory activities of the competent authority. It encompasses the overall state strategy, legal regulation and inter-agency coordination — as a comprehensive mechanism for ensuring human rights in this field.

Parliamentary oversight of compliance with legislation in the field of personal data protection is exercised by the Ombudsman. According to official data,[2316] in 2025, **2,109** appeals were submitted for consideration (compared to **857**[2317] in 2024), containing **2,262** submissions from individuals and legal entities (of which: **1,422** concerned unlawful processing of personal data; **157** concerned the right of access to information about oneself; **361** concerned the provision of recommendations and clarifications on personal data protection legislation; and **322** concerned issues related to organisational processes of data processing). Within the framework of the supervisory function, **98** inspections on compliance with legislation were conducted and **75** orders to eliminate violations were issued (in 2024, 103 inspections were conducted, resulting in orders to eliminate violations[2318]). Protocols on administrative offences under Article 188[39] of the Code of Ukraine on Administrative Offences (CUAO)[2319] were not drawn up in 2025. At the same time, based on materials submitted by the Secretariat of the Commissioner to pre-trial investigation bodies, information on **35** cases of violations in this field was entered into the Unified Register of Pre-Trial Investigations.[2320]

In addition, **716** recommendations on the practical application of personal data protection legislation were issued. In particular, they were addressed to: the Ministry of Edu-

2314 Personal Data Protection at the Cost of Billions of Hryvnias: Risks and Threats of the New Rules. Yurydychna Gazeta, 2024. ↗

2315 Ukraine 2025 Report. Communication on EU Enlargement Policy. ↗

2316 Letter of the Representative of the Ukrainian Parliament Commissioner for Human Rights No. 03_0065 of 10.03.2026.

2317 Shadow on Chapter 23 "Justice and fundamental rights" and Chapter 24 "Justice, Freedom and Security" of the European Commission's Report on Ukraine's Progress under the 2024 EU Enlargement Package, 2025, p. 425. ↗

2318 Ibid.

2319 Code of Ukraine on Administrative Offences No. 8073-X of 07.12.1984. ↗

2320 Letter of the Representative of the Ukrainian Parliament Commissioner for Human Rights No. 03_0065 of 10.03.2026.

cation and Science of Ukraine (MoES); the Ministry of National Unity of Ukraine; the Main Service Centre of the Ministry of Internal Affairs of Ukraine (MoIA); the Kyiv City Centre for Gender Equality, Prevention and Counteraction to Violence; the Department of Healthcare and Medical Support of the Zaporizhzhia City Council; the Department of Economic Development of the Lviv City Council; and the Holosiivskyi District State Administration in the city of Kyiv.[2321]

During 2025, the Secretariat of the Commissioner conducted a general information campaign aimed at explaining the provisions of national legislation and European standards. **209** training events were organised for civil servants, business representatives and civil society actors. At the central level, **17** awareness-raising events were conducted, including for the Economic Security Bureau of Ukraine (ESBU), the National School of Judges of Ukraine (NSJU), the United Nations High Commissioner for Refugees (UNHCR), the Ukrainian National Bar Association, the NPU, the Ukrainian Red Cross Society, the MoIA and others. Regional representations of the Commissioner conducted **192** awareness-raising events at the local level for persons responsible for personal data processing. During the year, the Representative of the Commissioner and staff of the Department for Monitoring Compliance with Information Rights participated in **61** public events dedicated to personal data protection (of which: **34** were held online and **27** offline), including **23** at the international level.[2322]

Overall, in 2025, the awareness-raising component became more specialised. Whereas previously personal data protection issues were mainly incorporated into broader programmes on cybersecurity and digital literacy, dedicated training formats have now emerged. According to the Higher School of Public Administration, more than **150** civil servants completed training in the field of personal data protection, of whom **64** obtained trainer certificates to further deliver educational activities in this area.[2323] In addition, the 'Course for Data Protection Officers' was launched on the Diia.Education platform, developed with the support of the EU4DigitalUA project in cooperation with the Spanish Data Protection Agency and the Office of the Ombudsman.[2324]

In 2026, the Office of the Ombudsman conducted a series of specialised awareness-raising activities for public authorities, including staff of the Secretariat of the High Council of Justice[2325] and the NPU.[2326] The training programme covered organisational and technical security measures for the processing of personal data, including when using video-surveillance systems and artificial intelligence technologies.

However, notwithstanding the combination of supervisory, advisory and educational functions, the current model of state supervision in this field remains institutionally limi-

2321 Ibid.

2322 Ibid.

2323 Over 150 Public Officials and Trainers Completed Training on Personal Data Protection in 2025. Higher School of Public Administration, 2026. ↗

2324 Data Protection Officer (DPO) Training Course. Diia.Osvita, 2025. ↗

2325 Publication by a Representative of the Ukrainian Parliament Commissioner for Human Rights on the social network Facebook. 2026. ↗

2326 Training on the Implementation of Personal Data Protection Standards in Police Activities Continues at the National Police. Council of Europe Office in Ukraine. 2026. ↗

ted and does not comply with EU acquis.[2327] The two-stage nature of enforcement, under which the Human Rights Commissioner merely identifies violations and initiates proceedings, while the decision on the imposition of sanctions is adopted by the court, creates a significant time gap between the detection of an offence and the imposition of liability. This differs substantially from the European model of independent regulators vested with corrective and sanctioning powers.[2328] In Ukraine, the effectiveness of this mechanism is further reduced due to the heavy workload of the judicial system. This creates the need to establish an independent supervisory authority capable of ensuring effective oversight at all levels.

Personal Data Protection during Wartime

Under martial law, the issue of personal data protection has acquired a significant security dimension, as it is directly linked to risks to life and health. Particular attention should be given to the protection of individuals who may face heightened threats. According to publications in the media and by civil society organisations,[2329] in 2022, during the occupation of Ukrainian territories, service members and their family members were among those most frequently targeted. Russian military personnel and individuals collaborating with them searched for these persons using pre-prepared lists containing detailed information on family composition, place of work, service, education, property and other personal data. The question of how such information was obtained in each specific case remains open; however, in subsequent years, law enforcement authorities have increasingly exposed perpetrators who provided access to data from restricted state registers.[2330]

In 2025, the risks in this area further intensified. Cases involving the creation of fraudulent online platforms imitating state services[2331] or international organisations,[2332] offering financial assistance to Ukrainians affected by the war in exchange for their personal data became widespread. There have also been repeated instances where real photographs and personal data of service members were used to create fake social media accounts for fundraising allegedly in support of the Armed Forces of Ukraine (AFU), with the collected donations subsequently misappropriated.[2333]

The results of a study conducted by the Centre for Countering Disinformation[2334] indicate that modern technologies capable of altering a person's face or voice have signi-

2327 Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation), Article 58 'Powers'. ↗

2328 Ibid.

2329 Personal Data Protection during Wartime: Analytical Report. Kyiv, 2023, p. 7. ↗

2330 Report on the Activities of the Cyber Police Department of the National Police of Ukraine in 2024. Cyber Police of Ukraine, 2025. ↗

2331 Hackers Target Ukrainians by Impersonating Central Executive Bodies and Regional Administrations. State Service of Special Communications and Information Protection of Ukraine, 2026. ↗

2332 Fake about a UAH 10,800 Payment from the UN. Centre for Countering Disinformation, 2025. ↗

2333 Two Fraudsters Who Collected Donations under the Name of a Renowned Hero of Ukraine to Stand Trial in Kyiv. Cyber Police of Ukraine, 2025. ↗

2334 Analytical Report 'The Use of Artificial Intelligence-Generated Videos to Discredit the Defence Forces of Ukraine'. Centre for Countering Disinformation, 2025. ↗

ficantly improved in quality, while the strategy for their use has also evolved. Beyond attempts to convince a broad audience of a particular fake, information operations have increasingly focused on undermining trust in official sources of information and public services, as well as discrediting Ukraine's military and political leadership and representatives of its Defence Forces.[2335] One of the destructive methods involves the use of personal data of Ukrainian defenders to create false narratives for their families, including fabricated reports of capture or death, for the purposes of fraud or intimidation.[2336]

In its review of cyber threats in 2025 and forecast for 2026, the National Cybersecurity Coordination Centre under the National Security and Defence Council of Ukraine (NSDC) noted[2337] that **personalised phishing remains the main vector for initial compromise**. Malicious actors use information from open sources, government portals, previous data leaks and cyberattacks to profile specific individuals and use real names, positions, military ranks and other personal details in phishing messages while impersonating managers, colleagues or public authorities. One of their principal objectives is to steal Signal, WhatsApp and Telegram accounts in order to gain access to private correspondence, contacts, closed chats of service members and other sensitive information.

In May 2026, the Cyber Police reported the **spread of fraudulent schemes in which perpetrators impersonate volunteers, charitable foundations and state social assistance programmes**. Using fake websites, fraudulent fundraising campaigns, stolen photographs and compromised accounts, they unlawfully obtain personal data to gain access to bank accounts and other personal information.[2338]

An analysis of official materials indicates that, during the war, the unlawful use of Ukrainians' personal data takes various forms depending on the purpose, method and nature of the unlawful conduct. Personal data may be used as a tool to obtain financial gain, exert information and psychological influence, destabilise the socio-political situation and facilitate other threats to Ukraine's national security.

Recommendations

1. Finalise and adopt Draft Law No. 8153 in full, aimed at harmonising Ukrainian legislation with European Union standards, in particular the General Data Protection Regulation (EU) 2016/679 and Directive (EU) 2016/680. During preparation for the second reading, comments from experts and business representatives should be taken into account to ensure a balance between effective personal data protection and the development of digital services. The ratification of the Protocol amending Council of Europe Convention No. 108 (Convention 108+) should also be completed.

2335 Ibid.

2336 Ibid.

2337 Review of Ukraine's National Cybersecurity System 2025: Analytical Study / National Cybersecurity Coordination Centre under the National Security and Defence Council of Ukraine. 2026. 61 p. ↗

2338 Fraudsters Pose as Volunteers: How to Verify a Fundraiser and Protect Your Money — MIA Guidance. Cyber Police of Ukraine. 2026. ↗

2. Finalise and adopt Draft Law No. 6177, providing for appropriate guarantees of independence, a transparent procedure for the formation of the composition of the public authority in this field and adequate funding. The establishment of such a body should be carried out in conjunction with the finalisation and adoption of Draft Law No. 8153, to ensure effective supervision, efficient sanctioning mechanisms and alignment of the Ukrainian data protection system with EU standards.

3. Conduct a comprehensive risk assessment in the field of personal data protection under wartime conditions and develop specific data security protocols for state registers and digital services, in particular with regard to the personal data of individuals belonging to high-risk groups.

Extrajudicial Blocking of Websites

During the reporting period, no legislative amendments were adopted concerning changes to the procedures for website blocking. The use of these mechanisms to restrict access to unlawful content and the websites disseminating it may generally be considered justified and proportionate. As a result, no progress was made during the reporting period in implementing the recommendations of the Report within the framework of the EU Enlargement Package 2025.

At the same time, the legal grounds for applying blocking measures by both the NSDC and the National Centre for Operations and Technology Management of Telecommunications Networks (NTNOC) remain excessively broad and discretionary and do not allow for concluding that they comply with the requirements of foreseeability and transparency, contrary to the safeguards provided under Article 10 of the European Convention on Human Rights and Article 19 of the International Covenant on Civil and Political Rights. This issue was specifically highlighted in the Report within the EU Enlargement Package 2025 and remains unresolved.

The issue of overlapping competences between the State Agency of Ukraine PlayCity and the NTNOC with regard to restricting access to websites providing access to gambling services also remains unresolved. Both above issues require legislative amendments.

Regulatory Developments in the Area of Extrajudicial Website Blocking and Their Application in Practice

As noted in the previous report, **five procedures are currently in place in Ukraine that allow for the blocking of websites without a court decision.**[2339] During the period from 1 September 2025 to 31 July 2026 inclusive, **no normative legal acts were adopted introducing amendments to the procedures for extrajudicial website blocking.** Thus, despite the European Commission's observation in the Report within the EU Enlargement Package 2025 that *'mechanisms for blocking web resources introduced in response to national security concerns during martial law lack sufficient legal safe-*

2339 The issue previously identified by civil society in the 2025 Shadow Report (p. 460) remains relevant. ↗

guards',[2340] this issue has not been addressed. Similarly, no steps were taken to enhance the transparency of decisions on restricting access to websites.

At the same time, in the context of procedures implemented by regulatory authorities, the National Council provided **clarifications regarding the registration procedures for entities in the media sector**, which may affect the application of its measures related to maintaining the List of Audiovisual On-demand Media Services and Services of Audiovisual Service Providers of the Aggressor State.[2341] This clarification reflects a shift in the media regulator's approach to the classification of certain online media entities. Media disseminating their programmes via catalogues on video-sharing platforms such as YouTube will henceforth be classified by the National Council as non-linear audiovisual media.

A systematic interpretation of the legislation following this clarification makes it possible to conclude that there is now an opening for requests to include YouTube channels in the List of Audiovisual On-demand Media Services and Services of Audiovisual Service Providers of the Aggressor State, where such channels, based on a set of characteristics, may be classified as on-demand audiovisual media of the aggressor state in accordance with Article 123 of the Law of Ukraine 'On Media'.[2342] However, Article 123 (8) of this Law does not provide, among the mechanisms for implementing this provision, for addressing video-sharing platforms with requests to restrict access to the account of such media within the territory of Ukraine. This area will require further regulatory clarification or the development of practice by the National Council, which is currently absent.

As regards the practice of applying extrajudicial website blocking, during the reporting period the **National Council did not apply measures to prohibit the dissemination of online media**.[2343] At the same time, from 1 September 2025, 27 new services were added to the above-mentioned List, access to which is provided through 138 websites, as well as 86 websites providing access to seven previously restricted non-linear audiovisual services of the aggressor state.[2344] The State Agency of Ukraine **PlayCity, during the reporting period, restricted access to 9,136 websites providing access to gambling without the appropriate licence.**[2345]

Within the framework of the application of sanctions legislation, the sanction in the form of *'blocking access to information resources used for the demonstration and use of symbols of terrorist organisations and groups and for the promotion of the ideas and programme objectives of such organisations (groups)'*[2346] was not applied at all during the analysed period, having last appeared in presidential sanction decrees as

2340 Ukraine 2025 Report. Communication on EU Enlargement Policy. ↗

2341 Registration of media entities broadcasting without the use of the radio frequency spectrum: clarification by the National Council. National Council of Ukraine on Television and Radio Broadcasting, 2026. ↗

2342 On Media: Law of Ukraine No. 2849-IX of 13.12.2022. ↗

2343 According to the ongoing monitoring of the activities of the National Council conducted by the NGO 'Digital Security Lab'.

2344 List of on-demand audiovisual media services and services of audiovisual service providers of the aggressor state. National Council of Ukraine on Television and Radio Broadcasting. ↗

2345 Illegal Website Tracking System. State Agency of Ukraine PlayCity, 2026. ↗

2346 On Sanctions: Law of Ukraine No. 1644-VII of 14.08.2014. ↗

far back as September 2024.[2347] The earlier provision of Article 4 (1) (25) of the Law of Ukraine 'On Sanctions',[2348] concerning *'other sanctions'*, was applied during the reporting period in 15 presidential decrees, including with regard to blogger Vsevolod Filimonenko[2349] and the Bashkan of Gagauzia, Evghenia Guțul,[2350] as well as Ukrainian politician Boryslav Bereza.[2351] Within the interpretation of this provision, the sanction *'restriction by electronic service providers (social networking services) of access from the territory of Ukraine to content posted on web pages/channels'* was actively applied.

Since 1 September 2025, the NTNOC has issued **178 orders restricting access to various Internet resources**.[2352] **The majority of these concern online stores selling alcohol, tobacco and narcotic substances, as well as bookshops potentially involved in the sale of Russian books**. At the same time, there were isolated instances of blocking foreign media resources, including from Hungary and Cuba,[2353] as well as the website of one of the leaders of the German political party AfD in Thuringia.[2354]

Although no legislative proposals directly providing for extrajudicial website blocking were submitted during the reporting period, reference should be made to Draft Law **No. 13505**.[2355] If adopted, from 2030 the sale, use and distribution of software products and information technologies included in the List of Hostile Software Products might have been prohibited in Ukraine. Such a hostile software product could include a programme or website whose author, owner or ultimate beneficial owner is a citizen of the Russian Federation. Accordingly, under a broad interpretation of this provision, had the draft law been adopted, a situation could have arisen in which, from 1 January 2030, the Russian segment of the Internet and the Telegram messaging platform could not be used in Ukraine, with business entities facing substantial sanctions. However, on 30 June 2026, the Verkhovna Rada rejected the draft law.

In March 2026, discussions intensified regarding the adoption of **Draft Law No. 11115**[2356] **on regulating the activities of information-sharing platforms through which mass**

2347 On the Decision of the National Security and Defence Council of Ukraine of 2 September 2024 'On the Application, Cancellation and Amendment of Personal Special Economic and Other Restrictive Measures (Sanctions)': Decree of the President of Ukraine No. 601/2024 of 02.09.2024. ↗

2348 On Sanctions: Law of Ukraine No. 1644-VII of 14.08.2014. ↗

2349 On the Decision of the National Security and Defence Council of Ukraine of 20 September 2025 'On Personal Special Economic and Other Restrictive Measures (Sanctions)': Decree of the President of Ukraine No. 694/2025 of 20.09.2025. ↗

2350 On the Decision of the National Security and Defence Council of Ukraine of 20 September 2025 'On the Application and Amendment of Personal Special Economic and Other Restrictive Measures (Sanctions)': Decree of the President of Ukraine No. 696/2025 of 20.09.2025. ↗

2351 On the Decision of the National Security and Defence Council of Ukraine of 2 July 2026 'On the Application of Personal Special Economic and Other Restrictive Measures (Sanctions)': Decree of the President of Ukraine No. 588/2026 of 06.07.2026. ↗

2352 Orders of the National Centre for Operations and Technology Management of Telecommunications Networks of Ukraine. State Service of Special Communications and Information Protection of Ukraine. ↗

2353 On Restricting Access to Internet Resources: Order of the National Centre for Operations and Technology Management of Telecommunications Networks of Ukraine No. 913/3714 of 10.12.2025. ↗

2354 On Restricting Access to Internet Resources: Order of the National Centre for Operations and Technology Management of Telecommunications Networks of Ukraine No. 151/3946 of 04.03.2026. ↗

2355 On Prohibiting the Use and Distribution of Hostile Software Products and Hostile Information Systems: Draft Law of Ukraine, registration No. 13505 of 18.07.2025. ↗

2356 On Amendments to Certain Laws of Ukraine Regarding the Regulation of the Activities of Information Sharing Platforms Through Which Mass Information Is Disseminated: Draft Law of Ukraine, registration No. 11115 of 25.03.2024. ↗

information is disseminated. On 25 March 2026, the Verkhovna Rada Committee on Humanitarian and Information Policy recommended its inclusion in the session agenda. Although the draft law in its current version does not provide for the blocking of online platforms, it may lead to restrictions on the use of software associated with platforms having a non-transparent ownership structure — namely, those with at least one shareholder holding Russian citizenship or those that fail to respond to a request from the National Council regarding their ownership structure. If platforms such as Amazon or YouTube were to be classified as non-transparent, this could result in restrictions on the use of related software on official devices, including Gmail, Google Maps, Amazon Web Services and even the Android operating system. There is also a risk that amendments may be introduced to the draft law that would grant the National Council the power to block such online platforms with a non-transparent ownership structure.

It is worth noting **two important judgments of the ECtHR concerning the legal framework for the application of sanctions in Ukraine**. On 16 October 2025, the judgment in the case of *M.S.L., TOV v. Ukraine*[2357] was delivered. Although the case did not concern website blocking, the ECtHR examined, within the framework of a complaint under Article 1 of Protocol No. 1 to the European Convention on Human Rights (right to property),[2358] the issue of the adequacy of reasoning in sanctions decisions. In paragraph 98 of the judgment, the ECtHR noted that none of the decisions applied to the applicant contained an individualised explanation of the reasons for imposing the sanctions. Instead, *'they mechanically reproduced all the grounds for applying the various restrictions provided for in the relevant section of the Sanctions Act, without explaining how they specifically applied to the applicant company'*,[2359] thereby preventing the applicant from preparing adequate legal arguments in the judicial proceedings. The review of the sanctions by the SC, which did not include a separate assessment of the grounds for their application, was also not considered to constitute an adequate procedural safeguard for the applicant. For these reasons, the ECtHR found a violation of the applicant's rights.

On 26 March 2026, the ECtHR delivered a decision of inadmissibility in the case of *Boyarov and Others v. Ukraine*, which concerned the blocking of Russian social networks under sanctions decrees in 2017.[2360] Although none of the four applicants was recognised as a victim of a violation of the rights guaranteed by the ECHR, the ECtHR, in paragraph 113 of its reasoning, emphasised that *'the specific context of the present conflict might make exceptional policy choices necessary'*. The Court also took into account the de facto control of the relevant social networks by the Russian government, the dissemination of calls for the overthrow of the constitutional order on those platforms and the ineffectiveness of attempts by the Ukrainian authorities to limit the spread of harmful content. At the same time, the Court did not examine the legislative mechanism for blocking applied in this case under the Law of Ukraine 'On Sanctions'. Moreover, according to the information provided by the Government during the proceedings (paragraph 23 of the decision), *'In Ukraine there is no legislation allowing the*

2357 *M.S.L., TOV v. Ukraine* no 18049/18. Judgment of 16.10.2025. ↗

2358 Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms: Council of Europe Protocol of 20.03.1952. ↗

2359 *M.S.L., TOV v. Ukraine* no 18049/18, 16.10.2025. ↗

2360 *Boyarov and Others v. Ukraine* no 79083/17, 80554/17, 52246/18 and 19640/19. Decision of 03.03.2026. ↗

blocking or deletion of internet services, which makes it impossible to prevent the use of the digital environment for destructive purposes or for actions aimed at discrediting Ukraine at the international level'.

Interviewed experts consider that this decision should be interpreted narrowly, as confined to the specific circumstances of the case. In their view, the Court's conclusions might have been different had the application been submitted by a sanctioned person or by an applicant who more convincingly demonstrated the importance of the platform for the exercise of their rights. At the same time, they do not exclude its potential to lead to adverse legislative developments in Ukraine, particularly in light of the recent debates on the regulation of Telegram.[2361]

Impact of Regulatory Changes on Identified Problems

Use of the Law of Ukraine 'On Sanctions' for Website Blocking

Legislative developments in recent years have not resolved the issue of the continued reliance on the provision of the Law of Ukraine 'On Sanctions' concerning 'other sanctions' for the purpose of website blocking, even following the introduction of an explicit legal provision allowing its application to restrict the activities of websites engaged in the promotion of terrorism.[2362] The latter was not applied during the period of 2025–2026 and, therefore, has not become an effective instrument for reducing the number of decisions that fall short of the standard of foreseeability. Experts also emphasise[2363] that the use of sanctions would be appropriate only for blocking websites owned by foreign persons or those located outside Ukraine; their application to Ukrainian citizens residing within the country may contradict the presumption of innocence.

The situation regarding the development of the functionality and legislative framework of the State Register of Sanctions remains unchanged.[2364] The Register does not contain information on the reasons for the imposition of sanctions on individuals,[2365] beyond a general reference to broad grounds derived from the Law of Ukraine 'On Sanctions', which further undermines the transparency of sanctions policy, including in the context of the continued application of measures related to website blocking. Despite the decision in *Boyarov and Others v. Ukraine*, the precedent set in *M.S.L., TOV v. Ukraine* points to systemic shortcomings in the reasoning provided for the imposition of sanctions in the Register and highlights the inability of sanctioned persons, under the current framework, to effectively defend their rights before the courts, including before the SC, due to the limited scope of judicial review.

2361 Information provided by a representative of the NGO 'Human Rights Platform' during an interview conducted on 31.03.2026 and by a representative of the NGO 'Ukrainian Helsinki Human Rights Union' during an interview conducted on 01.04.2026.

2362 On Sanctions: Law of Ukraine No. 1644-VII of 14.08.2014. ↗

2363 Information provided by a representative of the NGO 'Human Rights Platform' during an interview conducted on 31.03.2026.

2364 On Amendments to Certain Legislative Acts of Ukraine Regarding the Application of Sanctions: Law of Ukraine No. 3223-IX of 13.07.2023. ↗

2365 On Approval of the Regulation on the State Register of Sanctions: Decision of the National Security and Defence Council of Ukraine of 29.01.2024. ↗

For these reasons, **the procedure for website blocking under sanctions legislation in its current form does not comply with international human rights standards**, as it is not 'prescribed by law' within the meaning of Article 10 of the ECHR[2366] and Article 19 of the International Covenant on Civil and Political Rights.[2367] In order to ensure compliance with these standards, the legislation should be updated, in particular taking into account the most recent case-law of the ECtHR.

Unlimited Discretion of the NTNOC in Website Blocking

Despite legislative changes to the status of the NTNOC and the clarification of its powers to restrict access to websites in early 2025,[2368] which improved the transparency of its activities, **subsequent recommendations on improving the regulatory framework governing NTNOC activities have not been considered**.

First, the Procedure[2369] governing the activities of the NTNOC does not specify how providers should technically implement NTNOC decisions (e.g. via DNS, IP address, etc.) to avoid the overblocking of lawful content. This approach is inconsistent even within a single provision — subparagraph 5 of paragraph 16 of the Procedure — which explicitly provides that websites offering unlicensed access to gambling must be blocked by domain name.[2370]

Second, the Procedure does not define the types of unlawful content that may justify website blocking. Instead, it broadly outlines the authorities entitled to request such blocking (SSU, SBI, ESBU, NPU) and the purpose of such requests — namely, the objectives of national defence and security.[2371] In practice, the role of the NTNOC is reduced to that of a technical executor, without assessing whether such requests genuinely serve the legitimate aim of protecting national security when invoking its capabilities.[2372] The application of blocking measures to websites selling alcohol or nicotine-containing products does not fall within the scope of ensuring Ukraine's defence and security. Moreover, several online media outlets have been unblocked either following court decisions, such as Antikor,[2373] or as a result of the revocation of NTNOC decisions, such as War on the Rocks.[2374] According to experts,[2375] where such blocking

2366 Convention for the Protection of Human Rights and Fundamental Freedoms (as amended by the Protocols) (European Convention on Human Rights) of 04.11.1950. ↗

2367 International Covenant on Civil and Political Rights of 16.12.1966. ↗

2368 Procedure for the Establishment and Functioning of the System of Operational and Technical Management of Public Electronic Communications Networks and the National Centre for Operations and Technology Management of Telecommunications Networks of Ukraine for the Purposes of National Defence and Security under a State of Emergency, Emergency Situation or Martial Law: Resolution of the Cabinet of Ministers of Ukraine No. 75 of 24.01.2025. ↗

2369 Ibid.

2370 Ibid.

2371 Ibid.

2372 Information provided by a representative of the NGO 'Human Rights Platform' during an interview conducted on 31.03.2026.

2373 On the Suspension of the Order of the National Centre for Operations and Technology Management of Telecommunications Networks of Ukraine: Order of the National Centre for Operations and Technology Management of Telecommunications Networks of Ukraine No. 754/3555 of 13.10.2025. ↗

2374 On the Termination of Restrictions on Access to an Internet Resource: Order of the National Centre for Operations and Technology Management of Telecommunications Networks of Ukraine No. 37/3812 of 19.01.2026. ↗

2375 Information provided by a representative of the NGO 'Human Rights Platform' during an interview conducted on 31.03.2026.

concerns Ukrainian online media, it should be carried out through established regulatory mechanisms or with the involvement of the National Council.

Third, the Procedure introduces overlapping competences between the NTNOC and the State Agency PlayCity in the field of blocking websites that provide access to unlicensed gambling, as already highlighted in the 2025 Shadow Report.[2376] The Procedure[2377] and the relevant Law[2378] establish different blocking procedures, which creates legal uncertainty as to which of them should be applied in practice.

Taken together, these factors prevent the functioning of the NTNOC from being considered compliant with human rights standards, notwithstanding the legislative amendments adopted in 2025. To implement the recommendations set out in the 2025 EU Enlargement Package, further legislative changes will be required.

Recommendations

1. Review the Law of Ukraine 'On Sanctions' and its application in the field of restricting access to websites, in particular by clarifying the grounds and procedure for such restrictions and ensuring that the sanctions mechanism is applied exclusively to foreign natural or legal persons, stateless persons, as well as organisations recognised as terrorist under international law or national legislation, and is not used to block the activities of national media outlets and civil society organisations.[2379]

2. Amend the Procedure for the establishment and functioning of the system of operational and technical management of public electronic communications networks and the National Centre for Operations and Technology Management of Telecommunications Networks of Ukraine for the purposes of national defence and security under a state of emergency, emergency situation or martial law (Resolution of the Cabinet of Ministers of Ukraine No. 75 of 24 January 2025) in order to clarify the powers of the NTNOC in the field of website blocking, including the substantive grounds for applying such measures and the methods for their technical implementation by providers.

3. Delineate the competences of the NTNOC and the State Agency of Ukraine PlayCity with regard to blocking access to websites providing unlicensed gambling services by introducing the necessary legislative amendments.

4. Following the termination of the legal regime of martial law, ensure the unblocking of websites that were blocked on the basis of NTNOC decisions, where there are no longer legal grounds for maintaining such restrictions.

2376 The issue previously identified by civil society in the 2025 Shadow Report (p. 990) remains relevant. ↗

2377 Procedure for the Establishment and Functioning of the System of Operational and Technical Management of Public Electronic Communications Networks and the National Centre for Operations and Technology Management of Telecommunications Networks of Ukraine for the Purposes of National Defence and Security under a State of Emergency, Emergency Situation or Martial Law: Resolution of the Cabinet of Ministers of Ukraine No. 75 of 24.01.2025. ↗

2378 On State Regulation of Activities Related to the Organisation and Conduct of Gambling: Law of Ukraine No. 768-IX of 14.07.2020. ↗

2379 Recommendations 1–5 were already provided by civil society in the 2025 Shadow Report (p. 467) and remain relevant. ↗

5. If the legislative changes outlined above are adopted, review previous decisions on website blocking imposed under sanctions and NTNOC decisions to assess their necessity, proportionality and compliance with the law.

6. Ensure the internal consistency of the provisions of the Law of Ukraine 'On Media' concerning the definition of and obligations applicable to entities in the field of online media and non-linear audiovisual media.

Freedom of Peaceful Assembly, Association and Expression

In 2025–2026, civil society in Ukraine was affected by Russia's full-scale war against Ukraine, financial instability and internal threats. During this period, there was no improvement in the situation regarding peaceful assembly, association and expression. At the same time, civil society preserved its capacity for mobilisation and solidarity, continuing to influence state decisions and support the country's democratic course of development.

War remains the main source of threats to the civil society sector, through the loss of human potential, material resources and constant psychological pressure. Overall, during 2025, ZMINA documented 178 cases of persecution, pressure and losses affecting civil society representatives in the territory controlled by the Government of Ukraine, involving 124 victims. More than 60% of the documented cases of persecution in 2025 were linked to the actions of the Russian Federation, including shelling and targeted attacks on volunteers and journalists, which resulted in the deaths of 26 civil society representatives. At the same time, a significant number of cases (66) were caused by internal factors — the actions or inaction of public authorities and non-state actors — and took various forms, including intimidation, online attacks, discreditation, physical attacks on activists and their property and legal pressure. During the first half of 2026, ZMINA documented 83 cases of threats and persecution targeting representatives of civil society. More than half of them (43) were linked to Russian aggression, including killings, injuries and damage to property caused by shelling. Other cases included legal harassment, intimidation and threats, obstruction of civic activity, smear campaigns and online harassment.

An additional challenge for civil society has been posed by certain registered legislative initiatives and adopted laws, some provisions of which complicate access to information of public importance, increase the discretion of public authorities and create new risks for freedom of expression, media activity and public oversight. Two laws were adopted and entered into force in 2025: the law restricting the scope of open data in public electronic registers and the law introducing new rules on the verification of humanitarian organisations and the use of vehicles imported as humanitarian aid. Other draft laws that restrict access to information, freedom of expression and mechanisms of public oversight also remain among the risks.

The measures envisaged in the Government's Rule of Law Roadmap for the fourth quarter of 2025 and the first quarter of 2026 concerning the adoption of a law and secondary legislation on the activities and registration of public associations, including the introduction of a model charter and a unified organisational and legal form, were not implemented within the prescribed timeframe.

Attacks on Human Rights Defenders and Civic Activists and the State of Their Investigation

State authorities do not maintain statistics on attacks against human rights defenders and civic activists. According to monitoring by the Human Rights Centre ZMINA, in 2025, 178 cases of persecution, pressure and losses affecting civil society representatives were documented in the territory controlled by the Government of Ukraine, involving 124 victims, as well as several volunteer and humanitarian organisations.[2380]

A total of 112 cases, or more than 60% of the total, were linked to actions by the Russian Federation. Volunteer centres, humanitarian warehouses, media offices and vehicles used for evacuation or delivery of aid came under shelling. Overall, in 2025, 26 civilian representatives of civil society were killed as a result of actions by the Russian Federation. In several cases, journalists and volunteers were subjected to targeted attacks while performing their professional or civic duties. An additional source of threats was the activity of Russian intelligence services on the territory of Ukraine, aimed at the physical elimination of active civil society representatives, including the killing of civic activist Demian Hanul in Odesa and the attempted killing of volunteer Serhii Sternenko in Kyiv.[2381]

At the same time, 66 documented cases of persecution were not directly linked to hostilities. They resulted from actions or omissions by Ukrainian state authorities, local authorities, law enforcement bodies or non-state actors. Common forms of pressure included intimidation and online threats (14 cases), legal harassment, including strategic lawsuits against public participation (SLAPPs) (11), violations of privacy and surveillance (10), smear campaigns (9), obstruction of activities and disruption of CSO events (9), physical attacks (8), destruction or damage to property (3) and others.[2382]

In 2025, pressure increased on anti-corruption activists and organisations that criticised the authorities. This manifested itself in information attacks, smear campaigns, the use of criminal law instruments and interference with private life. The case of the Anti-Corruption Action Centre and Vitalii Shabunin[2383] is illustrative in this regard. At the same time, in cases involving attacks on representatives of the LGBTIQ+ community, the police often failed to recognise hate motive, downgrading the legal classification of offences to hooliganism, which complicated proper legal assessment.[2384] Cases of pressure on environmental activists also increased in various regions, with activists reporting threats, surveillance, discreditation campaigns and judicial harassment, often accompanied by anonymous information attacks, including through the use of AI.[2385]

2380 Situation of Human Rights Defenders and Civic Activists in Ukraine in 2025: Analytical Report / I. Yuzyk, Kh. Roman, D. Deputat, A. Martynchuk; eds. T. Pechonchyk, O. Syniuk; ZMINA Human Rights Centre. Kyiv, 2026, 170 p. ↗

2381 Ibid.

2382 Ibid.

2383 Stop Using the Justice System for Political Reprisals: Statement by Civil Society Organisations on the Case of Vitalii Shabunin. ZMINA, 2025. ↗

2384 Situation of Human Rights Defenders and Civic Activists in Ukraine in 2025: Analytical Report / I. Yuzyk, Kh. Roman, D. Deputat, A. Martynchuk; eds. T. Pechonchyk, O. Syniuk; ZMINA Human Rights Centre. Kyiv, 2026, 170 p. ↗

2385 Ibid. See also: Women in Media and Activism: Challenges, Risks and Opportunities in Wartime: Analytical Report. A. Bieloshenko, A. Rodi; eds. T. Pechonchyk, O. Syniuk, I. Yuzyk; ZMINA Human Rights Centre. Kyiv, 2025. 120 p. ↗

As in previous years, affected activists reported difficult access to justice, particularly due to refusals by law enforcement officers to register complaints in the URPTI, forcing activists to apply to court to have proceedings opened.[2386] Even after this, however, they often faced investigative inaction and delays in court proceedings. The situation deteriorated in autumn 2025, when, following Russia's massive attacks on energy infrastructure and the resumption of power outages, courts began postponing hearings on a large scale, sometimes at the last minute.

During the first half of 2026, ZMINA documented 83 cases of threats and persecution targeting representatives of civil society. More than half of these cases (43) were linked to Russian aggression. They included, in particular, the killing of two volunteers, three cases of injury and 31 cases of damage to or loss of property as a result of shelling by Russian forces. Cases not related to Russian aggression included legal harassment, including criminal proceedings and SLAPP claims (12), intimidation and threats (12), obstruction of civic activity (10), smear campaigns and online harassment (6).[2387]

Legislative Regulation of the Establishment and Activities of CSOs

Ukraine has 107,000 registered public associations, 33,000 charitable organisations and 11,000 registered volunteers.[2388] Overall, the legislation is enabling for their activities. At the same time, problems with registration procedures persist, due to the possibility of their unjustified prolongation.

The Rule of Law Roadmap approved by the Government **envisaged, for the fourth quarter of 2025, the development and adoption of a law regulating the activities and state registration of public associations** to implement Recommendation CM/Rec(2007)14 of the Committee of Ministers of the Council of Europe,[2389] as well as the development of secondary legislation aimed at implementing that law in the first quarter of 2026.[2390] This concerns the legislative possibility for public associations to operate on the basis of a model charter and the establishment of a single organisational and legal form for public associations. As of July 2026, the **relevant measures have not been implemented**.

Draft Law No. 8084, developed by the Government and **providing for new rules for public associations**,[2391] has been under consideration by Parliament since 2022. These include the introduction of online registration of public associations, in particular through the Unified State Web Portal of Electronic Services (Diia Portal), as well as registration through administrative service centres; the establishment of a single organisational and legal form — 'public association' — with the abolition of the separate status

2386 From the practice of ZMINA Human Rights Centre in providing legal assistance to activist victims during 2022–2025.

2387 Information provided by a representative of ZMINA Human Rights Centre during an interview conducted on 31.07.2026.

2388 Civil Society of Ukraine in Wartime 2022–2025. Report on a Comprehensive Sociological Study. ISAR Ednannia, 2025. ↗

2389 Recommendation CM/Rec(2007)14 of the Committee of Ministers to member states on the legal status of non-governmental organisations in Europe. Council of Europe, 10.10.2007. ↗

2390 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

2391 On Amendments to Certain Laws of Ukraine Regarding the Regulation of Activities and State Registration of Public Associations: Draft Law of Ukraine, registration No. 8084 of 28.09.2022. ↗

of 'public union'; the removal of the concept of an 'all-Ukrainian public association' to simplify administrative procedures; the introduction of 'model charters' to facilitate registration; the simplification of procedures for notifying changes of head or location and the removal of bureaucratic barriers. Overall, despite certain innovations proposed in the amendments to legislation on public associations, they contain several risks that may complicate the activities of CSOs. These risks include the need to re-register existing public associations, the expansion of discretionary powers of public authorities and the possibility of selective interference in CSO activities.[2392] The draft law was adopted by the Verkhovna Rada as a basis at first reading in January 2023 and was revised for the second reading between October and December 2025.

Establishment and Termination of Political Parties

The current Law of Ukraine 'On Political Parties in Ukraine',[2393] adopted as far back as 2001, does not take account of contemporary challenges related to the protection of national security amid armed aggression or the body of case-law that has developed on the prohibition of political parties. In December 2025, a **new Draft Law 'On Political Parties'** (Draft Law No. 14289[2394]) **was registered in Parliament**. It is intended to comprehensively update the legal framework governing political parties, including their establishment and termination.

Although the **mechanism for banning political parties** under the current Law made it possible to terminate the activities of pro-Russian political forces,[2395] it also revealed a number of shortcomings. Before 2022, political parties whose activities effectively facilitated the pursuit of Russian interests in Ukraine continued to operate for years despite numerous publicly known facts concerning such activities amid Russia's aggression against Ukraine, which has continued since 2014. One reason was the lack of adequate powers for the MoJ to independently collect evidence necessary to bring an action before a court seeking the prohibition of a political party. In practice, the MoJ had to rely on materials provided by the SSU.[2396] This created a situation in which the effectiveness of the mechanism depended on interagency cooperation rather than on a clearly regulated statutory procedure.

Another problematic issue is the **complex procedure for registering political parties**, which requires the collection of at least 10,000 signatures in two-thirds of Ukraine's regions, including the Autonomous Republic of Crimea and other occupied territories. At the same time, this model has not prevented parties from being used as political projects for changing beneficial owners, nominating technical candidates and forming election commissions, or the development of practices involving their resale and renaming.[2397]

2392 Amendments to the Law on Public Associations: What Surprises Has the MoJ Prepared? ZMINA, 2021. ↗

2393 On Political Parties in Ukraine: Law of Ukraine No. 2365-III of 05.04.2001. ↗

2394 On Political Parties: Draft Law of Ukraine, registration No. 14289 of 10.12.2025. ↗

2395 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's Progress under the European Union Enlargement Package in 2024 / Agency for Legislative Initiatives [et al.]. Kyiv, 2025. Pp. 479–480. ↗

2396 Information provided by a representative of Civil Network OPORA during an interview conducted on 17.07.2026.

2397 Key Innovations of the Draft Law on Political Parties. Civil Network OPORA. 2025. ↗

Unlike the current Law of Ukraine 'On Political Parties in Ukraine', **Draft Law No. 14289 simplifies the procedure for establishing and registering political parties** in order to make citizens' participation in political life more accessible, including by abolishing the requirement to collect 10,000 signatures and reducing the territorial registration requirement to five regions instead of a majority of the country. It also comprehensively **regulates the procedure for terminating a political party**. In particular, it defines for the first time the role of law enforcement bodies in identifying grounds for banning a political party and their obligation to transmit the relevant materials to the MoJ; details the procedure for liquidating a party following its prohibition or cancellation of state registration; distinguishes between these two procedures; and clarifies the grounds for cancelling the state registration of inactive political parties.

Freedom of Peaceful Assembly under Martial Law and Compliance with Curfew

Ukraine does not have a dedicated law on freedom of peaceful assembly. A directly applicable provision of the Constitution of Ukraine[2398] guarantees the right of citizens to assemble peacefully, without weapons, and to hold meetings, rallies, marches and demonstrations. In peacetime, the exercise of this right may be restricted only by a court. At the same time, this right is among those that may be subject to additional restrictions under martial law or a state of emergency, pursuant to Article 64 of the Constitution of Ukraine,[2399] as reflected in the Presidential Decree 'On the Introduction of Martial Law in Ukraine'.[2400]

During the reporting period, the **inconsistent regulatory practice of holding peaceful assemblies under martial law**, noted in the Shadow Report 2025,[2401] persisted and did not always depend on the distance of the region from the frontline or the border with the aggressor state. At the same time, in a number of regions, decisions governing the procedure for holding peaceful assemblies under martial law have not been made public at all.[2402] Bans on peaceful assemblies have been introduced in the frontline-adjacent Donetsk, Kherson and Odesa regions, while also being imposed in the relatively distant Ivano-Frankivsk region. Specific requirements regarding the grounds or conditions for holding peaceful assemblies have been introduced in the Zhytomyr, Zaporizhzhia, Kyiv, Kirovohrad, Rivne, Sumy, Ternopil, Kharkiv, Cherkasy and Chernivtsi regions.[2403] The absence of clear legislative regulation and the differing approaches taken by regions create **legal uncertainty and uneven exercise of this right**.[2404] At the same time, in practice, **despite bans in certain regions, peaceful assemblies took place there without**

2398 Constitution of Ukraine No. 254k/96-VR of 28.06.1996, Article 39. ↗

2399 Ibid.

2400 On the Introduction of Martial Law in Ukraine: Decree of the President of Ukraine No. 64/2022 of 24.02.2022, para. 3. ↗

2401 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the 2024 EU Enlargement Package, 2025, pp. 478–479. ↗

2402 Information provided by a representative of Civil Network OPORA during an interview conducted on 17.07.2026.

2403 Freedom of Peaceful Assembly under Martial Law in Ukraine. OPORA, 2025. ↗

2404 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the 2024 EU Enlargement Package, 2025, p. 476. ↗

obstruction,[2405] including during the protests in summer 2025 concerning the dismantling of the independence of NABU and Specialised Anti-Corruption Prosecutor's Office (SAPO).[2406]

Two new waves of protests took place in Kyiv and other Ukrainian cities in May 2026, in connection with the adoption at first reading[2407] of the new version of the Civil Code of Ukraine, and in July 2026, following the announcement of Mykhailo Fedorov's resignation as Minister of Defence.[2408] Following the President's refusal to reinstate M. Fedorov, the protest became open-ended and demonstrations were continuing as of the end of July. The protests were peaceful and the authorities generally did not obstruct them, with the exception of isolated incidents of pressure on service members who supported the protests.[2409]

The curfew in Ukraine, introduced under martial law, prohibits people from being in public places during specified night-time hours without special passes. Its duration and rules are set at regional or city level by military administrations and may therefore differ depending on the security situation. **A curfew has been introduced in almost all regions of Ukraine**, except Zakarpattia region. In most regions, it begins at 23:00 and lasts until 05:00.

As of July 2026, the CUAO does not provide for liability for violating the curfew; liability arises only in cases of resistance to the police. At the same time, curfew violators may be detained to establish their identity.

In January 2026, due to an **energy emergency** caused by Russian strikes and prolonged power and heat outages, the Government updated the curfew rules in Ukraine, making them more flexible.[2410] Citizens were allowed to reach 'Points of Invincibility' or critical infrastructure facilities without passes, while businesses could operate around the clock if they performed the functions of such points.

Legislation Threatening the Activities of Civil Society

During the reporting period, Parliament considered draft laws that pose risks to the activities of civil society. These include disproportionate restrictions on access to information of public importance, an unjustified expansion of the discretion of public authorities and problems with compliance with the principle of legal certainty due to the use of value-based concepts and vague wording. Two legislative acts were adopted and entered into force: a law restricting the scope of open data in public electronic registers of immovable property and a law introducing new rules on the verification of humanitarian organisations and the use of vehicles imported as humanitarian aid.

2405 'We Will Not Allow Odesa to Be Destroyed': Protest Held Near Damaged Architectural Monument. Suspilne, 2026. ↗

2406 Frankivsk Residents Again Protest Against the Law Stripping NABU and SAPO of Independence. Suspilne, 2025. ↗

2407 Two Thousand Activists Rally in Kyiv Demanding Amendments to the Civil Code. ZMINA. 2026. ↗

2408 'Hands off those who work': Protesters in central Kyiv rally against Mykhailo Fedorov's dismissal. ZMINA. 2026. ↗

2409 Following Calls for Protests in Support of Fedorov, Military Command Sought to Establish Where Veteran Dmytro Koziatynskyi Was Serving. ZMINA. 2026. ↗

2410 Government Introduces Revised Curfew Rules During the Energy Emergency. Ministry for Development of Communities and Territories of Ukraine, 2026. ↗

Restrictions on Access to Registers

On 21 August 2025, **Parliament adopted Law No. 4576-IX**,[2411] which introduces temporary restrictions on access to certain information in the State Register of Rights in Rem to Immovable Property and other registers. These restrictions concern information related to ensuring national security and defence. During martial law and for one year after its termination or cancellation, electronic information on rights to immovable property and encumbrances over such rights in relation to objects registered to legal entities is provided in abridged form.

Despite its stated aim of improving security under martial law, this Law creates **disproportionate risks for the activities of CSOs** as actors of public oversight. As a result of the amendments, during martial law and for one year after its termination or cancellation, electronic information on registered rights to immovable property and encumbrances over such rights in relation to objects owned by legal entities will not include location details below regional level and will not display cadastral numbers of land plots. In practice, this significantly complicates the identification of a specific immovable property object and its verification using other open data sources used in journalistic investigations and anti-corruption monitoring.

Concealing the cadastral number as the unique identifier of a land plot and the absence of precise address linkage reduces the quality of the evidentiary base, complicates the identification of conflicts of interest, the establishment of actual control over assets and the verification of candidates' property links during the monitoring of competitions for public positions.[2412] In addition, since the restrictions apply to all legal entities, not only to entities connected with ensuring defence, but the Law may also create **further opportunities to conceal property**. As a result, the restrictions not only technically reduce the scope of open data, but in fact narrow the tools available for public oversight.

After Draft Law No. 11533 was adopted at second reading, several CSOs and media outlets called on the President to veto it.[2413] The statement emphasised that the adopted amendments disproportionately restrict access to open registry data on all legal entities, complicate public oversight and impede the work of notaries, insolvency practitioners and other professionals who use the registers. However, the calls to veto the law were not considered. On 17 September 2025, the President signed Law No. 4576-IX.[2414]

To implement this Law, on 13 March 2026, the MDT published on its website, for public discussion, the draft Resolution of the Cabinet of Ministers of Ukraine 'Certain Issues of Restricting Access to Public Electronic Registers'.[2415] In it, the MDT insists on **blocking information on immovable property objects regardless of the status of their owner**.

2411 On Amendments to the Civil Code of Ukraine and Certain Other Laws of Ukraine Regarding the Specifics of Providing Information from Public Electronic Registers: Law of Ukraine No. 4576-IX of 21.08.2025. ↗

2412 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the 2024 EU Enlargement Package, 2025, p. 909. ↗

2413 We Call on the President to Veto the Law Restricting Access to the Real Estate Register. DEJURE, 2025. ↗

2414 On Amendments to the Civil Code of Ukraine and Certain Other Laws of Ukraine Regarding the Specifics of Providing Information from Public Electronic Registers Maintained by the Ministry of Justice of Ukraine and Certain Other Public Electronic Registers: Law of Ukraine No. 4576-IX of 21.08.2025. ↗

2415 Notice of Publication of the Draft Resolution of the Cabinet of Ministers of Ukraine 'Certain Issues of Restricting Access to Public Electronic Registers'. Ministry of Digital Transformation of Ukraine, 2026. ↗

By contrast, the final version of the Law contained a compromise solution whereby only information on land plots and immovable property objects, rights to which are registered to legal entities, would be subject to closure. Thus, the draft Resolution submitted for public discussion significantly expands the scope of restrictions provided for by Law No. 4576-IX.[2416] Media organisations warned of the risk that state registers could be fully closed under the pretext of security, which may negatively affect transparency and complicate journalistic investigations.[2417]

New Rules for Humanitarian Organisations

On 18 September 2025, Parliament voted to amend the Law of Ukraine 'On Humanitarian Aid', regulating the activities of humanitarian organisations.[2418] Law No. 4608-IX introduces the status of a verified humanitarian organisation, defines the main requirements for obtaining it and provides for the creation of a list of organisations that have received this status. It also clarifies the meaning of humanitarian response. A separate set of amendments concerns vehicles imported as humanitarian aid: the Law establishes special rules for the use, transfer and disposal of vehicles imported as humanitarian aid, including in cases of their misuse. To implement this Law, in January 2026, the Ministry of Social Policy, Family and Unity of Ukraine (MSP) prepared and published for public discussion the draft Resolution of the Cabinet of Ministers of Ukraine 'Certain Issues of Obtaining and Losing the Status of a Verified Humanitarian Organisation'.[2419]

Overall, the adopted Law has a positive impact on the conduct of humanitarian activities. At the same time, **some of its provisions create risks** of narrowing opportunities to participate in humanitarian response, indirect discrimination against civil society organisations, expanded discretion for the executive authorities and loss of property without a sufficiently clear procedure and safeguards defined in the Law.[2420]

One of the key elements of the amendments is the introduction of the special status of a 'verified humanitarian organisation', to which the right to use vehicles imported as humanitarian aid is linked. The Law defines the criteria for obtaining this status, including: funding during the previous calendar year, employees, internal operating standards developed on the basis of impartiality, openness and transparency, and in line with the principles of business and professional ethics, a public webpage and published financial and public reports for two years. Taken together, these requirements set a **higher threshold for access to this status and may place small, newly established or local organisations**, including those operating in frontline areas, in a worse position. In these circumstances, there is a risk of indirectly restricting the participation of some CSOs in humanitarian response.

2416 IMI Lawyer: Ministry of Digital Transformation Draft on State Registers May Expand the Scope of Restrictions. Institute of Mass Information, 2026. ↗

2417 IMI Director: Restrictions on State Registers May Undermine Journalistic Investigations. Institute of Mass Information, 2026. ↗

2418 On Amendments to the Law of Ukraine 'On Humanitarian Aid' Regarding the Regulation of the Activities of Humanitarian Organisations: Law of Ukraine No. 4608-IX of 18.09.2025. ↗

2419 Certain Issues of Obtaining and Losing the Status of a Verified Humanitarian Organisation. Ministry of Social Policy, Family and Unity of Ukraine: Draft Resolution of the Cabinet of Ministers of Ukraine. 2026. ↗

2420 Government Updates the Approach to Verifying Humanitarian Organisations: Expert Review of the Draft Resolution. Ukrainian Independent Centre for Political Research, 2026. ↗

A separate risk is linked to granting the Cabinet of Ministers of Ukraine broad powers to determine the procedure for obtaining and losing the status of a verified humanitarian organisation, confirming compliance with the established requirements, inclusion in and exclusion from the relevant list and setting the minimum amount of necessary financial resources. Combined with the value-based concepts contained in the Law, in particular 'internal operating standards' and 'minimum amount of necessary financial resources', this creates a risk of selective application of the relevant criteria when granting or terminating the status of a verified humanitarian organisation.

The Law provides that an organisation that loses the status of a verified humanitarian organisation may be required to transfer, free of charge, a vehicle imported as humanitarian aid. This is therefore a decision with direct property consequences for the organisation. However, the Law does not provide for a procedure for restoring this status; it only states that the loss of the status of a verified humanitarian organisation is determined by the Government. The absence of provisions on restoring the status of a verified humanitarian organisation creates legal uncertainty as to the real possibility of both restoring it and retaining the property.

Certain Draft Laws Posing Threats to CSOs

During 2025, several draft laws posing risks to freedom of expression and freedom of association were registered in Parliament. This overview also includes legislative initiatives registered in previous years where parliamentary committees continued to consider them during the reporting period.

On 21 September 2025, **Draft Law No. 14057** on the recodification of personal rights in the Civil Code of Ukraine[2421] was registered in the Verkhovna Rada, which increased pressure on the media and CSOs. The draft law clarified the concept of personal rights and their non-property nature and proposes a new classification of the personal rights of a natural person that ensure their social existence. Although the draft law was presented as being harmonised with the principles of the General Data Protection Regulation (GDPR) and aligned with ECtHR case law on the understanding of personal non-property rights, the proposed amendments to Articles 277, 277[1] and 278 of the Civil Code of Ukraine created threats for civil society. In those articles, GDPR provisions are reflected in a distorted manner and there were no balance between the rights provided for in Articles 8 (right to respect for private and family life) and 10 (freedom of expression) of the ECHR.

In April 2026, this draft law was removed from consideration. Instead, the **draft Civil Code of Ukraine (Draft Law No. 15150)**[2422] **was registered and adopted at first reading**. It largely retained the problems of the previous document and posed **risks to the protection of a broad range of human rights**, including freedom of expression, non-discrimination, the right to privacy, protection of women's rights, children's rights and the rights of persons with disabilities, as well as property rights.[2423]

2421 On Amendments to the Civil Code of Ukraine in Connection with the Update (Recodification) of the Provisions of Book Two: Draft Law of Ukraine, registration No. 14057 of 21.09.2025. ↗

2422 Civil Code of Ukraine: Draft, registration No. 15150 of 09.04.2026. ↗

2423 An analysis of Draft Law No. 15150 is also provided in other subsections of this report.

More than 80 CSOs called on Chairman of the Verkhovna Rada Ruslan Stefanchuk, one of the authors of the document, to reconsider the provisions of the draft Civil Code of Ukraine concerning human rights and freedom of expression.[2424] On 12 May 2026, a petition was registered calling for Draft Law No. 15150 not to be adopted in the proposed version.[2425] It received the required 25,000 signatures in only 13 hours, making it one of the fastest petitions to reach the threshold in the history of such petitions. In early May, 'cardboard' protests against the new Civil Code of Ukraine were held in Kyiv, Kharkiv, Lviv and other cities, involving representatives of various professional and civic communities. Civil society organisations prepared hundreds of pages of proposals on the draft and submitted them to Members of Parliament.[2426] After the deadline for amendments had expired, R. Stefanchuk reported that more than 15,000 amendments had been submitted.[2427] He described some of them as an attempt to block consideration of the draft Civil Code of Ukraine, while also stating that constructive proposals from civil society organisations and professional communities would be considered.

The risks remain of an **unconstitutional extension of the oversight exercised by the Ukrainian Parliament Commissioner for Human Rights** over compliance with human and citizens' rights and freedoms to an unjustifiably broad range of entities, including CSOs, as provided for in **Draft Law No. 13181**,[2428] which was adopted at first reading in May 2026. In addition to a direct provision allowing the Commissioner, through submissions, to require a broad range of entities, including public associations, to take measures to eliminate identified violations of rights and freedoms, the draft law provides that public associations, enterprises, institutions and organisations, regardless of their form of ownership, are obliged to cooperate with the Commissioner and provide the necessary assistance. The draft law establishes an obligation to provide the Commissioner with the requested information within ten working days from the date of receipt of the Commissioner's request and also provides for liability for failure to provide the requested information. However, Article 40 of the Constitution of Ukraine imposes the obligation to consider requests and provide a reasoned response only on state authorities, local self-government bodies and their officials.[2429] Accordingly, CSOs are not entities responsible for ensuring compliance with human and citizens' rights and freedoms or for responding to such requests.[2430]

The **unconstitutional obligation of CSOs to respond to citizens' requests and cooperate with the Ukrainian Parliament Commissioner for Human Rights** is also contained

2424 More Than 80 Organisations Call on Stefanchuk to Review Provisions of the Draft Civil Code Concerning Human Rights and Freedom of Expression. ZMINA. 2026. ↗

2425 Do Not Allow the Adoption of the New Civil Code (No. 15150). Petition No. 22/264376-ep. Official Website of the President of Ukraine. ↗

2426 Mass protests, hundreds of pages of amendments – what comes next? Human rights defenders and media professionals call for revisions to the draft Civil Code. ZMINA. 2026. ↗

2427 Verkhovna Rada Reports More Than 15,000 Amendments Submitted to the Draft Civil Code. Slovo i Dilo. 2026. ↗

2428 On the Ukrainian Parliament Commissioner for Human Rights: Draft Law of Ukraine, registration No. 13181 of 17.04.2025. ↗

2429 Constitution of Ukraine No. 254k/96-VR of 28.06.1996. ↗

2430 Analysis of Draft Law 'On the Ukrainian Parliament Commissioner for Human Rights' No. 13181 of 17.04.2025. ZMINA, 2025. ↗

in the current Laws of Ukraine 'On Citizens' Appeals'[2431] and 'On the Ukrainian Parliament Commissioner for Human Rights'.[2432] At the same time, **Draft Law No. 11082**,[2433] which brings legislation into line with the Constitution of Ukraine, is being prepared for second reading, although it requires further revision on a number of other issues.[2434] In its Report under the EU Enlargement Package 2025, the European Commission notes the draft law on citizens' appeals as part of a legislative package related to the implementation of the Law of Ukraine 'On Administrative Procedure'.[2435]

The Constitutional Court of Ukraine is considering a complaint lodged by Oleksandra Matviichuk, Head of the CSO 'Centre for Civil Liberties', concerning the powers of the Ombudsman.[2436] In 2023–2024, the case against the Centre for Civil Liberties arose because it had not responded to a request from the Ukrainian Parliament Commissioner for Human Rights, Dmytro Lubinets, concerning a citizen's appeals. This resulted in the Commissioner drawing up a report on an administrative offence and the imposition of a fine of UAH 1,700, which was upheld by the courts of first and second instance.[2437] In addition, this case was submitted to the ECtHR.[2438]

The problem of restricted access to some war-related court decisions and the expansion of the list of closed information, as provided for in Draft Law No. 7033-d and discussed in the Shadow Report 2025,[2439] remains unresolved. Despite partial revision, the risks of disproportionate restrictions and abuse of judicial discretion remain.[2440]

Recommendations

1. Strengthen the effectiveness of the response by law enforcement bodies and the judiciary to attacks on representatives of civil society, ensure the proper legal classification of offences, including those motivated by hatred, and introduce mechanisms to protect activists, including protection against SLAPPs and online attacks.

2. Adopt Draft Law No. 8084 to facilitate the activities and state registration of public associations, while eliminating the identified risks.

2431 On Citizens' Appeals: Law of Ukraine No. 394/96-VR of 02.10.1996, Article 7. ↗

2432 On the Ukrainian Parliament Commissioner for Human Rights: Law of Ukraine No. 776/97-VR of 23.12.1997, Article 22. ↗

2433 On Appeals: Draft Law of Ukraine, registration No. 11082 of 13.03.2024. ↗

2434 Atamanchuk T., Yavorskyi V. Legal Opinion of the Centre for Civil Liberties on Draft Law No. 11082 'On Appeals'. Centre for Civil Liberties, 2026. ↗; Ukraine Is Updating the Law on Citizens' Appeals: What Needs to Be Changed in Light of EU Law. ZMINA, 2026. ↗

2435 Ukraine 2025 Report. Communication on EU Enlargement Policy, p. 27. ↗

2436 Court to Review the Constitutionality of Certain Provisions of the Code of Ukraine on Administrative Offences and the Law of Ukraine 'On the Ukrainian Parliament Commissioner for Human Rights'. Constitutional Court of Ukraine, 2024. ↗

2437 Constitutional Court Considers Dispute between Nobel Laureate Matviichuk and Ombudsman Lubinets: What Is Known? Hromadske, 2024. ↗

2438 Constitutional Court Considers Human Rights Defender Oleksandra Matviichuk's Complaint Regarding the Obligation of NGOs to Respond to Citizens' Appeals. ZMINA, 2026. ↗

2439 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the 2024 EU Enlargement Package, 2025, p. 155. ↗

2440 Situation of Human Rights Defenders and Civic Activists in Ukraine in 2025: Analytical Report / I. Yuzyk, Kh. Roman, D. Deputat, A. Martynchuk; eds. T. Pechonchyk, O. Syniuk; ZMINA Human Rights Centre. Kyiv, 2026, 170 p. ↗

3. Introduce an online registration service for public associations and other CSOs via the Diia Portal.

4. Legally regulate the exercise of freedom of peaceful assembly under martial law, considering risk diversification and specifying the grounds and conditions for holding assemblies, and clearly define the powers to prohibit peaceful assemblies.

5. Ensure the review of legislative restrictions on access to immovable property registers to bring them into line with the principle of proportionality, by restoring access to key identifying data, such as cadastral numbers and precise address linkage, for the purposes of public oversight. At the same time, introduce a differentiated approach to restrictions, considering national security interests.

6. Ensure the review of legislation on the conduct of humanitarian activities by lowering barriers to access to the status for small and local organisations, and clearly regulate the procedures for granting, removing and restoring the status, with proper safeguards for rights and property. Limit the Government's discretionary powers by establishing transparent, objective criteria and provide for effective mechanisms to appeal decisions.

7. Adopt Draft Law No. 14289, which comprehensively updates the legal framework governing the establishment, activities and termination of political parties.

8. Amend the legislation to bring it into line with the Constitution of Ukraine by clearly limiting the Ombudsman's powers to public authorities and excluding the obligation of CSOs to respond to requests and liability for failure to provide such responses.

9. Narrow the scope of restrictions in Draft Law No. 7033-d by ensuring access to full texts of court decisions with targeted redaction only of sensitive information, clearly define the criteria and time limits for restrictions and provide mechanisms for appeal and safeguards against abuse.

Protection of the Rights of the Child

Armed aggression by Russia against Ukraine is accompanied by systematic and large-scale violations of children's rights, covering all key categories of the most serious international crimes. Despite certain institutional achievements, in particular strengthened international coordination on the return of children and improved mechanisms for documenting crimes, the situation remains critical: the number of affected children continues to grow, the scale of deportation and non-return of children remains significant and the effectiveness of criminal prosecution is limited due to objective difficulties in evidence collection and the overburdening of the justice system.

The development of juvenile justice in Ukraine over the past year has been marked by some progress, through the adoption of a new strategy, the expansion of child-friendly practices and enhanced professional specialisation of practitioners. However, these changes remain fragmented and are implemented largely at the project level. The absence of a basic legislative framework, outdated procedural norms, staff shortages and weak interagency coordination continue to constrain the sustainability of the reform.

Deinstitutionalisation in Ukraine continues as a political and regulatory process; however, its practical implementation is characterised by rather limited progress. The reduc-

tion of institutions is proceeding faster than the creation of alternative forms of child placement. At the same time, a decline in foster families and family-type children's homes (FTCHs) is observed against the backdrop of insufficient support and the overburdening of social services, contributing to the spread of 'hidden orphanhood', while the increase in patronage families does not meet actual needs. Despite certain positive steps, the system remains insufficiently balanced, resource- and financially constrained and requires stronger oversight and coordination.

Access to education for children in Ukraine is significantly hindered by the consequences of the war, manifested in the destruction of infrastructure, limitations on in-person learning and the accumulation of learning losses due to regular shelling, blackouts and distance learning. The most critical situation is observed in the TOT, where a significant proportion of children remain outside the Ukrainian education system and are exposed to ideological influence. At the same time, the absence of effective mechanisms for recognising acquired education creates substantial barriers to further learning and the integration of children from the TOT into the Ukrainian education space. Despite attempts at legislative regulation of these issues, a considerable number of obstacles persist in practice and progress in this area remains limited.

Impact of the War and the Investigation of War Crimes against Children

Armed aggression by Russia against Ukraine continues to be accompanied by systematic and large-scale violations of children's rights, corresponding to the so-called six grave violations defined under international law: killing and maiming, sexual violence, abduction and deportation, recruitment of children, attacks on civilian infrastructure (including educational and healthcare facilities), as well as denial of access to humanitarian assistance.[2441] These violations are systemic in nature and form part of a broader policy of warfare against the civilian population.

According to the PGO, by the end of July 2026, **719 children had been killed and 2,705 children**[2442] **had been injured**, although the actual figures may be significantly higher due to the lack of access to the TOT.

A separate and particularly grave crime remains the deportation and forced transfer of Ukrainian children. As of the end of July 2026, 1.6 million children remain under the control of Russia — deported, forcibly transferred or residing in the TOT.[2443] **A total of 20,610 cases of deportation and forced transfer have been officially documented**.[2444]

As of the end of July 2026, **2,404 children had been returned**, the majority of whom had been in the TOT rather than on the territory of Russia.[2445] This figure has increased

2441 Security Council Resolution 1612 (2005) [on children in armed conflict], S/RES/1612 (2005), adopted by the Security Council at its 5235th meeting, on 26 July 2005. ↗

2442 Crimes Committed during the Full-Scale Invasion of the Russian Federation, as of 24.07.2026. Prosecutor General's Office. ↗

2443 Bring Kids Back UA website. ↗

2444 Ibid.

2445 Ibid.

significantly **compared to the data as of 31 July 2025 (1,480 children**[2446]**)**, indicating a gradual strengthening of coordination among the State, international partners and civil society. A key institutional achievement has been the strengthening of the international coalition around the Bring Kids Back UA initiative, which as of July 2026 brings together 50 member states and international organisations.[2447] A positive development was also the **establishment in September 2025 of the Register of Information on Children Deported or Forcibly Transferred as a Result of the Armed Aggression of the Russian Federation against Ukraine**, coordinated by the MoJ.

The recruitment of minors in Ukraine to carry out tasks on behalf of Russian special services is ongoing. As of 2025, **166 offences by children against the foundations of Ukraine's national security have been recorded, 130 of which occurred in 2025 alone**.[2448] This practice demonstrates the use of children as instruments of war, which is directly prohibited under international humanitarian law.

In the area of criminal prosecution of war crimes, some progress can be observed; however, it remains limited in proportion to the scale of the crimes. In Ukraine, hundreds of thousands of war crime incidents are under investigation, several thousand of which concern children. At the same time, the number of suspicions and convictions remains relatively low. This is explained by the complexity of evidence collection, limited access to crime scenes and the overburdening of the justice system.

As of the end of July 2026, according to the Unified Register of Pre-Trial Investigations, pre-trial investigations were ongoing in criminal proceedings concerning **6,684 criminal offences** related to the armed aggression of the Russian Federation against Ukraine committed against children and in the field of child protection, including: **2,340 cases** concerning war **crimes against children**; **4,053 cases** concerning armed attacks on **institutions and facilities** for children; **23 cases** concerning **sexual violence** against children; **190 cases** concerning **deportation or forced transfer**; and **78 cases** concerning unlawful deprivation of liberty.

Notices of suspicion were served on 147 persons in connection with war crimes against children under Parts 1 and 2 Article 438 of the CC of Ukraine, including 62 persons in cases involving the death or injury of children, 4 persons in cases involving sexual violence, 17 persons in cases involving damage to child infrastructure facilities and 64 persons in cases involving other war crimes.

In **46 criminal proceedings**, **indictments** were referred to court **in respect of 108 service members** of the Armed Forces of the Russian Federation and other persons accused of committing war crimes against children.

Judgments were delivered in 20 criminal proceedings, resulting in the **conviction** under Parts 1 and 2 Article 438 of the CC of Ukraine of **39 service members of the Armed Forces of the Russian Federation**, including 4 persons in cases involving the death or

2446 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report within the 2024 EU Enlargement Package, 2025, p. 487. ↗

2447 Bring Kids Back UA. ↗

2448 Publication by Yaroslav Yurchyshyn, Head of the Verkhovna Rada Committee on Freedom of Speech, on the social network Facebook, 2026. ↗

injury of children, 4 persons in cases involving sexual violence, 2 persons in cases involving damage to child infrastructure facilities and 29 persons in cases involving other war crimes.[2449]

Juvenile Justice

Over the past year, the development of the juvenile justice system in Ukraine has been characterised by **moderate progress alongside persistent systemic constraints**. On the one hand, important positive developments have taken place. A key milestone was the **adoption in July 2025 of the new National Strategy for Protecting Children's Rights in the Justice System until 2028.**[2450] The document explicitly aims to build 'child-friendly justice'[2451] and align with international standards, particularly the UN Convention on the Rights of the Child. Juvenile justice is gradually moving beyond the exclusively criminal sphere and extending to civil proceedings and family disputes, reflecting a more comprehensive approach to the child within the justice system. **The use of child-friendly practices is expanding**, including an increase in the number of 'green rooms', centres based on the Barnahus model, the introduction of child-friendly spaces in courts and the more active involvement of psychologists. There is also a growing systematisation of training for judges, prosecutors, police officers and defence counsel, contributing to the development of professional specialisation in cases involving children.[2452]

At the same time, these changes remain fragmented. Key innovations are implemented through pilot initiatives or regulatory acts but have not been integrated into legislation. The absence of a framework law on child-friendly justice, as well as the outdated nature of procedural codes, limits the sustainability of reforms. In addition, the system suffers from a **shortage of trained professionals and insufficient interagency coordination**, which reduces the effectiveness even of successful practices.

In the context of the war, a significant issue is also **the unregulated access of children to legal and psychological assistance**. Despite formal guarantees of the child's right to such support, in practice access remains limited due to age-related barriers, dependence on parental consent and inconsistencies in legislation. As a result, children — particularly those in conflict with their parents or in situations of violence — are often unable to obtain the necessary support independently, creating a gap between declared rights and their actual realisation.

Deinstitutionalisation and the Development of Family-Based Care

The deinstitutionalisation reform in Ukraine continues to be declared as one of the key priorities of state policy in the field of children's rights protection; however, its practical

2449 According to data from NGO 'Kharkiv Institute for Social Research' obtained during meetings, consultations and other events involving representatives of the Prosecutor General's Office.

2450 On Approval of the National Strategy for the Protection of Children's Rights in the Field of Justice until 2028 and the Operational Plan for Its Implementation in 2025–2028: Order of the Cabinet of Ministers of Ukraine No. 708 of 14.07.2025. ↗

2451 Ibid.

2452 Publication by the Interagency Coordination Council on Juvenile Justice on the social network Facebook, 2025. ↗

implementation over the past year has been inconsistent and uneven. Strategically, the course towards reducing institutional care and developing family-based care has been maintained, yet the pace of closure or transformation of institutions significantly outstrips the creation of quality alternatives. This is largely linked to the lack of funding for the reform and limited investment in the development of social services at the community level.[2453]

This is particularly evident in the transformation of infant homes. Their reorganisation into medical rehabilitation and palliative care centres, as well as centres for social support of families and children, has effectively narrowed access to institutional care for young children without complex medical conditions. At the same time, alternative care mechanisms for this category of children remain insufficiently developed. As a result, **a significant number of children spend months in hospitals** that are not designed for long-term residence, without stable care and individual attention. This practice effectively replaces one form of institutional care with another — less regulated and more risky. According to the State Service for Children, **there are currently nearly 300 such children.**[2454]

The **development of family-based care, primarily foster families and FTCHs** (4,076 units in 2024[2455] and 4,033 in 2025[2456]), **shows a trend of gradual decline**. This is linked to insufficient financial support, delays in payments over the past year and the lack of quality social support services. Under these conditions, even existing families face overload and professional burnout, which further constrains the development of this form of placement.

At the same time, there has been a **significant increase in the number of patronage families** (245 patronage families were established in 2025 alone, accounting for 38.4% of the total number of such families[2457]), indicating the State's efforts to compensate for the shortage of placements for the temporary care of children. However, the existing number of such families remains insufficient to meet actual needs. Moreover, the rapid expansion of patronage families without adequate support and training creates risks of reduced service quality and may lead to secondary traumatisation of children.

Social services in communities continue to operate under conditions of significant overload and limited resources, which complicates both the provision of quality support to families and the timely identification of children in difficult life circumstances. **Many social services are understaffed**, making it impossible to fully cover all families in need of support. Social workers are forced to act reactively, focusing only on the most critical cases, while a significant number of children remain outside the system's attention.[2458] Under such conditions, **the phenomenon of 'hidden orphanhood' is exacerbated**,

2453 Operational Plan for 2024–2026 for the Implementation of the Strategy for Ensuring the Right of Every Child in Ukraine to Grow up in a Family Environment for 2024–2028: Order of the Cabinet of Ministers of Ukraine No. 1201 of 26.11.2024. ↗

2454 Publication by Yurii Pavlenko, Member of Parliament of Ukraine, on the social network Facebook, 2026. ↗

2455 Public Report by Petro Dobromilskyi on the Results of the Service's Activities for 2024. State Service of Ukraine for Children, 2025, p. 18. ↗

2456 Report on the Results of the Activities of the State Service of Ukraine for Children for 2025, p. 12 ↗

2457 Ibid, p. 27.

2458 Information provided by Svitlana Klochko, expert of the NGO 'All-Ukrainian Association "Right to Family"', during an interview conducted on 23.03.2026.

whereby children are effectively deprived of adequate care but do not receive the corresponding status. This is partly also the result of deliberate avoidance of case registration in order not to worsen the statistical indicators of the deinstitutionalisation reform and/or to avoid creating obligations that communities are unable to fulfil.

There is also a practice of persuading parents to place their children in institutional care independently, under the pretext of medical or psychiatric diagnoses that do not in fact exist.[2459] Children may also be placed in private institutions, including those of a religious nature, whose activities remain insufficiently regulated and poorly supervised by the State. At the same time, it should be noted that **civil society organisations provide substantial support to the social sector, often assuming the functions of social services by supporting families** in difficult life circumstances, delivering relevant services and promoting and supporting family-based care within communities.[2460]

Among the **positive developments in the protection of children's rights** over the past year, the following can be noted:

- **The introduction of the European Child Guarantee in Ukraine until 2030**,[2461] in implementation of Council Recommendation (EU) 2021/1004,[2462] as a step towards strengthening the system of children's rights protection and aligning social policy with European Union standards. The document provides a foundation for moving from fragmented solutions to a more comprehensive and preventive model of support for children and families, aimed at ensuring equal opportunities for the development of every child regardless of their social status or life circumstances. In April 2026, the Cabinet of Ministers of Ukraine also approved the Action Plan for the Implementation of the National Plan for the Introduction of the European Child Guarantee in Ukraine for the Period up to 2030.[2463] At the same time, the effectiveness of its implementation will largely depend on adequate resourcing, the capacity of communities and the coordination of actions among different public authorities.
- **The establishment of the National Council on the Guarantees of the Rights of the Child**[2464] — a permanent body that will coordinate state policy in the field of childhood and prepare an annual report on the situation of children in Ukraine. This strengthens the institutional capacity of the State to work systematically in the interests of children.
- **The adoption of the Law of Ukraine 'On Mentorship'**,[2465] which introduces mentorship as an official social service and expands access to it for a wider range of

2459 Ibid.

2460 Ibid.

2461 On the Implementation of the European Child Guarantee in Ukraine: Resolution of the Cabinet of Ministers of Ukraine No. 1558 of 19.11.2025. ↗

2462 Council Recommendation (EU) 2021/1004 of 14 June 2021 establishing a European Child Guarantee. ↗

2463 On Approval of the Action Plan for the Implementation of the National Plan for the Introduction of the European Child Guarantee in Ukraine for the Period up to 2030: Order of the Cabinet of Ministers of Ukraine No. 320 of 08.04.2026. ↗

2464 On the Establishment of the National Council on Ensuring the Rights of the Child: Resolution of the Cabinet of Ministers of Ukraine No. 1507 of 19.11.2025. ↗

2465 On Mentorship: Law of Ukraine No. 4744-IX of 18.12.2025. ↗

children and young people in difficult life circumstances. The document defines the procedure for organising mentorship for children aged 10 and above and provides support not only to orphans, but also to children affected by the war, deported or forcibly transferred children, children of deceased service members and others. The law establishes requirements for mentors and aims to ensure stable adult support for children, the development of life skills and socialisation, thereby laying a systemic foundation for state support of this form of assistance.[2466]

At the same time, the **draft new Civil Code of Ukraine** (Draft Law No. 15150[2467]), adopted as a basis at first reading on 28 April 2026, **contains both positive and controversial provisions from the perspective of European child-rights standards**. In particular, it does not consistently recognise the child as an independent rights holder and provides weak guarantees for taking the child's views into account. Concerns also arise regarding provisions on an adopted child's right to know their origins, the possibility of revoking adoption, leaving children with developmental disorders in healthcare institutions and the broad powers of guardianship authorities without sufficiently clear procedural and judicial safeguards. Positive innovations include the explicit enshrinement of the best interests of the child principle and an attempt to specify the circumstances to be taken into account when decisions concerning a child are made. These include the child's age, state of health and individual characteristics, material, educational, psychological and emotional needs, the child's views, the possible impact of changes on the child's life and the nature of family ties. The comprehensive approach to allocating parental responsibility is also positive, as it requires the court to decide simultaneously on related issues concerning the child's place of residence, upbringing, contact, education, healthcare and property. At the same time, the proposed criteria remain evaluative, meaning that the practical significance of these provisions will depend on proper consideration of the child's views and individual circumstances and on the development of consistent judicial practice.

On 2 March 2026, the President also signed **Law No. 4779-IX**,[2468] **which introduces a mechanism for the mandatory evacuation of children from areas of active hostilities**, allowing their removal even without parental consent in cases of threat to life. Such decisions are taken by military administrations, while implementation is carried out by the police and guardianship authorities. The provisions of the Law create **significant risks of violations of human rights** and international humanitarian law.

Law No. 4779-IX effectively allows for the separation of children from their parents and interference in family life without adequate procedural safeguards and judicial oversight and creates a risk of their further institutionalisation. At the same time, the existing legislation, in particular the Family Code of Ukraine,[2469] already provides for a clear and procedurally regulated mechanism for the removal of a child from parents without deprivation of parental rights in cases where there is a threat to the child's life

2466 Ibid.

2467 Civil Code of Ukraine: Draft, registration No. 15150 of 09.04.2026. ↗

2468 On Amendments to Certain Legislative Acts of Ukraine Regarding the Regulation of Issues Related to Evacuation, Placement and Life Support for Evacuated Population, and Ensuring the Protection of Children in Settlements Located in Areas of Active and Possible Hostilities: Law of Ukraine No. 4779-IX of 10.02.2026. ↗

2469 Family Code of Ukraine No. 2947-III of 10.01.2002, Article 170. ↗

or health, which may also be applied in evacuation situations. The disregard of existing mechanisms and the introduction of parallel procedures create risks of legal uncertainty and weaken the safeguards for the protection of the rights of both the child and their parents.

Access to Education

The key challenges in ensuring access to education for children in Ukraine are directly linked to the consequences of the full-scale war. The destruction of educational infrastructure, the unstable security situation, regular blackouts, internet disruptions and prolonged air raid alerts significantly limit the learning possibilities. In some parts of Ukraine, in-person education remains largely inaccessible, while distance learning fails to ensure adequate quality due to technical constraints.

In the 2025–2026 academic year, 3,507,504 students were registered in Ukraine, of whom 70% study in person, 11.1% remotely and 18.9% through other forms (family-based education, external studies, patronage, etc.).[2470] This leads to the **accumulation of learning losses, which are systemic in nature** and are already reflected in declining levels of students' knowledge and skills.[2471] The State declares its intention to address these losses, in particular by encouraging a return to in-person learning and developing specific support tools;[2472] however, such measures remain fragmented and largely ineffective, failing to fully take into account security risks and the real needs of children.

The most challenging situation is observed among children residing in the TOT of Ukraine. In these areas, learning losses are driven by the systematic restriction of access to Ukrainian education. According to human rights organisations, more than 582,600 children are studying in the TOT of Ukraine.[2473] Approximately 34,000 are enrolled in the Ukrainian education system through distance learning.[2474] The remainder are effectively outside the Ukrainian educational space. The reasons include not only technical barriers, such as the lack of stable internet access or the blocking of Ukrainian resources, but also direct pressure from the occupying authorities. Studying in Ukrainian schools poses risks for children and their families, including threats of administrative liability for parents, the possibility of deprivation of parental rights and other forms of persecution.[2475]

The educational process in the occupied territories is carried out under conditions of systemic militarisation and ideological influence. Educational programmes incorporate propaganda narratives, while military-patriotic education covers children from an early

2470 School statistics: 70% of students study in person, while the number of teachers has decreased by 52,000. Trade Union of Education and Science Workers of Ukraine, 2025. ↗

2471 The MoES and savED presented the results of a project on overcoming learning losses: 46% of adolescents believe in Ukraine's future. New Ukrainian School, 2025. ↗

2472 Information provided by Valeriia Kuberska, expert of the Centre for Civic Education 'Almenda', during an interview conducted on 27.03.2026.

2473 Russia's Policy of Erasing the Identity of Children in the Temporarily Occupied Territories of Ukraine: 2025 Results: analytical report / T. Lychko, O. Shapoval, M. Sulialina. — Kyiv: Centre for Civic Education 'Almenda', 2026, p. 7. ↗

2474 Information provided by Valeriia Kuberska, expert of the Centre for Civic Education 'Almenda', during an interview conducted on 27.03.2026.

2475 Ibid.

age, including at pre-school level. Schools introduce cadet classes, specialised courses and extracurricular activities with a militarised focus, reinforced by additional social incentives.[2476] Such policies create long-term risks for the reintegration of children into Ukrainian society, as the educational process is used as a tool of ideological influence.

Against this backdrop, Ukraine's state policy on ensuring the right to education for children from the occupied territories is characterised by a significant gap between normative decisions and their practical implementation. Over the past year, several important normative legal acts have been adopted. **A model educational programme for children residing in the TOT has been introduced**,[2477] providing for a reduced workload, consideration of the security situation and a focus on Ukrainian studies. In practice, however, this standard educational programme is rarely applied due to the lack of proper communication by the State and insufficient guidance for educational institutions.

On 28 April 2026, an Order of the Ministry of Education and Science entered into force **approving the Procedure for Recognition of Learning Outcomes at the Level of Complete General Secondary Education Obtained in the Temporarily Occupied Territories**.[2478] Applications for recognition of learning outcomes may now be submitted in person or remotely to a general secondary education institution. Learning outcomes in most subjects are to be recognised on the basis of an educational declaration without additional assessment. Separate assessment is required only for subjects forming part of the Ukrainian studies component. This substantially simplifies the procedure compared with the previous practice, under which confirmation of education through external studies required examinations in a large number of subjects.

At the same time, the effectiveness of the new Procedure directly depends on full implementation of the Model Educational Programme for Children in the TOT, as this programme defines the content of assessment in the Ukrainian studies component. Implementation is currently impeded by regulatory inconsistencies, the absence of clear methodological guidance, limited teacher training, a lack of adapted materials and insufficient consideration of security risks. The key problem is therefore no longer the absence of regulatory solutions but insufficient coordination of their implementation. Without such coordination, the Procedure risks remaining a formal mechanism and failing to ensure genuine access to education for a significant proportion of children and young people from the TOT.

A procedure for recognising learning outcomes obtained in the TOT has also been approved for vocational (vocational-technical), professional pre-tertiary and higher education level.[2479] However, its practical implementation remains absent due to the

2476 Russia's Policy of Erasing the Identity of Children in the Temporarily Occupied Territories of Ukraine: 2025 Results: analytical report / T. Lychko, O. Shapoval, M. Sulialina. — Kyiv: Centre for Civic Education 'Almenda', 2026. — 28 p. ↗

2477 On Approval of the Standard Educational Programme for Full General Secondary Education for Persons Residing or Having Resided in the Temporarily Occupied Territory of Ukraine: Order of the Ministry of Education and Science of Ukraine No. 1047 of 21.07.2025. ↗

2478 On Certain Issues of Recognising, at the Levels of Complete General Secondary Education, Learning Outcomes of Persons Who Resided in the Temporarily Occupied Territory of Ukraine: Order of the Ministry of Education and Science of Ukraine No. 338 of 23.02.2026. ↗

2479 On Approval of the Procedure for the Recognition of Learning Outcomes Obtained in the Temporarily Occupied Territory of Ukraine at the Levels of Vocational (Vocational-Technical), Professional Pre-Tertiary and Higher Education Level: Resolution of the Cabinet of Ministers of Ukraine No. 871 of 15.07.2025. ↗

lack of necessary secondary legislation, model agreements and methodological guidance.

In addition, in December 2025 the Cabinet of Ministers of Ukraine introduced the **pilot project 'Open Path to Higher Education'**[2480] for categories of persons requiring additional support, including residents of the TOT of Ukraine, veterans and service members. The initiative provides for preparatory courses, including the addressing of learning losses, preparation for the National Multi-Subject Test, the provision of subsistence support and accommodation in student dormitories. At the same time, human rights organisations report[2481] that young people from the TOT of Ukraine are in practice unable to benefit from this programme, as they face refusals on various grounds.

The situation of children residing abroad (currently estimated at 1.7 million[2482]) is relatively more stable, but is also accompanied by a number of challenges. **The introduction of the Ukrainian educational component (a shortened educational programme for Ukrainian schoolchildren** temporarily living abroad[2483]) has helped to reduce workload and maintain links with the Ukrainian education system. Some positive developments are also observed in access to higher education, where **the recognition of foreign final examinations instead of the NMT has been allowed**. However, the **absence of clear procedures for implementing this provision** creates risks of unequal access. An audit by the Accounting Chamber on access to education for Ukrainian children abroad also indicates that the State does not currently ensure the full realisation of their right to education.[2484] A key issue is the absence of accurate records of such children and a lack of understanding of their educational trajectories, which creates a risk that some of them will fall out of the education system and lose their connection with Ukraine. The study also points to institutional weaknesses and insufficient coordination of state policy. The MoES does not possess comprehensive information on educational hubs abroad and has limited influence over their activities, while international cooperation and data exchange remain underdeveloped.[2485]

Recommendations

1. Strengthen the capacity of the system for investigating war crimes against children, through proper documentation, improved evidence collection and enhanced international cooperation.

2. Adopt a framework law on child-friendly justice to establish unified principles, define responsible actors and set out mechanisms for interaction.

2480 On the Implementation of the Experimental Project for the Preparation of Students of the Preparatory Department 'Open Path to Higher Education' in Higher Education Institutions: Resolution of the Cabinet of Ministers of Ukraine No. 1628 of 10.12.2025. ↗

2481 Information provided by Valeriia Kuberska, expert of the Centre for Civic Education 'Almenda', during an interview conducted on 27.03.2026.

2482 Ukrainian refugees after four years abroad. Fifth wave of the study. Centre for Economic Strategy, 2026. ↗

2483 Ippolitova I., Kolesnichenko N., Okhrimenko Y., Levchenko Y., Koshutska M., Khovrak O. Ukrainian Studies Component. Ministry of Education and Science of Ukraine. ↗

2484 Education of Ukrainian children abroad: the Ministry of Education and Science is lagging in implementing the recommendations of the Accounting Chamber. Accounting Chamber, 2026. ↗

2485 Ibid.

3. Legally enshrine the right of the child to legal and psychological assistance independently of the consent of parents/legal representatives in defined cases, namely in situations involving violence or risk. This could be implemented by expanding the legal capacity of adolescents aged 14 and above.

4. Provide for expenditures in the State Budget for the implementation of the Strategy for Ensuring the Right of Every Child in Ukraine to Grow Up in a Family Environment for 2024–2028 and for the development of community-based services.

5. Revise the principles of financing social services for children, by allowing communities to fully procure such services from different providers, thereby demonopolising the market currently dominated by state and municipal providers.

6. Consider allocating subventions to communities for the development of the social protection sector.

7. Review staffing standards of social service centres and services for children in line with their mandates.

8. Synchronise the process of reducing institutional care with the creation of accessible and high-quality alternatives.

9. Ensure proper statistical recording of children and youth residing in or displaced from the TOT and those abroad who require secondary, vocational, professional pretertiary and higher education.

10. Develop and implement a comprehensive state policy to address learning losses, including a clear definition of the concept, a monitoring system and tools for individualised student support.

11. Approve a general concept for access to education for children and youth from the TOT.

12. Adopt relevant normative legal acts enabling the practical recognition of learning outcomes acquired by children from the TOT.

13. Strengthen the State's information policy by ensuring systematic communication on educational opportunities for children, including those residing abroad and in the TOT.

Combating Discrimination and Hate Crimes

Throughout 2025 and early 2026, Ukraine demonstrated increased legislative activity in the field of anti-discrimination, which overall indicates progress towards alignment with the EU acquis. However, this dynamic remains fragmented, and the substance of legislative initiatives at times contradicts both national legislation and EU standards. Ultimately, this does not bring Ukraine closer to establishing a truly comprehensive system for the protection against discrimination and manifestations of intolerance.

The key legislative initiative — Draft Law No. 13597 — contains both important and long-awaited proposals, including the expansion of the list of protected grounds to include sexual orientation and gender identity (SOGI) and the regulation of liability for public incitement to intolerance, but it also contains structural gaps, since the very defi-

nition of the bias motive, as well as its application across various criminal offences, remains weak and does not meet Ukraine's needs.

Similar issues are evident in broader codification processes. In particular, the draft new CC of Ukraine proposes an approach to the prohibition of discrimination that contradicts EU standards and replaces clear legal categories with vague notions and broad exceptions, thereby creating a risk of legitimising discriminatory practices, particularly in the field of employment. The draft new Civil Code of Ukraine, despite the extensive use of the bias motive as an aggravating circumstance, does not provide for its proper definition or a list of protected grounds. The Commission for the Consideration of Complaints on Gender Discrimination, introduced in early 2026, is not integrated into the overall anti-discrimination architecture. This is likely to result in duplication of functions with the national equality body. Moreover, it does not include a clear timeline for its launch and therefore remains more of a declarative initiative than an effective protection mechanism.

A systemic issue remains the absence of comprehensive anti-discrimination assessment of normative legal acts. As the principle of non-discrimination is not integrated into law-making processes, both Members of Parliament and responsible ministries continue to produce fragmented and, at times, contradictory provisions, and in some cases even introduce openly discriminatory regulation, as seen in measures strengthening security controls and profiling individuals originating from the TOT of Ukraine.

Another factor exacerbating the risk of fragmentation in the protection against discrimination and intolerance is the absence of a comprehensive state anti-discrimination policy. The development and implementation of such a policy could serve as a clear signal of a shift from isolated initiatives towards a coherent and systematic approach to promoting equality and ensuring protection against discrimination.

Changes in the Regulatory Framework on Countering Discrimination and Manifestations of Intolerance in 2025

Throughout 2025, Ukraine intensified the development of legislative initiatives aimed at aligning with the EU acquis and international standards in the field of preventing and combating discrimination and manifestations of intolerance. Most of these initiatives originated from various stakeholders and did not always appear as a coordinated effort towards establishing a comprehensive and coherent system of protection against discrimination and manifestations of intolerance. Active stakeholders included Members of Parliament, responsible ministries and the Cabinet of Ministers of Ukraine, as well as working groups — both intersectoral (as in the case of developing the Procedure for Responding to Cases of Discrimination on the Grounds of Sex) and those involving expert and academic communities with the support of the European Union Advisory Mission Ukraine (as in the case of the long-term work[2486] on drafting the new CC of Ukraine).[2487] The draft laws[2488] covered both targeted amendments to the core anti-

2486 Publication by M. Khavroniuk on the social network Facebook, 2026. ↗

2487 New Criminal Code. ↗

2488 Hereinafter, 'draft laws' and 'legislative initiatives' refer to the draft laws analysed in this subsection of the report.

discrimination legislation and broader proposals to embed protection against discrimination and other manifestations of intolerance into wider legislative frameworks, including the labour, civil and criminal codes.

However, an analysis of these proposals through the prism of the EU acquis and international standards[2489] indicates that, despite the formally rapid pace of drafting and submitting legislative reform proposals in this field, **they remain fragmented and lack coherence**. If adopted in their current versions, **they will not allow for the establishment of a unified system for the protection against discrimination** and other manifestations of intolerance across different areas of public life.

Although the development of Ukrainian anti-discrimination legislation has, from the outset, consistently relied on the EU acquis and Council of Europe standards, the European Commission's preliminary assessments have repeatedly emphasised[2490] that fulfilling individual benchmarks under the Rule of Law Roadmap does not obviate the need to build a system of interconnected elements, rather than merely producing separate and potentially competing norms. If the proposed draft laws are adopted, Ukrainian anti-discrimination legislation may generate a number of contradictory provisions that would not comply with the EU acquis.

The most anticipated legislative initiative in this area in 2025 was **Draft Law No. 13597**.[2491] Its introduction signals the Government's recognition of the need to reform the existing system in line with the EU acquis. However, a detailed analysis[2492] reveals a number of structural shortcomings[2493] that are also relevant of other legislative initiatives. In particular, the draft law provides for the expansion of the list of protected grounds by including SOGI, thereby implementing the EU acquis and the ECtHR judgment in the case of 'Karter v. Ukraine'.[2494] It also proposes to clarify the concept of 'intolerance', but does not incorporate this concept directly into the CC of Ukraine, which constitutes a significant shortcoming.

In addition, Draft Law No. 13597 proposes to narrow the scope of Article 161 of the CC of Ukraine in line with Council Framework Decision 2008/913/JHA,[2495] as well as to introduce the possibility of prosecuting legal persons and initiating proceedings without a victim's complaint. This constitutes a positive step towards strengthening liability for the most severe manifestations of intolerance. However, the proposals do not provide for the consideration of bias motive in a number of criminal offences, such as

2489 The analysis primarily relies on the system of standards on the prevention of discrimination and other manifestations of intolerance developed at the level of the Council of Europe, as well as OSCE approaches to distinguishing and analysing other manifestations of intolerance, in particular hate speech and hate crimes.

2490 Ukraine 2025 Report. Communication on EU enlargement policy. ↗

2491 On Amendments to the Code of Ukraine on Administrative Offences and the Criminal Code of Ukraine Regarding Combating Manifestations of Discrimination: Draft Law of Ukraine, registration No. 13597 of 04.08.2025. ↗

2492 Draft law No. 13597 may become a step towards European standards in the field of equality, but it needs further refinement. ZMINA, 2025. ↗

2493 Review of the Recommendations of the UN Committee on the Elimination of Racial Discrimination for Ukraine. NGO 'Social Action Centre', 2025. ↗

2494 Karter v. Ukraine No 18179/17, 11.04.2024. ↗

2495 Council Framework Decision 2008/913/JHA of 28.11.2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law. ↗

minor bodily harm and hooliganism and do not fully address issues related to private prosecution and the liability of legal persons.[2496] Accordingly, **the proposed amendments do not eliminate systemic shortcomings and will not enable the establishment of an effective protection system**.

The draft law also overlooks the regulation of less serious forms of hate speech, the strengthening of the mechanism for shifting the burden of proof and the expansion of the role of the equality body in data collection and in efforts aimed at addressing structural discrimination. Some of these issues could have been addressed by other legislative initiatives, in particular Draft Law No. 15107,[2497] which was intended to amend the formula for shifting the burden of proof in civil proceedings. However, following the change in the composition of the Government in July 2026, it was withdrawn. Also important is the work of the State Service of Ukraine for Ethnopolitics and Freedom of Conscience (DESS) on a separate draft intended to regulate the prohibition of hate speech outside the media sector.[2498]

Some of these potential changes may be undermined should a draft new Criminal Code[2499] be submitted to the Verkhovna Rada, as its drafters have failed to take into account both the existing anti-discrimination provisions and the legislative proposals already submitted to the Verkhovna Rada.

In 2025, work continued on new codes that may affect the application of the principle of non-discrimination. In particular, one of the drafts of the **new Civil Code of Ukraine**[2500] provided for the inclusion of a provision that formally concerned the prohibition of discrimination in private-law relations. However, the approach[2501] proposed in the draft ignored international standards and existing national anti-discrimination legislation, which could have led to legal uncertainty and violations of human rights. Instead of clearly defining forms of discrimination and incorporating established catalogues of protected grounds, the draft employed the non-legal and evaluative concept of 'individuality' as a set of characteristics that may include both protected grounds and arbitrary personal traits. Such an approach shifts the focus from prohibiting discrimination to protecting an abstract 'right to self-expression', which lacks clear boundaries in EU acquis.

Particularly concerning was the list of exceptions to the obligation of equal treatment proposed in this provision, which included vague categories such as 'protection of good morals'. The use of such indeterminate criteria runs counter to the approach of Directive 2000/78/EC,[2502] under which exceptions to the principle of equal treatment must

2496 Draft Law No. 13597 may become a step towards European standards in the field of equality, but it needs further refinement. ZMINA, 2025. ↗

2497 On Amendment to Article 81 of the Civil Procedure Code of Ukraine Regarding the Implementation of Council Directive 2004/113/EC: Draft Law of Ukraine, registration No. 15107 of 30.03.2026. ↗

2498 DESS Presents Legislative Initiatives to Counter Hate Speech at CDADI Meeting. State Service of Ukraine for Ethnopolitics and Freedom of Conscience. 2026. ↗

2499 New Criminal Code. ↗

2500 Civil Code of Ukraine (Code of Private Law): Draft, registration No. 14394 of 22.01.2026. ↗

2501 Ibid, Article 317.

2502 Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation. ↗

be clearly defined, narrowly interpreted and comply with the principle of proportionality. This **draft therefore posed a significant risk of legitimising discriminatory practices**.[2503] At the same time, at the end of April 2026, the relevant draft Civil Code of Ukraine was withdrawn from consideration by Parliament.

The prohibition of discrimination and a well-founded explanation of permissible exceptions in the field of employment were set out in the **draft new Labour Code of Ukraine**,[2504] registered in the Verkhovna Rada in February 2026. This provision retained a broad list of protected grounds, including SOGI, in line with Directive 2000/78/EC,[2505] provided an appropriate reference to sector-specific legislation and established a clear complaint mechanism, including procedures for lodging complaints, protection against retaliation and appropriate sanctions for employers. The procedural safeguards proposed in the draft, including the shifting of the burden of proof, required corresponding incorporation into the relevant procedural legislation to ensure their effective implementation. The mechanism for handling complaints against employers also required strengthening. Nevertheless, in terms of drafting, the provision of Article 5 of the draft Labour Code of Ukraine **most closely aligned with European standards in the field of prohibition of and combating discrimination**. However, in July 2026, following the change in the composition of the Government, the draft was withdrawn.

The DESS is developing a draft law intended to regulate the prohibition of hate speech. The version of the draft law published by the DESS contains nothing beyond a proposal to introduce a new definition of hate speech into the sector-specific anti-discrimination law.[2506] However, the proposal does not indicate what sanction should apply, how it should affect the dissemination of hate speech or, most importantly, how double punishment for hate speech in the media should be avoided in view of the regulation already contained in the Law of Ukraine 'On Media'. Nor does it take account of the already published draft Code on Administrative Offences,[2507] which already provides for liability for disseminating statements, that 'incite hatred, hostility or cruelty'.

At the same time, this provision applies only to media and does not cover the category of public incitement to discrimination as a separate administrative offence, as required by Council Framework Decision 2008/913/JHA.[2508] It also remains unclear whether this proposal will be coordinated with other initiatives and whether it will form part of a broader framework or protection against public manifestations of intolerance. Another issue not addressed by this initiative is the removal of such content, as well as the imposition of liability for repeated offences.

2503 Analysis of the New Civil Code. Women's March, 2026. ↗

2504 Labour Code of Ukraine: Draft, registration No. 14386 of 15.01.2026. ↗

2505 Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation. ↗

2506 Notice of Publication of the Draft Law of Ukraine 'On Amendments to the Law of Ukraine "On Principles of Prevention and Combating Discrimination in Ukraine" Regarding Protection against Discrimination by Association, Multiple Discrimination and Hate Speech'. State Service of Ukraine for Ethnopolitics and Freedom of Conscience. 2026. ↗

2507 Code of Ukraine on Administrative Offences: Draft, registration No. 11386 of 28.06.2024. ↗

2508 Council Framework Decision 2008/913/JHA of 28.11.2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law. ↗

At the beginning of 2026, **amendments were introduced to the Disciplinary Statute of the AFU,**[2509] **which, inter alia, added a provision on the prohibition of discrimination and sexual harassment within the armed forces**. The amendments also establish an obligation for command to promote a culture of gender equality and respect for dignity, introduce mechanisms for reporting and examining complaints of discrimination and sexual harassment in the military and provide for the protection of complainants from secondary victimisation. However, the Statute does not refer to anti-discrimination legislation, which constitutes a gap in terms of legal certainty. For the effective implementation of these provisions in practice, it will be necessary to invest in awareness-raising among service members so that they understand which incidents should be reported, as well as to strengthen the capacity of command and gender advisers to assess complaints and take appropriate decisions.

In February 2026, the **Government approved the Procedure for Responding to Cases of Sex-Based Discrimination**.[2510] It provides for the possible establishment, within public authorities, the Armed Forces, other military formations established in accordance with law, specialised law enforcement bodies, civil protection forces, the defence-industrial complex, local self-government bodies and other institutions, of Commissions for Reviewing Appeals concerning cases of sex-based discrimination, gender-based violence and sexual harassment committed by employees of those bodies. While recognising the potential of different bodies to examine complaints of gender discrimination,[2511] such initiatives should primarily focus on the effectiveness of protection and, accordingly, on clear procedures, interaction with other institutions — including disciplinary commissions,[2512] whose work partly covers breaches of ethics by public servants and discrimination in employment relations — interaction with the national equality body[2513] and the binding nature of their decisions.

The Procedure contains several conceptual shortcomings that limit its practical implementation. Specifically, it fails to establish clear timelines for the creation of the Commissions or the commencement of their work, does not require mandatory anti-discrimination assessment of normative documents or policies and does not provide for coordination mechanisms to ensure data exchange and avoid duplication of complaint handling with the national equality body. As a result, despite the political importance of the initiative, its design does not ensure a transition from general commitments

2509 On Amendments to the Disciplinary Statute of the Armed Forces of Ukraine, the Internal Service Statute of the Armed Forces of Ukraine and the Disciplinary Statute of the Civil Protection Service Regarding the Improvement of Mechanisms for Ensuring Military Discipline and Preventing and Combating Manifestations of Discrimination and Sexual Harassment: Law of Ukraine No. 4797-IX of 25.02.2026. ↗

2510 On Approval of the Procedure for Responding to Cases of Discrimination on the Grounds of Sex: Resolution of the Cabinet of Ministers of Ukraine No. 226 of 18.02.2026. ↗

2511 As of 31 July 2026, the Government had not approved methodological recommendations for the work of such Commissions and there were no public data on their actual activities. However, at the end of June 2026, the Higher School of Public Administration conducted training for trainers who may subsequently train members of such Commissions. European Approaches to Equality and Non-Discrimination: Higher School Conducts Thematic Training for Trainers. Higher School of Public Administration. 2026. ↗

2512 On Approval of the Procedure for Conducting Disciplinary Proceedings: Resolution of the Cabinet of Ministers of Ukraine No. 1039 of 04.12.2019. ↗

2513 In accordance with the Law of Ukraine 'On Principles of Prevention and Combating Discrimination in Ukraine', the Ukrainian Parliament Commissioner for Human Rights performs the functions of the national equality body.

to the effective implementation of gender mainstreaming in public policy, thereby reinforcing the risk of maintaining a fragmented and reactive approach to combating discrimination.

Another development during the reporting period was the submission to Parliament of the above-mentioned **Draft Law No. 15107**,[2514] which **aimed to correct the design of the mechanism for shifting the burden of proof from the claimant to the defendant in discrimination cases**. At present, Part 2 Article 81 of the Civil Procedure Code of Ukraine requires the claimant to provide 'factual data confirming that discrimination has taken place', which in practice amounts to a requirement to submit evidence.[2515] Despite the existence of this provision for more than ten years, due to its flawed and unclear formulation, it has been rarely applied in practice.[2516]

Even though the principle of non-discrimination and equality mainstreaming constitute a core element of the EU acquis and are understood as an obligation to ensure that non-discrimination is taken into account at all stages of policymaking and legislation, no such integration into law-making processes in Ukraine occurred during the reporting period. Against this background, the absence of a systematic mechanism for assessing the impact of legislation on equality — particularly within the parliamentary process — as well as the limited role of bodies responsible for ensuring equality, creates a **risk of adopting regulatory acts with discriminatory effects**.

The amendments introduced in 2025 to the Procedure for Conducting Anti-Discrimination Expertise[2517] **did not resolve this problem**, as its scope and practical application remain limited. At present, anti-discrimination expertise functions as an instrument of internal governmental assessment of draft normative legal acts for compliance with the principle of non-discrimination. While mandatory for executive authorities, this procedure is not integrated into the legislative process, is not accompanied by a corresponding assessment of all legislative initiatives once they are submitted to Parliament[2518] and does not require the publication of such opinions. As a result, the majority of legislative initiatives are considered without a proper analysis of their potential impact on vulnerable groups.[2519] In a broader context, in the absence of a national anti-discrimination policy at the state level, there is no mandatory mechanism for assessing the impact of legislation on human rights.[2520]

2514 On Amendments to Article 81 of the Civil Procedure Code of Ukraine regarding the implementation of the provisions of Council Directive 2004/113/EC: Draft Law of Ukraine, registration No. 15107 of 30.03.2026. ↗

2515 Civil Procedure Code of Ukraine No. 1618-IV of 18.03.2004. ↗

2516 See, inter alia: Discrimination: Case-law for the period 2012–2020. Review of court decisions in discrimination cases in Ukraine for 2012–2020. NGO 'Social Action Centre', 2022. ↗

2517 On Amendments to the Resolutions of the Cabinet of Ministers of Ukraine of 3 November 2010 No. 996 and of 30 January 2013 No. 61: Resolution of the Cabinet of Ministers of Ukraine No. 322 of 21.03.2025. ↗

2518 The Rules of Procedure of the Verkhovna Rada of Ukraine do not contain a requirement to conduct such expertise, and existing parliamentary mechanisms for legal assessment do not provide for the application of anti-discrimination methodology or the assessment of indirect discrimination.

2519 As, for example, was the case with the draft of the new Civil Code of Ukraine and its potential impact on reducing the level of protection of the rights of women, children and the LGBT+ community. See, for example: Analysis of the New Civil Code. Women's March, 2026. ↗

2520 Existing instruments (legal, anti-corruption or gender-legal expertise) do not ensure a comprehensive assessment of the impact on equality and non-discrimination, they do not cover the assessment of indirect discrimination or the cumulative or disproportionate impact of legal provisions on certain groups.

The above-mentioned initiatives to amend regulatory frameworks in 2025 have also failed to address the **lack of a comprehensive anti-discrimination policy or the integration of equality mainstreaming in Ukraine**, which is an established element of the EU acquis and is understood as an obligation to ensure that non-discrimination is taken into account at all stages of policymaking and legislation.[2521] Instead, certain issues relating to equality guarantees for specific social groups are addressed in separate policy documents. This creates conditions in which some intersectional and structural issues fall outside the scope of attention, and the system remains fragmented despite the increasing number of stakeholders and resources allocated to support their work.

Moreover, the varying — and at times very low — quality of legislative initiatives during the reporting period, as well as their often merely formal references to EU standards, demonstrate that the mere introduction of new draft laws does not guarantee approximation to the EU acquis. Therefore, the mandatory development of a national equality policy should encompass not only the coordination of reforms aimed at ensuring equality and preventing discrimination, but also the systematic strengthening of the capacity of the Government, Parliament and civil society to understand and apply equality and non-discrimination standards in line with the EU acquis.

Thus, throughout 2025 and early 2026, **Ukraine has demonstrated political will to pursue reforms, yet continues to produce fragmented and isolated solutions**, to overlook the need for a comprehensive national anti-discrimination policy and to engage civil society only to a limited extent in timely consultations on the compliance of proposed changes with relevant standards.

Application of Legislation: Discrimination, Hate Speech and Hate Crimes in 2025–2026

The Rule of Law Roadmap,[2522] in addition to requirements for amendments to regulatory frameworks, also includes tasks aimed at systemic engagement with decision-makers and those responsible for examining complaints concerning discrimination and other manifestations of intolerance. During 2025 and early 2026, the implementation of the Roadmap's measures in terms of strengthening the capacity of the law enforcement, judicial system and public service to prevent and combat discrimination can be assessed as being predominantly focused on training and methodological interventions.

The most visible — and in some cases institutionalised — efforts were undertaken by law enforcement bodies, in particular the NPU and the MoIA, as well as the PGO and the Prosecutors' Training Centre of Ukraine. This activity is currently largely supported by joint programmes of the EU and the Council of Europe,[2523] as well as UNDP and other donors. In addition to periodic thematic and ad hoc training for law enforcement officers, an attempt was made at the level of the Prosecutors' Training Centre of

2521 Article 10 of the Treaty on the Functioning of the European Union explicitly provides that, in defining and implementing its policies, the Union shall aim to combat discrimination, thereby establishing a horizontal obligation to integrate the principle of equality into all areas of public regulation.

2522 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

2523 Investigators and prosecutors strengthen their capacity to investigate hate crimes (intolerance) in line with Council of Europe standards. Council of Europe Office in Ukraine, 2026. ↗

Ukraine to institutionalise training efforts, including the introduction of the first basic online course on investigating hate crimes within the prosecutors' training system.[2524] By the end of 2025, the NPU reported[2525] the development of initial police training programmes that already integrate topics on the prevention and countering of discrimination and hate-motivated crimes. In 2025, the NSJU established a group to update its anti-discrimination training programme, held a working group meeting at the end of November and developed an updated curriculum aimed at increasing judges' awareness of various forms of discrimination and manifestations of intolerance.[2526]

Despite the gradual updating of legislation and the increased capacity of state representatives to identify and prevent discrimination, the **practical application of anti-discrimination norms remains limited and unsystematic**. A key problem is the **extremely low level of use of formal complaint mechanisms for discrimination and intolerance**, driven by a lack of public awareness, lengthy and bureaucratic procedures and a low level of trust in decisions taken by public authorities. As a result, **most cases of discrimination do not reach judicial consideration**.

In addition to the lack of trust in the system, this is also linked to the absence of effective procedural tools, particularly the courts' failure to use the mechanism for shifting the burden of proof, as well as specialised (expedited and/or simplified) procedures for the consideration of such cases. Ukraine continues to demonstrate a **significant gap between official statistics and civil society data on hate crimes**, indicating their systematic underreporting and misclassification of the offence.[2527]

Russia's full-scale war against Ukraine has led to the introduction of additional security measures by the state, including enhanced controls, document checks, restrictions on access to certain services and benefits,[2528] as well as increased scrutiny of persons linked to the TOT of Ukraine.[2529] However, the low level of awareness of the principle of non-discrimination, combined with the absence of a systematic anti-discrimination assessment of all regulatory changes, results in the **timely evaluation of potential discriminatory impacts falling outside the focus of public authorities**.

2524 In particular, the catalogue of training programmes for prosecutors for the second half of 2026 includes the specialised course 'Effective Investigation and Counteraction to Hate-Motivated Crimes'. See: Catalogue of Training Programmes for Prosecutors. Second Half of 2026 / Prosecutors' Training Centre of Ukraine. 2026. P. 4. ↗

2525 Information obtained during joint meetings with representatives of state institutions, civil society organisations and experts in the relevant field.

2526 The Strategy for the Development of Judicial Education for 2026–2030 contains tasks on *'implementing training activities on judicial integrity and professional ethics, the rule of law, gender-based violence, gender equality, non-discrimination, and the protection of vulnerable groups'*. See: Strategy for the Development of Judicial Education in Ukraine for 2026–2030. National School of Judges of Ukraine, 2025. ↗

2527 Ukraine does not report data on the number of hate crimes to the OSCE. See: Ukraine. OSCE Office for Democratic Institutions and Human Rights Hate Crime Reporting. ↗; Data from civil society monitoring of hate-motivated crimes against LGBT+ persons indicate that the number of such incidents is not decreasing. See, for example: Kravchuk A., Zinchenkov O., Liashchenko O. Holding the Line: The Situation of LGBTQ People in Ukraine in 2025: Report / LGBT Human Rights Centre 'Nash Svit'. Kyiv, 2026. ↗

2528 For example, restrictions on the payment of pensions to pensioners from the TOT of Ukraine who have not provided additional documents. See: Human rights defenders call on the Government to immediately reinstate pensions suspended in January 2026. ZMINA, 2026. ↗

2529 For example, Draft Law No. 14230 proposed by the Government on polygraph testing for persons originating from the TOT of Ukraine. See: The Government sent for revision Draft Law No. 14230 providing for polygraph testing for Ukrainians from occupied territories. ZMINA, 2026. ↗

In recent years, **security measures have increasingly focused on identifying and subjecting individuals to enhanced checks based on characteristics such as their origin, place of registration, or the presence of relatives in the TOT of Ukraine, which creates significant risks of discrimination.**[2530] In light of the ECtHR standards,[2531] security restrictions based on protected characteristics and capable of significantly limiting human rights require careful assessment and may only be introduced in a proportionate manner, pursue a legitimate aim and be necessary in a democratic society. Furthermore, the ECtHR emphasises the need for an individualised assessment of circumstances and cautions against overly broad restrictions.

Taking this approach into account in the Ukrainian context means that **any security measures concerning persons linked to the TOT of Ukraine should be based not on formal or group characteristics, but on an individualised risk assessment**. The mere fact of past residence registration or the presence of relatives in the TOT of Ukraine[2532] cannot automatically be considered sufficient grounds for restricting rights or applying additional control measures. In this context, it is essential not only to ensure the formal approximation of legislation to EU equality directives, but also to strengthen institutional capacity to apply an anti-discrimination lens at all stages of policymaking. Without this, even well-justified security measures risk breaching the principles of necessity, proportionality and non-discrimination.

Recommendations

1. Introduce a comprehensive national anti-discrimination policy that ensures a systematic approach to promoting equality and prohibiting discrimination and other manifestations of intolerance across all areas of public policy and includes strengthening the capacity of stakeholders to understand the substance of equality and non-discrimination obligations and to develop high-quality legislative initiatives aligned with the EU acquis.

2. Strengthen the role of the national equality body (the Ombudsman) by ensuring its mandatory involvement in the development, assessment and monitoring of legislative initiatives and policies, as well as by ensuring coordination of all mechanisms for examining discrimination complaints across different areas of public life and protected characteristics, to avoid duplication of functions and enhance the effectiveness of protection.

3. Introduce mandatory anti-discrimination expertise at the parliamentary level, including the assessment of all draft laws for risks to human rights and their impact on different groups, with the publication of opinions and their mandatory consideration during revisions prior to the second reading.

4. Ensure systematic harmonisation of legislative initiatives in the field of non-discrimination (criminal, civil and labour law) to avoid inconsistencies and establish a coherent legal framework in line with the EU acquis. Introduce, at the parliamentary

2530 See, for example: Targeting NABU detectives over their origins or relatives in occupied territories is discriminatory, ZMINA human rights advocate warns. ZMINA, 2026. ↗

2531 Timishev v Russia Nos 55762/00 and 55974/00. Judgment of 13.12.2005. ↗

2532 Decision of the First Disciplinary Chamber of the High Council of Justice No. 868/1dp/15-25 of 28.04.2025. ↗

level, a mechanism for assessing draft laws for compliance with the EU acquis, so that Ukraine does not adopt, under the guise of European integration, provisions that contradict EU directives and the case-law of the ECtHR.

5. Initiate the development of a national equality data collection system, including data on discrimination, hate speech and hate crimes, with a clearly defined role for the national equality body as the coordinating authority responsible for determining the content, focus, scope, data protection requirements and alignment with international standards, in particular the requirements of the EU Agency for Fundamental Rights (FRA).

6. Move from ad hoc training activities to the systematic integration of the principle of non-discrimination into education and professional training, including through mandatory programmes for law enforcement, judges and public officials and the incorporation of relevant modules into basic professional education and periodic mandatory in-service training programmes.

Rights of Persons with Disabilities

As of 1 January 2026, there were 3,337,468 persons with disabilities in Ukraine, including 1,430,411 girls and women with disabilities. The total included 177,339 children with disabilities, 403,494 persons with Group I disability, 1,176,807 with Group II disability and 1,579,828 with Group III disability. However, the State does not have information on how many persons with disabilities have left Ukraine because of the war.[2533]

During the reporting period, the State continued efforts to improve the legal framework protecting the rights of persons with disabilities in the areas of employment, provision of social services and accessibility. However, although certain positive developments were observed, overall progress remains fragmented and does not ensure systemic change. A significant number of issues identified in the Shadow Report 2025 remain unresolved.

In the field of employment, the mechanism of reasonable accommodation remains insufficiently regulated and difficult to apply in practice, which hinders the meaningful inclusion of persons with disabilities in the labour market. Similarly, in the area of accessibility, no systemic progress has been achieved — accessibility of media, digital services and public space remains only partially implemented.

Planned deinstitutionalisation measures are not being effectively implemented, while practices of establishing new institutional facilities contradict the declared objective of transitioning to independent living in the community. The reform of the disability assessment system continues to follow a medical model and does not incorporate a human rights-based approach to disability. In the areas of social services and rehabilitation, structural changes are ongoing, yet they are not accompanied by adequate funding, interinstitutional coordination or expanded access to services. A gap persists between the needs of persons with disabilities and the actual provision of support, which is particularly evident in the lack of basic services and the shortage of qualified professionals.

2533 Letter of the Ministry of Social Policy, Family and Unity of Ukraine of 14.05.2026 No. 2601-20243/05-26-ZPI.

Thus, reforms are progressing slowly and, in some cases, remain largely declarative (for example, deinstitutionalisation) and are characterised by insufficient funding and a lack of interinstitutional coordination.

Employment

Over the past year, Ukraine has seen **some progress in the regulatory framework governing the employment of persons with disabilities**. On 1 January 2026, the Law of Ukraine 'On Amendments to Certain Laws of Ukraine Regarding Ensuring the Rights of Persons with Disabilities to Work'[2534] entered into force. At the same time, the inconsistencies of this Law with international and European standards in the field of employment, previously identified by civil society in the Shadow Report 2025, remain relevant.[2535] The development of the necessary secondary legislation is progressing extremely slowly, while the mechanism of reasonable accommodation remains ineffective due to the absence of a clear procedure for determining the measures required for its implementation and for ensuring an individualised approach.[2536]

On 21 January 2026, **Draft Law No. 14389**[2537] was registered in the Verkhovna Rada, which is supported by part of the community of persons with disabilities. The draft law aims to implement the provisions of Article 27 of the UN Convention on the Rights of Persons with Disabilities[2538] and provides for the right of a person with a disability to request reasonable accommodation, as well as the right to participate directly in determining the list and forms of reasonable accommodation measures. At the same time, Draft Law No. 14389, in its current version, does not ensure an effective mechanism for the implementation of these rights, as the procedure for their application is to be further defined by the Cabinet of Ministers of Ukraine and remains dependent on the individual rehabilitation programme, which in practice limits the autonomy of the person.

Moreover, the draft law does not simplify the procedure for employers to obtain compensation or subsidies, leaving it complex and time-consuming, which may result in delays in the employment of persons with disabilities. Draft Law No. 14389 introduces a separate procedure for appealing refusals to provide accommodation but does not recognise the denial of reasonable accommodation as a form of discrimination, which creates a risk of inadequate access to effective judicial protection. In the absence of amendments to the Law of Ukraine 'On the Principles of Preventing and Combating Discrimination in Ukraine'[2539] to recognise the denial of reasonable accommodation as a form of discrimination across all spheres of life, the approach of Draft Law No. 14389

2534 On Amendments to Certain Legislative Acts of Ukraine on Ensuring the Right of Persons with Disabilities to Work: Law of Ukraine No. 4219-IX of 15.01.2025. ↗

2535 The problems previously identified by civil society in the Shadow Report 2025 (pp. 511–512) remain relevant. ↗

2536 Information provided by experts of the civic union 'All-Ukrainian Public Association 'National Assembly of Persons with Disabilities of Ukraine'' during an interview conducted on 23.03.2026.

2537 On Amendments to the Law of Ukraine 'On the Fundamentals of Social Protection of Persons with Disabilities in Ukraine' Regarding the Improvement of the Mechanism for Ensuring Reasonable Accommodation: Draft Law of Ukraine, registration No. 14389 of 21.01.2026. ↗

2538 Convention on the Rights of Persons with Disabilities of 13.12.2006. ↗

2539 On the Principles of Prevention and Combating Discrimination in Ukraine: Law of Ukraine No. 5207-VI of 06.09.2012. ↗

is only partially aligned with the provisions of Council Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation.[2540]

On 17 December 2025, the Government adopted Resolution **No. 1673**,[2541] **approving the Principles, Criteria and Limits of Reasonable Accommodation and Universal Design ('the Principles, Criteria and Limits')**. This is a progressive act for Ukraine, seeking to regulate the practical aspects of ensuring reasonable accommodation and implementing universal design. However, the Principles, Criteria and Limits contain a number of shortcomings, including: the absence of a definition of 'reasonable accommodation' and clear legal definitions of 'disproportionate burden' and 'limits of reasonable accommodation'; the limited involvement of persons with disabilities, their representatives and organisations of persons with disabilities in assessing the 'disproportionality' of accommodation measures; and the conflation of the principles of reasonable accommodation with universal design, contrary to Article 2 of the UN Convention on the Rights of Persons with Disabilities, which explicitly provides that universal design does not eliminate the need for individual reasonable accommodation.[2542] The community of persons with disabilities has repeatedly called for the revision of these Principles, Criteria and Limits in order to ensure legal certainty and greater alignment with international standards.[2543]

The **draft Labour Code of Ukraine**,[2544] registered in the Verkhovna Rada on 15 January 2026, **contained several provisions aimed at preventing discrimination against persons with disabilities in Ukraine**. Nevertheless, it did not depart from the medical model of disability, as it did not propose abandoning the status categories of 'unfit for work' or 'legally incapacitated', nor did it introduce corresponding amendments to the Ukrainian regulatory framework. This directly contradicts the provisions of the UN Convention on the Rights of Persons with Disabilities. At the same time, in July 2026, the draft Labour Code of Ukraine was withdrawn following the change in the composition of the Government.

Overall, despite changes in legal regulation, **the actual situation regarding the employment rate of persons with disabilities has changed little over the past year**.

Accessibility

During the reporting period, no substantial systemic progress has been observed in ensuring accessibility. **A significant share of media content remains inaccessible to persons with hearing impairments due to the lack of subtitles or sign language inter-**

2540 Council Directive 2000/78/EC Establishing a General Framework for Equal Treatment in Employment and Occupation of 27.11.2000. ↗

2541 On Approval of the Principles, Criteria and Limits of Reasonable Accommodation and Universal Design: Resolution of the Cabinet of Ministers of Ukraine No. 1673 of 17.12.2025. ↗

2542 Convention on the Rights of Persons with Disabilities of 13.12.2006. ↗

2543 Appeal of Ukrainian Civil Society Regarding the Draft Resolution of the Cabinet of Ministers of Ukraine 'On Approval of the Principles, Criteria and Limits of Reasonable Accommodation and Universal Design' (Draft No. 66480-7-25). Fight For Right, 2025. ↗; NAPD Calls for Revision of the Draft Resolution on the Principles of Reasonable Accommodation and Universal Design. National Assembly of Persons with Disabilities of Ukraine, 2025. ↗

2544 Labour Code of Ukraine: Draft, registration No. 14386 of 15.01.2026. ↗

pretation.[2545] In addition, access to real-time information in public spaces is often provided exclusively in audio format, which poses safety risks and limits the mobility of persons with hearing impairments.

In addition, during the reporting period, **cases of inaccessibility of digital and banking services were recorded in the public domain**. A high-profile case occurred in the city of Kyiv, where a veteran with limb amputations was unable to complete photo identification at a bank due to the inability to perform the standard procedure — taking a photograph while holding a bank card in hand.[2546] This demonstrates the lack of adaptation of services to different users. The case highlights the absence of properly adapted internal procedures within banking institutions for persons with various types of disability.

At the same time, some steps towards updating regulatory approaches and unified accessibility standards in financial services were taken following public attention to the issue. On 15 July 2026, the National Bank of Ukraine adopted a resolution[2547] updating the procedure for identifying and verifying bank customers and introducing additional mechanisms for identity verification for persons with disabilities and persons with reduced mobility.

Despite the fact that on 26 February 2026 the National Commission on State Language Standards **approved the first state language standard 'Barrier-Free Terminology'**,[2548] the issue of terminology in the field of disability remains contested in the public domain, particularly with regard to the alignment of existing approaches with the human rights-based model of disability.[2549]

As regards physical accessibility, **despite updates to the regulatory framework, in particular the approval of amendments to the State Building Standards (DBN) 'Inclusiveness of Buildings and Structures'**,[2550] **the actual implementation of accessibility requirements remains limited**. According to the results of a nationwide monitoring of buildings and structures across the state, municipal and private sectors, **only 8.5% of facilities are barrier-free**, while 74.5% contain barriers for persons with disabilities.[2551] **Positive changes may also result from digitalisation in this area**, as compliance with State Building Standards (DBN), including accessibility requirements, is now to be monitored by the algorithm of the Unified State Electronic System in the Construction Sector (USESCS), which automatically blocks construction permits for any facilities that do not comply with the updated DBN.

2545 Report on the Activities of the National Council of Ukraine on Television and Radio Broadcasting for 2025. National Council of Ukraine on Television and Radio Broadcasting, 2026, p. 89. ↗

2546 'PrivatBank' Scandal: In Kyiv, a Service Member with an Amputation Was Denied a Bank Card. UNIAN, 2025. ↗

2547 On Approval of Amendments to the Regulation on the Conduct of Financial Monitoring by Banks: Resolution of the Board of the National Bank of Ukraine No. 81 of 15.07.2026. ↗

2548 On the Development of the State Language Standard 'Barrier-Free Terminology'. National Commission on State Language Standards, 2026. ↗

2549 'Barrier-Free Terminology': How Respect for the Individual Is Lost Behind a Glossy Façade of Words. Interfax-Ukraine, 2026. ↗

2550 On Approval of Amendment No. 3 to DBN B.2.2-40:2018 'Inclusiveness of Buildings and Structures': Order of the Ministry for Development of Communities and Territories of Ukraine No. 1617 of 20.11.2025. ↗

2551 Report on the Results of the Implementation of the National Strategy for Creating a Barrier-Free Space in Ukraine for the Period up to 2030 for 2025. Ministry for Development of Communities and Territories of Ukraine, 2025. ↗

A persistent issue is the certification of experts[2552] responsible for assessing accessibility during construction. **Accessibility assessments are often carried out by non-specialised professionals**, which affects the objectivity of monitoring and the quality of the implementation of standards.[2553]

Deinstitutionalisation

The problems related to deinstitutionalisation previously identified in the Shadow Report 2025 remain relevant: the institutional system continues to consume a significant share of budgetary resources, while only **approximately 15% of funds are spent directly on the needs of individuals and 85% on maintaining the system itself. Ukraine lacks information on the situation of residents of institutional care facilities in the temporarily occupied territories. Institutions remain unable to ensure the basic safety of persons with disabilities.**[2554] In addition, no amendments have been made to the Deinstitutionalisation Strategy[2555] or to the Operational Plan for its implementation, despite numerous comments from civil society.[2556] Although half of the first stage of deinstitutionalisation has already elapsed, the measures envisaged in the Operational Plan are not being implemented in practice: **the Government has not established an auxiliary body to ensure coordinated action in the field of deinstitutionalisation**; only isolated analytical materials that could serve as a basis for legislative amendments were identified on the official websites of ministries.[2557]

As in the Shadow Report 2025, attention should be drawn to the **risks associated with the establishment of new institutional facilities**. Within the framework of 'pilot projects' for the provision of supported living services for persons with disabilities and older persons among IDPs, a practice has been identified whereby the service is delivered in a three-storey supported living and social adaptation facility consisting of 68 rooms and designed to accommodate 136 individuals, with two persons per room.[2558] Moreover, the implementation of this pilot project is included among the measures of the Rule of Law Roadmap,[2559] although such practices are inconsistent with the principles of deinstitutionalisation and the Guidelines on independent living and community inclusion of persons with disabilities in the context of EU funding.[2560]

2552 The problems previously identified by civil society in the Shadow Report 2025 (pp. 502–508) remain relevant. ↗

2553 Information provided by Respondent 27 during an interview conducted on 24.03.2026.

2554 The problems previously identified by civil society in the Shadow Report 2025 (pp. 502–508) remain relevant. ↗

2555 On Approval of the Strategy for Reforming Psychoneurological and Other Residential Institutions and Deinstitutionalising Care for Adults with Disabilities and Older Persons until 2034 and Approval of the Operational Action Plan for Its Implementation in 2025–2027: Order of the Cabinet of Ministers of Ukraine No. 1315 of 24.12.2024. ↗

2556 Bulana Y. Deinstitutionalisation Strategy in Ukraine: Between European Integration Requirements and Preservation of the Status Quo: Analytical Review / Fight For Right. 2026. P. 44. ↗

2557 One Year of the D-Strategy: What Has (Not) Changed for People in Institutions? Fight For Right, 2025. ↗

2558 Bulana Y. Deinstitutionalisation Strategy in Ukraine: Between European Integration Requirements and Preservation of the Status Quo: Analytical Review / Fight For Right. 2026. P. 43. ↗

2559 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

2560 Guidance on Independent Living and Inclusion in the Community of Persons with Disabilities in the Context of EU Funding: Communication from the European Commission C(2024) 7897 of 20.11.2024. ↗

The situation during the winter of 2025–2026, when millions of Ukrainians were left without electricity and heating, demonstrated that institutionalisation is often the only solution offered to persons with disabilities during energy and humanitarian crises. For example, there is information about a decision by the Desnianskyi District State Administration of the city of Kyiv to 'temporarily' accommodate persons with disabilities and older persons in institutional care facilities.[2561] The MSP publicly stated the need to increase material and financial allocations to the institutional system.[2562]

Only at the end of March 2026 did the Government, by Resolution No. 365,[2563] amend the Procedure for the Use of Funds of the State Decarbonisation Fund to increase financing for the purchase and delivery of portable charging stations for children with disabilities in Subgroup A. No support measures were planned for adults with disabilities of any group or for children with disabilities in other groups and Subgroup I (B). As of July 2026, there was no information on further preparations for the following winter under martial law taking into account the experience and lessons of previous years.

Establishment of Disability Status

On 1 January 2025, **Law of Ukraine No. 4170-IX**[2564] **entered into force, introducing a transition from medical and social assessment conducted by Medical and Social Expert Commissions to the assessment of daily functioning**, which is currently carried out by Expert Teams for the Assessment of a Daily Functioning at Healthcare Facilities (EKOPFO) within healthcare institutions. The rationale for these changes was not only to reduce corruption risks but also to **move away from an exclusively medical understanding of disability**. At present, however, only certain procedural changes in the healthcare sector can be observed, rather than a substantive shift in approaches to disability assessment.

The Cabinet of Ministers of Ukraine was required, by 1 July 2025, to submit to the Verkhovna Rada a draft law introducing, no later than 1 July 2026, a mechanism for assessing a person's functioning based on the biopsychosocial model across different areas, as well as defining the authorities responsible for establishing disability status.[2565] As of July 2026, no such draft law had been submitted and, accordingly, these changes were not implemented from 1 July 2026. Moreover, no specific deadline has been established for their implementation.

According to the MoH, between 1 January 2025 and 30 March 2026 inclusive, 587,326 cases were considered: approximately 255,000 persons obtained disability status for the first time, while more than 310,000 had previously established disability status

2561 In Kyiv, Due to Heating Shortages, Single Persons with Reduced Mobility Are Temporarily Placed in Care Homes. Ukrainska Pravda, 2026. ↗

2562 Statement by Fight For Right on the Unacceptability of Mass Institutionalisation of Persons with Disabilities and Older Persons During the Energy Crisis in Ukraine. Fight For Right, 2026. ↗

2563 On Amendments to the Procedure for the Use of Funds of the State Decarbonisation and Energy-Efficient Transformation Fund: Resolution of the Cabinet of Ministers of Ukraine No. 365 of 25.03.2026. ↗

2564 On Amendments to Certain Legislative Acts of Ukraine Regarding the Reform of Medical and Social Assessment and the Introduction of the Assessment of Everyday Functioning of a Person: Law of Ukraine No. 4170-IX of 19.12.2024. ↗

2565 Ibid., para. 6, Section II 'Final and Transitional Provisions'.

extended.[2566] The MoH also outlines how the new system differs from the previous one, including: the digitalisation of document management processes; the introduction of in-person, remote and outreach assessment formats; assessments conducted by teams of practising physicians within healthcare institutions (more than 300 hospitals and over 7,000 doctors); the possibility for individuals to choose a healthcare institution for assessment from an available list; and the option for patients to make audio and video recordings of the assessment for potential appeals.[2567]

At the same time, experts point out[2568] that even within the healthcare sector significant shortcomings remain. At the initial stage of the reform, there was no clear regulation of who performs the function of the attending physician, which led to an imbalance in doctors' workloads; the necessary technical infrastructure for electronic document management was not ensured; and expert teams are experiencing excessive workloads.

According to another study,[2569] the following challenges have been identified: patients face delays at the stage of document verification and case review; ECOPFO do not consistently record in writing all documents considered in decision-making; medical professionals experience emotional pressure while working in such teams; only around half of patients report being treated with respect during the assessment; mechanisms for the protection of patients' rights are ineffective; and the system of incentives for ECOPFO doctors in many hospitals remains non-transparent and ineffective.

Social Services

The social services sector is undergoing a structural reform introduced through **amendments to the Law of Ukraine 'On Social Services'**.[2570] The reorganisation of service providers into municipal non-profit enterprises has enabled communities to access state budget funding; however, **the problem of the financial incapacity of communities and the lack of basic services (such as supported living, personal assistant, day care, etc.)** remains critical. Despite the transition to the model of municipal non-profit enterprises, the deficit of services in economically disadvantaged regions has not been overcome.[2571]

Digitalisation through the Unified Information System of the Social Sector, the Law[2572] on which was to enter into force at the end of May 2026, established unified data stan-

2566 More Than 700,000 Cases Have Already Been Considered under the New Everyday Functioning Assessment System. Ministry of Health of Ukraine. 2026. ↗

2567 Ibid.

2568 Results of the First Year of Transformation of MSEC into the EKOPFO System. National Institute for Strategic Studies, 2026. ↗

2569 Tymoshevska V., Havrysh T., Kharytonov O., Holovin O., Deineha M., Kakhnova M., Inviia M. Analysis of the Implementation of EKOPFO in Ukraine to Facilitate Effective Healthcare Reform: Patient Rights and the Role of the Doctor in the System. Charitable Foundation 'Healthy Solutions for an Open Society', 2025, pp. 8–9. ↗

2570 On Amendments to the Law of Ukraine 'On Social Services' Regarding the Improvement of the Provision of Social Services: Law of Ukraine No. 4332-IX of 26.03.2025. ↗

2571 The recommendation previously provided by civil society in the Shadow Report 2025 (p. 509) remains relevant. ↗

2572 On the Unified Information System of the Social Sphere: Law of Ukraine No. 4607-IX of 26.11.2025. ↗

dards aimed at administering social benefits and reducing corruption risks; however, it has not resolved the issue of identifying 'invisible' beneficiaries.

According to data provided by the National Social Service of Ukraine (NSSU) in response to a request for operational reporting,[2573] a critical gap is observed between the need for and the actual provision of services. Despite an overall **increase in the number of persons with disabilities covered by social services** (from 31,046 individuals in 2023 to 52,807 in 2025), the structure of these services indicates a **narrowing to the most basic forms of care**. In particular, the number of recipients of the 'Home Care' service has nearly doubled (to 7,203 individuals in 2025), while the provision of more complex basic services for adults with disabilities is rapidly declining: the number of recipients of the 'Day Care' service has more than halved compared to the previous year (from 920 individuals in 2024 to 434 in 2025). This points to a formalistic approach to needs assessment and the neglect of services that support independent living in the community. The study 'Home Care Services in Communities'[2574] also identifies a critical gap between actual needs and service provision, indicating a formal approach to needs assessment that undermines the right to individualised support and independent living.

Some progress has been observed in supporting children with disabilities and persons with disabilities since childhood: the Verkhovna Rada Committee on Social Policy recommended Draft Law No. 14191[2575] for a repeated second reading. The draft provides for a transition from fragmented assistance to comprehensive support by combining substantially increased payments — at least UAH 8,000–16,000 based on a basic amount of UAH 4,000 — with social services, including integrated early intervention for children under four, inclusive support and respite care for parents. In addition, the draft law introduces safeguards for the property rights of children with disabilities and guarantees state funding for basic services from 2027 as part of the European integration reform of deinstitutionalisation. However, systemic gaps persist for other categories of adults with disabilities.

The lack of coordination between the social and healthcare sectors leads to gaps in the continuity of care for persons with complex needs, particularly following discharge from healthcare institutions. **Despite the existence of more than 35 state standards**,[2576] **their implementation at the local level remains selective**: in most communities, the actual range of services is limited to 'home care' and 'in-kind assistance', while other essential services (such as supported living, social adaptation and day care) remain unavailable.[2577] In addition, no administrative liability is provided for violations of state standards in the provision of social services, which adversely affects the quality of service delivery.

2573 Letter of the National Social Service of Ukraine No. PI/45-2026 of 08.04.2026.

2574 Results of the Study 'Home Care Services in Communities: Accessibility, Needs, Gaps': Analytical Study / PH Capital, European Institute of Public Health Policy. 2026, pp. 53–58. ↗

2575 On Amendments to the Law of Ukraine 'On State Social Assistance to Persons with Disabilities from Childhood and Children with Disabilities' Regarding the Development of Comprehensive State Support and Increased Social Guarantees for Families with Persons with Disabilities: Draft Law of Ukraine, registration No. 14191 of 05.11.2025. ↗

2576 List of State Standards of Social Services. Restart Ukraine, 2025. ↗

2577 T. Borysovych, Y. Hromova, Y. Honcharov, O. Barchuk, I. Korolchuk. Study 'Barriers and Challenges in Access to Social Services for Older Persons and Persons with Disabilities During the War in Ukraine'. Charitable Organisation 'Charitable Foundation "Rokada" ↗

Concern is caused by the **stagnation in updating the standard for supported living, a service that is essential to deinstitutionalisation**. The current standard has been in force since 2017 and reflects neither the substance of supported living nor a human-rights-based approach. Existing supported-living projects are predominantly provided by civil society without adequate support from the State or communities, making them unstable and dependent on project and donor funding.[2578]

The situation is further aggravated by the **lack of training among informal caregivers**: currently, 77%[2579] have not received appropriate training, while the standard for the supported living service is being updated only in a fragmented manner. The problem of the **absence of a 'Personal Assistant' service** remains unresolved.[2580] Despite Ukraine's European integration commitments and numerous appeals from civil society,[2581] the MSP has not initiated the development of the relevant standard, instead focusing on institutional forms of care. The capacity of institutions to respond promptly to systemic challenges is assessed as insufficient due to the absence of sanctions for non-compliance with state standards. This deprives the NSSU of effective enforcement mechanisms, rendering state oversight largely reactive — focused on documenting existing crises rather than preventing them.

In 2025–2026, the **pilot project 'money follows the person'[2582] continued to reveal significant systemic risks**. In the previous report,[2583] this project was assessed as a positive initiative with the potential to meet actual service needs if scaled up. In July 2026, the Government decided to extend the pilot until 7 August 2028, with an ambitious plan to cover approximately 3,000 persons in 2026.[2584] At the same time, the statistics provided[2585] indicate an extremely slow pace of implementation: over two years of the pilot, beginning in August 2024, contracts were concluded with only 675 recipients in total for residential care and supported-living services, involving 91 social service providers.

In addition to the critically low coverage, the mechanism remains a closed pilot, as, according to official explanations by the MSP,[2586] it is limited to IDPs — those who have relocated from affected territories. This creates institutional inequality: the right to choose a service provider and receive direct payment for services depends on the

2578 See, in particular: materials of the CF 'Ukrainian Charitable Network' concerning reductions in budget funding and litigation over the supported-living home 'Abode of Faith, Hope and Love'. ↗; Publication of NGO 'Ukrainian Human Rights Initiatives' on the social network Facebook. 2026. ↗

2579 Results of the Study 'Home Care Services in Communities: Accessibility, Needs, Gaps'. Act for Health, pp. 11–13. ↗

2580 The problems previously identified by civil society in the Shadow Report 2025 (p. 509) remain relevant. ↗

2581 Statement by Fight For Right on the Unacceptability of Mass Institutionalisation of Persons with Disabilities and Older Persons During the Energy Crisis in Ukraine. Fight For Right, 2026. ↗

2582 Experimental Project for Internally Displaced Older Persons and Persons with Disabilities 'Money Follows the Person'. Ministry of Social Policy, Family and Unity of Ukraine, 2025. ↗

2583 Previously identified in the Shadow Report 2025 as a positive practice (p. 509). ↗

2584 In 2026, Around Three Thousand People Will Receive Supported-Living Services under the 'Money Follows the Person' Principle. Ministry of Social Policy, Family and Unity of Ukraine. 2026. ↗

2585 Ibid.

2586 Uliana Tokarieva, Deputy Minister of Social Policy of Ukraine. 'Our Ambitious Plan Is to Make the Lives of Older Persons and Persons with Disabilities Independent'. Ukrinform, 2024. ↗

fact of internal displacement, while residents with the same needs remain dependent on the capacity of local budgets, further deepening disparities in the quality of support.

At the same time, a systemic analysis of the updated regulatory framework, including the Strategy of State Policy on Internal Displacement for the Period up to 2030[2587] and Government Resolution No. 746,[2588] which simplifies access for IDPs with reduced mobility and IDPs with disabilities to temporary accommodation and long-term nursing care without a complete set of documents, indicates that **State policy continues to follow an institutionalisation-oriented approach**. Instead of systematically developing supported-living services in communities for all citizens, the focus is shifting towards medicalised and residential forms of care, particularly nursing care, for a narrow category of the population. This creates direct risks of hidden institutionalisation and the preservation of institutional-care approaches instead of genuinely ensuring the right to independent living.

Rehabilitation

In 2025, **the system of rehabilitation services in Ukraine entered a phase of active standardisation and expansion of the provider network**. A key regulatory act was Government Resolution No. 1438,[2589] which introduced the concepts of **community-based rehabilitation and home-based rehabilitation**. Despite the update of the Regulation on the Individual Rehabilitation Programme in 2025, the problem of the bureaucratisation of the patient pathway and the 'advisory' nature of the individual rehabilitation plan remains unresolved. The process of obtaining assistive rehabilitation devices continues to be excessively lengthy due to delays at the stage of expert teams. Recommendations of the attending physician often have only an advisory character, while the final decision of the expert team may be delayed, thereby disrupting the continuity of the rehabilitation process.

Despite the expansion of the rehabilitation network to 554 facilities and an increase in the number of specialists within the healthcare system,[2590] monitoring has identified several systemic gaps. In particular, the problem of providing non-evidence-based or purely formal services under the guise of rehabilitation persists, as some institutions receive funding under the packages of the National Health Service of Ukraine without having the actual capacity to work with different forms of disability.[2591] This is due to the absence of an effective mechanism for monitoring patient functioning outcomes in accordance with the International Classification of Functioning, Disability and Health. Currently, services are paid for based on the patient's presence within the system[2592]

2587 On Approval of the State Policy Strategy on Internal Displacement for the Period up to 2030 and the Operational Action Plan for Its Implementation in 2026–2028: Order of the Cabinet of Ministers of Ukraine No. 598 of 10.06.2026. ↗

2588 On Amendments to Resolutions of the Cabinet of Ministers of Ukraine No. 1352 of 22 December 2023 and No. 1169 of 17 September 2025: Resolution of the Cabinet of Ministers of Ukraine No. 746 of 10.06.2026. ↗

2589 On Amendments to the Resolutions of the Cabinet of Ministers of Ukraine of 3 November 2021 No. 1268 and of 16 December 2022 No. 1462: Resolution of the Cabinet of Ministers of Ukraine No. 1438 of 07.11.2025. ↗

2590 Our Goal Is to Create a High-Quality and Accessible Rehabilitation System That Ensures the Full Recovery of Every Patient: Viktor Liashko. Ministry of Health of Ukraine, 2025. ↗

2591 Is My Doctor's Approach Appropriate? Rehabilitation of War Injuries in Ukraine. Creating Rehabilitation in Ukraine. 2024. ↗

2592 On State Financial Guarantees of Medical Care for the Population: Law of Ukraine No. 2168-VIII of 19.10.2017. ↗

rather than on the actual achievement of rehabilitation outcomes. The shortage of specialised professionals, particularly occupational therapists, leads to excessive workloads for multidisciplinary teams and a reduction in the duration of rehabilitation sessions, which in outpatient settings are now limited to one hour per session.[2593]

A critical issue remains the institutional gap between the medical and social components of individual rehabilitation plans.[2594] The absence of automated coordination leads to the phenomenon of social hospitalisation, whereby patients are forced to remain in inpatient facilities due to the unavailability of supported living services or housing adaptations within their communities.

Recommendations

1. Revise Draft Law No. 14389 to provide for a clear and more transparent mechanism for implementing the right of a person with a disability to reasonable accommodation, without dependence on the individual rehabilitation programme and to simplify and shorten the procedures for employers to obtain compensation and subsidies without lengthy inspections.

2. Develop and introduce amendments to the Law of Ukraine 'On the Principles of Preventing and Combating Discrimination in Ukraine', defining the denial of reasonable accommodation as a form of discrimination.

3. Amend the Principles, Criteria and Limits of Reasonable Accommodation and Universal Design, approved by Government Resolution No. 1673 of 17 December 2025, by introducing clear definitions of 'reasonable accommodation', 'disproportionate burden' and 'limits of reasonable accommodation' in line with international standards, and by explicitly stating that universal design does not eliminate the need for individual reasonable accommodation.

4. Introduce administrative liability for violations of state standards for the provision of social services, by aligning social legislation with the CUAO.

5. Develop and approve a state standard for the 'Personal Assistant' service and ensure the implementation of the principle 'money follows the person' for all categories of citizens, regardless of status.

6. The National Health Service of Ukraine should revise payment monitoring criteria from 'process-based' to 'outcome-based', using the scales of the International Classification of Functioning, Disability and Health as a key funding condition to eliminate non-evidence-based services.

7. Grant priority status to the recommendations of the multidisciplinary team within the individual rehabilitation plan to enable the immediate provision of rehabilitation devices without additional bureaucratic delays.

8. Develop a state programme for the targeted recruitment of habilitation specialists to work directly at the level of territorial communities.

2593 Issues of Organising Rehabilitation in the Healthcare Sector: Resolution of the Cabinet of Ministers of Ukraine No. 1268 of 03.11.2021. ↗

2594 Naida Y., Zhdan P. Assessment of Everyday Functioning: Results of Implementation: Analytical Report. National Assembly of Persons with Disabilities of Ukraine, 2026. P. 24. ↗

9. Refrain from supporting or implementing humanitarian response measures that involve the segregation and isolation of persons with disabilities and older persons in institutional settings.

10. Direct efforts and resources towards community-based humanitarian solutions, including temporary housing within communities and provide additional sources of energy supply and heating for persons with disabilities.

11. The Cabinet of Ministers of Ukraine should develop and submit to the Verkhovna Rada a draft law providing for a transparent and comprehensible system for establishing disability status, including a unified assessment system covering multiple areas rather than only the medical component and ensuring a transition from assessing health status to assessing barriers across different spheres.

Freedom of Religion and Belief. Protection of the Rights of Indigenous Peoples and Persons Belonging to National Minorities

In the area of freedom of religion and belief, concern is raised by the initiation of procedures for the termination of religious organisations affiliated with a foreign religious organisation whose activities are prohibited in Ukraine, following the adoption of the Law of Ukraine 'On the Protection of the Constitutional Order in the Activities of Religious Organisations' in 2024. Under the definition of affiliation in this Law, a religious organisation cannot terminate such affiliation unilaterally, which creates grounds for the termination of the Ukrainian Orthodox Church (UOC) regardless of the actions of the leadership of this network of religious organisations. It should also be noted that the State systematically fails to adhere to the principle of equidistance from religious organisations. No progress has been recorded in this area.

In the area of countering xenophobia, a low number of hate crimes continues to be recorded. Of concern is the lack of proper legal qualification of offences (considering the hate motive) in the documented cases. The legislation in this area remains inadequate and requires systemic amendments. The delayed entry into force of limited amendments to the CC of Ukraine criminalising manifestations of antisemitism has not improved the situation; if anything, the opposite appears to be the case. Harmonisation of legislation with the EU acquis is necessary. Accordingly, *no progress* has been recorded in this area.

In the area of ethnic policy, concerns regarding the amendments to several laws affecting the educational, cultural, linguistic and information rights of persons belonging to national minorities, adopted in December 2023, remain relevant. At a minimum, it is necessary to correct the errors in the text of the Law of Ukraine 'On National Minorities (Communities) of Ukraine'. It is also advisable to fully implement the recommendations of the Venice Commission. This concerns permitting commercial advertising and election campaigning in places of compact residence of national minorities in their languages without mandatory translation into Ukrainian. It is also necessary to eliminate unequal opportunities for persons belonging to national minorities to exercise their rights depending on the official status of the languages of those minorities outside Ukraine.

In addition, clear and justified time limits should be introduced on restrictions of the rights of persons belonging to the Russian national minority and on the use of the Russian language in the public sphere (for example, within five years after the Verkhovna Rada of Ukraine revokes the status of the Russian Federation as an aggressor state). It is also necessary to complete the process, envisaged by the Law of Ukraine 'On Indigenous Peoples of Ukraine' adopted five years ago, of establishing and obtaining Government recognition of the representative bodies of these peoples. Considering the partial implementation of the Action Plan on the Protection of the Rights of Persons Belonging to National Minorities (Communities) of Ukraine, as well as the amendments to the Law of Ukraine 'On the Ratification of the European Charter for Regional or Minority Languages', *some progress* can be noted in this area.

In the field of protection of the rights of indigenous peoples, *progress* can finally be noted following the official recognition of the Mejlis of the Crimean Tatar People as the representative body of the Crimean Tatars.

In the area of promoting the integration of Roma into Ukrainian society, it is worth taking into account the priorities and approaches of the Council of Europe's Roma and Traveller Inclusion Strategy 2026–2030 when developing the Action Plan or Operational Plan for the implementation of the Roma Strategy. In particular, this concerns a shift in the overarching approach: the Council of Europe's Strategy is aimed primarily at working with society as a whole to create better conditions for Roma integration, rather than focusing solely on the Roma community itself. *Progress in this area can be assessed as limited*.

Implementation of Amendments to the Law of Ukraine 'On Freedom of Conscience and Religious Organisations'. Prohibition of the ROC and Affiliated Religious Organisations

In 2024, the Law of Ukraine 'On the Protection of the Constitutional Order in the Activities of Religious Organisations'[2595] entered into force, under which the activities of the Russian Orthodox Church (ROC) and religious organisations affiliated with it are to be terminated in the territory of Ukraine. The definition of affiliation provided by the Law enables the **potential termination of the UOC**,[2596] **which constitutes the largest network of religious organisations in Ukraine**.

In 2025, the DESS conducted an expert examination, which established indications of affiliation between the Kyiv Metropolis (KM) of the UOC and the ROC, and issued an order to the UOC to remedy the identified violations.[2597] The UOC refused to comply with these requirements, as it does not recognise the legality of the order. At the same time, it should be noted that, under the definition of affiliation set out in the aforementioned Law, a religious organisation cannot terminate such affiliation unilaterally. This

2595 On the Protection of the Constitutional Order in the Activities of Religious Organisations: Law of Ukraine No. 3894-IX of 20.08.2024. ↗

2596 Poturaiev explained the procedure for banning the UOC MP following the adoption of the Law. Ukrinform, 2024. ↗

2597 An order to remedy violations was issued to the Kyiv Metropolis of the UOC. State Service of Ukraine for Ethnopolitics and Freedom of Conscience, 2025. ↗

effectively creates grounds for the termination of the UOC irrespective of the actions of its leadership.

During the reporting period, **DESS initiated judicial proceedings for the liquidation of the governing bodies of the UOC**. In September 2025, the Sixth Administrative Court of Appeal opened proceedings on the DESS claim against the Kyiv Metropolis of the UOC seeking the 'termination by liquidation' of the religious organisation and transfer of its property to the State.[2598] In April 2026, at the court's request, the DESS again confirmed the expert conclusion concerning the ecclesiastical and canonical connection between the UOC and the Moscow Patriarchate (MP).[2599] The court had previously annulled the DESS order approving the expert conclusion issued in 2023.[2600] This decision should not affect the ongoing consideration of the DESS claim seeking termination of the Kyiv Metropolis of the UOC, although some confusion arose in the media because the 2023 expert examination concerning the ecclesiastical and canonical connection between the UOC and the MP was sometimes incorrectly equated with the 2025 assessment of indications of affiliation between the UOC and the MP. After the judicial proceedings concerning termination of the Kyiv Metropolis are completed, the DESS plans to bring claims concerning UOC eparchies.[2601] At the same time, on 23 July 2026, an updated standard form of Order to Remedy Violations of Legislation on Freedom of Conscience and Religious Organisations was approved.[2602]

In June 2026, the Kyiv Metropolis of the UOC brought proceedings against the Cabinet of Ministers of Ukraine challenging the legality of the establishment and activities of the DESS. According to lawyers representing the Kyiv Metropolis of the UOC, the Government vested the DESS with powers that, under the Law of Ukraine 'On Central Executive Authorities', may belong exclusively to ministries.[2603]

During the reporting period, **efforts continued to establish indications of affiliation between other religious organisations and the ROC**. In October 2025, such indications were identified in respect of the Korets Holy Trinity Stauropegial Convent of the MP.[2604] In February 2026, judicial proceedings were initiated for the termination of the Korets Monastery as a religious organisation.[2605] It should be noted that the Korets Monastery is directly subordinated to the Holy Synod of the Russian Orthodox Church and is not part of the UOC; therefore, its affiliation with the ROC is not in dispute.

2598 Ruling of the Sixth Administrative Court of Appeal of 03.09.2025 in case No. 855/11/25. ↗

2599 Following the Court Case concerning the Kyiv Metropolis of the UOC-MP, the State Service for Ethnopolitics Will Turn to the Dioceses. Relihiina Pravda. 2026. ↗

2600 Court Ruling and Examination of the UOC: What Was Actually Decided. State Service of Ukraine for Ethnopolitics and Freedom of Conscience. 2026. ↗

2601 Following the Court Case concerning the Kyiv Metropolis of the UOC-MP, the State Service for Ethnopolitics Will Turn to the Dioceses. Relihiina Pravda. 2026. ↗

2602 On Approval of the Form of an Order to Remedy Violations of Legislation on Freedom of Conscience and Religious Organisations: Order of the State Service of Ukraine for Ethnopolitics and Freedom of Conscience No. N-123/11 of 23.07.2026. ↗

2603 UOC-MP Seeks Dissolution of the State Service for Ethnopolitics through the Courts. Relihiina Pravda. 2026. ↗

2604 Indications of affiliation of the Korets Holy Trinity Stauropegial Convent of the Moscow Patriarchate with the ROC, whose activities are prohibited in Ukraine, were identified. State Service of Ukraine for Ethnopolitics and Freedom of Conscience, 2025. ↗

2605 Ruling of the Sixth Administrative Court of Appeal of 23.02.2026 in case No. 855/2/26. ↗

In March 2026, indications of affiliation were identified in respect of the Holy Intercession Holosiivska Pustyn Monastery of the Kyiv Metropolis of the UOC,[2606] which was issued an order to remedy the violations.[2607] The monastery refused to comply with the order and brought a court action challenging its legality. The DESS, in turn, recognised the monastery as affiliated with a foreign religious organisation whose activities are prohibited in Ukraine[2608] and brought a court action seeking its termination.

In the case of the Holosiivska Pustyn Monastery, the evidence of affiliation relied on its inclusion in the structure of the KM UOC, as well as references contained in the Charter of the ROC.[2609] The actions of the DESS in this case do not appear entirely beyond criticism. It should be recalled that shortly before the DESS initiated the procedure for the liquidation of the Holosiivska Pustyn Monastery, the monastery became the subject of a media scandal.[2610] It may be inferred that public attention to the specific educational activities conducted within the monastery contributed to the DESS decision to initiate an inspection and subsequent liquidation proceedings without waiting for the court to uphold the claim seeking the liquidation of the Kyiv Metropolis of the UOC.

In June 2026, an assessment was launched to determine whether there were indications of affiliation with the ROC in respect of the Pochaiv Holy Dormition Lavra,[2611] one of Ukraine's three most important Orthodox monasteries, alongside the Kyiv-Pechersk and Sviatohirsk Lavras. On 22 July 2026, the DESS announced that such indications had been identified.[2612]

The Right Alternative Non-Military Service under Conditions of General Mobilisation

The issue of violations of the right to alternative (non-military) service under conditions of general mobilisation remains relevant, as has been repeatedly noted.[2613] To address violations of the rights of believers, amendments should be adopted to the Law of Ukraine 'On Mobilisation Preparation and Mobilisation'[2614] to enable alternative (non-

2606 Study on the Affiliation of the Monastery 'Holy Intercession Holosiivska Hermitage' Completed. State Service of Ukraine for Ethnopolitics and Freedom of Conscience. 2026. ↗

2607 Monastery 'Holy Intercession Holosiivska Hermitage' of the Kyiv Metropolis of the UOC Issued an Order to Remedy Violations. State Service of Ukraine for Ethnopolitics and Freedom of Conscience. 2026. ↗

2608 On Recognising the Monastery 'Holy Intercession Holosiivska Hermitage' of the Kyiv Metropolis of the Ukrainian Orthodox Church as Affiliated with a Foreign Religious Organisation Whose Activities in Ukraine Are Prohibited under Article 3 of the Law of Ukraine 'On the Protection of the Constitutional Order in the Sphere of Activities of Religious Organisations': Order of the State Service of Ukraine for Ethnopolitics and Freedom of Conscience No. N-83/11 of 19.05.2026. ↗

2609 Results of the study on the presence of indications of affiliation of the 'Holy Protection Holosiivska Pustyn' Monastery of the Kyiv Metropolis of the Ukrainian Orthodox Church with a foreign religious organisation whose activities are prohibited in Ukraine. State Service of Ukraine for Ethnopolitics and Freedom of Conscience, 2026. ↗

2610 The public controversy surrounding the monastery's activities was triggered by the following publication: Korniichuk, Y. 'Underground School of the UOC-MP: Children in Kyiv Are Taught from Soviet Textbooks and Shown Russian Films'. Slidstvo.Info. 2026. ↗

2611 DESS to Begin Review of Pochaiv Lavra for Possible Links with a Religious Organisation Prohibited in Ukraine. State Service of Ukraine for Ethnopolitics and Freedom of Conscience. 2026. ↗

2612 DESS Identifies Signs of Affiliation of the Holy Dormition Pochaiv Lavra with the Russian Orthodox Church. State Service of Ukraine for Ethnopolitics and Freedom of Conscience. 2026. ↗

2613 Issues previously identified by civil society in the Shadow Report 2025 (pp. 528–529) remain relevant. ↗

2614 On Mobilisation Preparation and Mobilisation: Law of Ukraine No. 3543-XII of 21.10.1993. ↗

military) service on religious grounds during mobilisation. The problem is particularly acute in light of reports of ill-treatment of persons who refused military service on religious grounds.[2615] In April 2026, the Head of the DESS reported that work on the relevant legislative amendments was continuing.[2616]

Initiative to Revise the Model of State–Church Relations

Since September 2025, the **leadership of the DESS has initiated discussions on revising the existing model of State–church relations**. Based on publicly available information, the proposed changes envisage the development of closer and more formalised cooperation between the State and selected religious organisations.[2617] Reports on expert discussions organised by the DESS regarding the new concept of 'partnership' between the State and religious organisations indicate a perceived need to 'rethink outdated legal norms and to seek a balance between preserving the autonomy of religious organisations and addressing the challenges currently facing the country'.[2618]

The DESS substantiates the need for these changes by referring to the Address of the President to the Verkhovna Rada[2619] of 19 November 2024, in which he emphasised the need to develop partnership between the State and religious communities, while clarifying that 'this does not, of course, concern the Moscow church'.

At the same time, the substance of the new concept remains unclear. According to the vision of the DESS, it should be articulated through a statement of the Verkhovna Rada of Ukraine declaring the final transition to a model of State–church partnership, while preserving the secular nature of the State, non-interference in the internal affairs of religious organisations and preventing the instrumentalisation and misuse of religion to the detriment of Ukrainian society. Alongside such a statement, amendments to the Law of Ukraine 'On Freedom of Conscience and Religious Organisations' are to be prepared, aimed at deepening cooperation between the State and religious organisations in the social, humanitarian, environmental protection and cultural heritage protection spheres, as well as in military and prison chaplaincy, education and culture.[2620]

Considering previous instances of opposition by the All-Ukrainian Council of Churches and Religious Organisations to the harmonisation of Ukrainian legislation with European standards in certain areas,[2621] the process of deepening and institutionalising coopera-

2615 The 'Skelia' Assault Regiment Has Combat Achievements and Is Well Equipped. Witnesses Also Say People Are Tortured and Beaten to Death There. A Babel Investigation. Babel. 2026. ↗

2616 Ukraine Is Developing a Law on Alternative Service on Grounds of Religious Belief — Yelenskyi. Relihiina Pravda. 2026. ↗

2617 State and Church: Towards Partnership. The DESS initiated discussions on harmonising state–church relations. State Service of Ukraine for Ethnopolitics and Freedom of Conscience, 2025. ↗

2618 Experts discussed the renewal of state–confessional relations. State Service of Ukraine for Ethnopolitics and Freedom of Conscience, 2026. ↗

2619 'We must not allow anyone in the world to doubt the resilience of Ukraine as a whole' — Annual Address of the President to the Verkhovna Rada of Ukraine. Official website of the President of Ukraine, 2024. ↗

2620 State and Church: Towards Partnership. The DESS initiated discussions on harmonising state–church relations. State Service of Ukraine for Ethnopolitics and Freedom of Conscience, 2025. ↗

2621 See, for example: Appeal of the UCCRO to Parliament on the inadvisability and risks of ratifying the Istanbul Convention. All-Ukrainian Council of Churches and Religious Organisations, 2018. ↗

tion between public authorities and religious organisations warrants close monitoring. Given that 'the protection of public morality' is identified as one of the three 'strategically important areas of cooperation with religious organisations',[2622] it cannot be excluded that such a partnership may complicate certain efforts related to Ukraine's further European integration.

State Approach to Different Religious Organisations

An unequal approach by the State towards different religious organisations can be observed. For example, the UOC does not officially appoint chaplains. Among the 9,216 religious organisations classified as critical for the functioning of the economy and the provision of essential services during a special period, there is not a single community belonging to the jurisdiction of the UOC.[2623] Accordingly, representatives of the UOC are unable to secure reservation (exemption from mobilisation) for clergy during mobilisation and under martial law.[2624] In addition, representatives of the UOC do not participate in meetings between the leadership of Ukrainian religious organisations and the President, and are not admitted to events such as the National Day of Prayer[2625] held at the Verkhovna Rada of Ukraine.

Such practices are not consistent with Article 5 of the Law of Ukraine 'On Freedom of Conscience and Religious Organisations', which provides that 'the establishment of any advantages or restrictions of one religion, denomination or religious organisation in relation to others shall not be permitted'.[2626] Normalisation of such practices risks creating de facto discrimination not only against the religious organisation that is currently the subject of termination proceedings but also against others. For example, since 2019 the State has taken the position that the Ukrainian Orthodox Church of the Kyiv Patriarchate no longer exists,[2627] although supporters of the organisation elected a new Patriarch of Kyiv and All Rus-Ukraine[2628] following the death of Filaret in March 2026 and continue their church activities, including attempts to register 'eparchial coordination centres'[2629] and to conduct episcopal consecrations.[2630]

2622 Experts discussed the renewal of state–confessional relations. State Service of Ukraine for Ethnopolitics and Freedom of Conscience, 2026. ↗

2623 List of Legal Entities — Religious Organisations Classified as Critically Important for the Functioning of the Economy and Ensuring the Population's Livelihoods during a Special Period: Order of the State Service of Ukraine for Ethnopolitics and Freedom of Conscience No. N-82/11 of 06.06.2025. ↗

2624 On Approval of the Procedure for Submission of Documents for Reserving Persons Liable for Military Service among Clergy during Mobilisation and Wartime: Order of the State Service of Ukraine for Ethnopolitics and Freedom of Conscience No. H-177/11 of 10.11.2025. ↗

2625 On Establishment of the National Day of Prayer: Resolution of the Verkhovna Rada of Ukraine No. 4243-IX of 12.02.2025. ↗

2626 On Freedom of Conscience and Religious Organisations: Law of Ukraine No. 987-XII of 23.04.1991. ↗

2627 See, for example: UOC-KP 'Has Effectively and Legally Ceased Its Activities' — Statement by the Ministry of Culture. Religious Information Service of Ukraine. 2019. ↗

2628 Archbishop Nikodim of Sumy and Okhtyrka Elected New Patriarch of the UOC-KP. Ukraina Moloda. 2026. ↗

2629 See, for example: Non-Canonical UOC-KP Seeks Legalisation in Kherson Region. Most. 2026. ↗

2630 See, for example: Defrocked Figures of the 'UOC-KP' Seek Legalisation in Kherson Region. Relihiina Pravda. 2026. ↗

Hate Crimes against Representatives of National Minorities. Antisemitism. Status of Criminal Investigations

Hate crimes against representatives of national minorities **have not constituted a significant problem**, despite a slight upward trend in the number of recorded incidents. In 2025, five cases of antisemitic vandalism and one case of antisemitic violence were recorded. By comparison, four cases of antisemitic vandalism were recorded in 2024 and three in 2023 (with no cases of antisemitic violence).[2631]

In almost all recorded cases, the hate motive was not considered by law enforcement authorities when classifying the offences, and accordingly Article 161 of the CC of Ukraine ('violation of equality of citizens on the grounds of their race, nationality, regional origin, religious beliefs, disability or other characteristics') was not applied. Only in one case was criminal proceedings initiated with a preliminary qualification under Article 161 of the CC of Ukraine. In other cases, offences were classified under Articles 295 ('hooliganism'), 194 ('intentional destruction or damage to property'), 178 ('damage to or destruction of religious buildings or places of worship'), and 180 ('unlawful obstruction of religious rites') of the CC of Ukraine, among others.[2632]

As early as the beginning of 2022, **Parliament adopted amendments to the CC of Ukraine intended to facilitate the proper legal classification of antisemitic hate crimes (Law No. 2037-IX)**.[2633] 'Manifestations of antisemitism', within the meaning of the 2021 Law of Ukraine 'On Prevention and Counteraction to Antisemitism',[2634] were added to the constituent elements of the offence under Article 161 of the CC of Ukraine. **The text of the Law contains significant shortcomings** and may worsen the situation rather than improve it.[2635] **The President signed Law No. 2037-IX** only on 14 April 2026, four years after its adoption. At the same time, the amendments prompted a lively public debate.[2636]

Implementation of the Law of Ukraine 'On Indigenous Peoples of Ukraine'

An important development was the **official recognition by the Cabinet of Ministers of Ukraine, in April 2026, of the Mejlis of the Crimean Tatar People as the representative body of the Crimean Tatar people**.[2637] State recognition of an institution that legitimately represents the interests of a people is one of the most important attributes of indigenous-peoples status, as reflected in the Law of Ukraine 'On Indigenous

2631 According to monitoring data of the Congress of National Communities of Ukraine.

2632 Criminal Code of Ukraine: Law of Ukraine No. 2341-III of 05.04.2001. ↗

2633 On Amendments to Article 161 of the Criminal Code of Ukraine to Implement the Provisions of the Law of Ukraine 'On Prevention and Counteraction to Antisemitism in Ukraine': Law of Ukraine No. 2037-IX of 15.02.2022. ↗

2634 On Prevention and Counteraction to Antisemitism in Ukraine: Law of Ukraine No. 1770-IX of 22.09.2021. ↗

2635 Criminalisation of Manifestations of Antisemitism: Pros and Cons. ZMINA. 2026. ↗

2636 See, for example: Why the Story of the Law on Criminal Liability for Antisemitism Is Not Normal — Expert. TEXTY.org.ua. 2026. ↗

2637 On Conferring Legal Status on the Representative Body of the Crimean Tatar People: Order of the Cabinet of Ministers of Ukraine No. 303 of 03.04.2026. ↗

Peoples of Ukraine'.[2638] Under international standards, unlike other national minorities, indigenous peoples enjoy collective rights, which are expressed through a representative body. Persons belonging to national minorities, unlike indigenous peoples, enjoy individual rights that may be exercised individually or jointly with others.[2639]

The Law of Ukraine 'On Indigenous Peoples of Ukraine', which provides for the possibility of establishing a representative body, was adopted as far back as 2021. In 2022, the Government approved the Procedure for Formalising the Legal Status of a Representative Body of an Indigenous People[2640] and, in 2023, the Mejlis submitted the relevant documents.[2641] The following years involved a prolonged period of uncertainty, during which a claim was even brought before the Kyiv District Administrative Court concerning the Cabinet of Ministers of Ukraine's inaction.[2642] The claim was subsequently withdrawn after the status of the Mejlis was recognised.[2643]

The other two ethnic communities recognised under the Law of Ukraine 'On Indigenous Peoples of Ukraine' — the Karaites and Krymchaks — still do not have officially recognised representative bodies.

Implementation of the Law of Ukraine 'On National Minorities (Communities) of Ukraine'

During the reporting period, work on the implementation of the provisions of the Law of Ukraine 'On National Minorities (Communities) of Ukraine'[2644] continued. Despite the broad range of rights of persons belonging to national minorities provided for by the Law, the implementation of some of these rights remains largely theoretical due to the complexity of the underlying methodology. This is particularly the case with regard to language rights.

Education and the Use of Minority Languages

The most significant development during the reporting period was the **adoption by the Parliament in December 2025** of the Law of Ukraine 'On Amendments to Certain Laws of Ukraine in Connection with the Update of the Official Translation of the Euro-

2638 On Indigenous Peoples of Ukraine: Law of Ukraine No. 1616-IX of 01.07.2021. ↗

2639 United Nations Declaration on the Rights of Indigenous Peoples. A/RES/61/295. United Nations General Assembly, 13.09.2007. ↗; Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. A/RES/47/135. United Nations General Assembly, 18.12.1992. ↗; Minority Rights: International Standards and Guidance for Implementation. Office of the United Nations High Commissioner for Human Rights, 2010. ↗

2640 On Approval of the Procedure for Conferring Legal Status on a Representative Body of an Indigenous People of Ukraine and Depriving It of Such Status: Resolution of the Cabinet of Ministers of Ukraine No. 936 of 19.08.2022. ↗

2641 Mejlis of the Crimean Tatar People Receives Official Status. State Service of Ukraine for Ethnopolitics and Freedom of Conscience. 2026. ↗

2642 Eskender Bariiev Seeks Court Recognition of the Mejlis as the Representative Body of the Crimean Tatars. Suspilne: Crimea. 2024. ↗

2643 Eskender Bariiev Withdraws Lawsuit after Legal Status Is Conferred on the Mejlis of the Crimean Tatar People. Crimean Tatar Resource Centre. 2026. ↗

2644 On National Minorities (Communities) of Ukraine: Law of Ukraine No. 2827-IX of 13.12.2022. ↗

pean Charter for Regional or Minority Languages'[2645] (Draft Law No. 14120). Formally, these amendments are intended to eliminate inaccuracies in the previous translation, which allowed for ambiguous interpretation of certain provisions of the European Charter for Regional or Minority Languages (the Charter).[2646] In practice, however, the significance of the change in terminology was overstated during public discussions. At the same time, the President signed this Law only in June 2026, representing a substantial delay.

The Law in question provides for a **revision of the list of languages to which the provisions of the Charter apply in Ukraine**. While the previous version of Law No. 802-IV[2647] did not explicitly define the list of languages covered by the Charter (instead referring to national minorities), the new version directly establishes such a list. The provisions of the Charter are to apply to Belarusian, Bulgarian, Gagauz, Hebrew, Yiddish, Karaim, Crimean Tatar, Krymchak, German, Modern Greek, Polish, Romani, Rumeika, Romanian, Slovak, Hungarian, Urum and Czech. Of particular public importance, the Russian language was removed from the list of languages protected by the Charter. At the same time, the reference to the Russian minority in the previous version of Law No. 802-IV had in recent years been purely symbolic. Given that, in all laws regulating specific areas of the use of minority languages, Russian is subject to explicit exceptions, the presence or absence of a reference to the Russian language in the Law ratifying the Charter has no significant practical effect. At the same time, the Russian language continues to be mentioned in Article 10 of the Constitution of Ukraine. Previous practice in the application of the Charter indicates that its provisions have not been implemented in full.

The initial version of Draft Law No. 14120 provided for a different list of languages, which prompted criticism from experts and representatives of national minorities.[2648] At the same time, the Verkhovna Rada of Ukraine took into account the recommendations of the Shadow Report 2025,[2649] and the list of languages was accordingly revised and expanded. **The adoption of amendments to legislation related to the ratification of the European Charter for Regional or Minority Languages in this form merits support**.

At the same time, the recommendations of the Venice Commission remain only partially implemented, in particular with regard to introducing legislative amendments that would allow commercial advertising and election campaigning in places of compact residence of national minorities in their languages without mandatory translation into Ukrainian, as well as eliminating unequal opportunities for the exercise of the rights of persons belonging to national minorities depending on the official status of the respective minority languages outside Ukraine.

Unequal opportunities for the exercise of the rights of persons belonging to national minorities depending on the official status of the respective minority languages outside

2645 On Amendments to Certain Laws of Ukraine in Connection with the Updated Official Translation of the European Charter for Regional or Minority Languages: Law of Ukraine No. 4699-IX of 03.12.2025. ↗

2646 On Ratification of the European Charter regional or minority languages: Law of Ukraine No. 802-IV of 15.05.2003. ↗

2647 Ibid.

2648 See, for example: The languages of the North Azovian Greeks — Urum and Rumeika — are under threat of extinction and require protection: the community appealed to the Verkhovna Rada. Suspilne Donbas, 2025. ↗

2649 Recommendations previously provided by civil society in the Shadow Report 2025 (pp. 532–533). ↗

Ukraine persist. Amendments are also required, in terms of safeguarding the rights of national minorities, to the Law of Ukraine 'On National Minorities (Communities) of Ukraine', the Law of Ukraine 'On Ensuring the Functioning of the Ukrainian Language as the State Language',[2650] the Law of Ukraine 'On Local Self-Government in Ukraine',[2651] the Law of Ukraine 'On Education',[2652] the Law of Ukraine 'On Higher Education',[2653] the Law of Ukraine 'On Complete General Secondary Education',[2654] the Law of Ukraine 'On Media',[2655] among others.

The issue of introducing amendments to the Law of Ukraine 'On National Minorities (Communities) of Ukraine' also remains unaddressed. Such amendments are intended to establish clear and justified time limits (for example, within five years after the Verkhovna Rada of Ukraine revokes the status of the Russian Federation as an aggressor state) on restrictions of the rights of persons belonging to the Russian national minority and on the use of the Russian language in the public sphere.

In addition, errors in the terminology of the Law of Ukraine 'On National Minorities (Communities) of Ukraine' have not been corrected. These concern references to non-existent 'rights of national minorities', which render several critically important provisions of the Law legally meaningless, including those relating to parliamentary oversight of compliance with the right to use minority languages. As a positive development, it should be **noted that, in March 2026, the President established the Day of the Romanian Language**, to be celebrated annually on 31 August.[2656]

An important step towards the implementation of the language rights of persons belonging to national minorities was the **approval by the Cabinet of Ministers of Ukraine in December 2025 of the List of settlements in which persons belonging to national minorities (communities) of Ukraine traditionally reside, or in which such persons constitute a significant part of the population.**[2657] This is expected to finally **enable local self-government bodies to adopt decisions on the use of minority languages in certain areas of public life.** It should be noted that the adoption of this List was unjustifiably delayed by the Government for almost two years. However, the overall methodology for the use of national minority languages in certain areas of public life is so complex that, even after approval of the list of settlements where this is theoretically possible, no practical attempts have been made in any of them to exercise this possibility. Accordingly, the **State is not making sufficient efforts to enable persons belonging to national minorities to exercise the language rights acquired as a result of the 2023 legislative amendments.**

2650 On Ensuring the Functioning of the Ukrainian Language as the State Language: Law of Ukraine No. 2704-VIII of 25.04.2019. ↗

2651 On Local Self-Government in Ukraine: Law of Ukraine No. 280/97-VR of 21.05.1997. ↗

2652 On Education: Law of Ukraine No. 2145-VIII of 05.09.2017. ↗

2653 On Higher Education: Law of Ukraine No. 1556-VII of 01.07.2014. ↗

2654 On Complete General Secondary Education: Law of Ukraine No. 463-IX of 16.01.2020. ↗

2655 On Media: Law of Ukraine No. 2849-IX of 13.12.2022. ↗

2656 On the Day of the Romanian Language in Ukraine: Decree of the President of Ukraine No. 235/2026 of 12.03.2026. ↗

2657 On Approval of the List of Settlements in which Persons Belonging to National Minorities (Communities) of Ukraine Traditionally Reside or in which such Persons Constitute a Significant Part of the Population: Resolution of the Cabinet of Ministers of Ukraine No. 1682 of 17.12.2025. ↗

During the reporting period, work also continued on the development of the Strategy for the Preservation of Endangered Languages.[2658]

Implementation of the Action Plan on the Protection of the Rights of Persons Belonging to National Minorities

During the reporting period, the implementation of the Action Plan on the Protection of the Rights of Persons Belonging to National Minorities of Ukraine for the period up to 2027[2659] commenced. **A significant number of measures planned for 2025 were not implemented**, including those related to the development and adoption of legislative amendments. The development of the above-mentioned Strategy for the Preservation of Endangered Languages was also scheduled to be completed in 2025.

As a positive step, it should be noted that, at the end of 2025, following a competitive selection process, the **DESS supported three projects aimed at preserving the cultural heritage of national minorities, namely projects of the Slovak and Greek communities, as well as a project of North Azovian Greeks communities — the Urum and Rumeika communities**.[2660] At the same time, the Action Plan envisaged support for five projects. In 2026, nine projects are expected to receive support following a competitive selection.[2661]

In June 2026, following an agreement between the Cabinet of Ministers of Ukraine and the Hungarian Government,[2662] it was decided to amend the Action Plan[2663] and subsequently the legislation in order to ensure the rights of persons belonging to national minorities. A review of the approved amendments, which had not yet been officially published as of July 2026, indicates the **prospect of a significant expansion of the rights of persons belonging to national minorities, particularly in education and the use of languages that are official languages of the EU, as well as recognition of the right to use national symbols**. For the time being, however, these remain commitments requiring substantial amendments to existing legislation in 2026–2027. **Adoption of the relevant changes should be welcomed**. At the same time, in light of the experience of adopting new legislation on national minorities (communities) in 2022–2023, there is a possibility that some of the envisaged changes may face resistance from a significant proportion of Members of Parliament.

Integration of the Roma Community. Implementation of the Strategy for Promoting the Realisation of the Rights and Opportunities of Persons Belonging to the Roma

2658 9 Strategies for 9 Languages: Interview with the Deputy Head of DESS. State Service of Ukraine for Ethnopolitics and Freedom of Conscience, 2025. ↗

2659 Action Plan for the Protection of the Rights of Persons Belonging to National Minorities (Communities) of Ukraine: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

2660 Initiatives Preserving Heritage: DESS Supported Three Projects of National Communities in 2025. State Service of Ukraine for Ethnopolitics and Freedom of Conscience, 2025. ↗

2661 Nine Initiatives of National Minority (Community) Civil Society Associations in Ukraine to Receive DESS Support in 2026. State Service of Ukraine for Ethnopolitics and Freedom of Conscience. 2026. ↗

2662 Magyar: Hungary and Ukraine Agree to Expand the Rights of the Hungarian Minority in Zakarpattia. LB.ua. 2026. ↗; Action Plan on National Minorities in Ukraine to Be Implemented in 2026–2027 — Kachka. LB.ua. 2026. ↗

2663 On Amendments to the Action Plan for the Protection of the Rights of Persons Belonging to National Minorities (Communities) of Ukraine: Order of the Cabinet of Ministers of Ukraine No. 570 of 12.06.2026. ↗

National Minority in Ukrainian Society until 2030 and the Action Plan for its Implementation

As the report on the implementation of the Strategy for Promoting the Realisation of the Rights and Opportunities of Persons Belonging to the Roma National Minority in Ukrainian Society until 2030[2664] (Roma Strategy), as well as the Action Plan[2665] for 2025, has not yet been published, it remains difficult to assess the extent to which the State has fulfilled its commitments. Representatives of the Roma community point[2666] to the **passivity of executive authorities and local self-government bodies at the local level, as well as the lack of coordination between different public authorities**.

On 22 March 2026, the Government approved the Operational Plan for the implementation of the Roma Strategy for 2026–2028,[2667] which community representatives have generally assessed positively.[2668]

At the beginning of 2026, the Council of Europe adopted the Strategy for Roma and Traveller Inclusion for 2026–2030.[2669] This Strategy reflects somewhat different priorities and approaches compared to the Ukrainian framework. It introduces a shift in the overall approach: the Council of Europe Strategy places primary emphasis on engaging society as a whole to create more favourable conditions for Roma integration, rather than focusing exclusively on the Roma community itself.

Recommendations

1. Introduce amendments to the Law of Ukraine 'On Freedom of Conscience and Religious Organisations' to enable a religious organisation to terminate its affiliation with another entity unilaterally.

2. Introduce amendments to the Law of Ukraine 'On Mobilisation Preparation and Mobilisation' to enable the performance of alternative (non-military) service during mobilisation.

3. Introduce amendments to the Law of Ukraine 'On National Minorities (Communities) of Ukraine' to clarify the terminology, by replacing, where relevant, the phrase 'rights of national minorities' with 'rights of persons belonging to national minorities'.

2664 On Approval of the Strategy for Promoting the Realisation of the Rights and Opportunities of Persons Belonging to the Roma National Minority in Ukrainian Society until 2030: Order of the Cabinet of Ministers of Ukraine No. 866 of 28.07.2021. ↗

2665 On Approval of the Action Plan for 2024–2025 for the Implementation of the Strategy for Promoting the Realisation of the Rights and Opportunities of Persons Belonging to the Roma National Minority in Ukrainian Society until 2030: Order of the Cabinet of Ministers of Ukraine No. 1197 of 22.12.2023. ↗

2666 Statement by Zola Kondur (Chirikli Foundation) at the round table 'From Declarations to Implementation: Legislative Changes in the Field of Ethnopolitics of Ukraine', 16.03.2026.

2667 On Approval of the Operational Plan of Measures for 2026–2028 for the Implementation of the Strategy for Promoting the Realisation of the Rights and Opportunities of Persons Belonging to the Roma National Minority in Ukrainian Society until 2030 and Amendments to the Order of the Cabinet of Ministers of Ukraine No. 866 of 28 July 2021: Order of the Cabinet of Ministers of Ukraine No. 231 of 12.03.2026. ↗

2668 Information provided by Anzhelika Bielova ('Holos Romni') and Yulian Kondur (Chirikli Foundation) during interviews conducted on 09.03.2026 and 16.03.2026 respectively.

2669 Council of Europe Strategy for Roma and Traveller Inclusion (2026–2030). CM(2025)180-add1. Council of Europe, 21.01.2026. ↗

4. Introduce amendments to legislation to allow commercial advertising and election campaigning in places of compact residence of national minorities in their languages without mandatory translation into Ukrainian. Review the differentiated treatment of the scope of rights enjoyed by persons belonging to national minorities depending on the status of their language outside Ukraine. Fully implement the remaining recommendations of the Venice Commission.

5. Introduce amendments to legislation establishing clear time limits (for example, within five years after the termination of martial law or after the Verkhovna Rada of Ukraine revokes the status of the Russian Federation as an aggressor state) on restrictions of the rights of persons belonging to the Russian national minority and on the use of the Russian language in the public sphere.

6. Complete the procedure for the official recognition of the representative bodies of the indigenous peoples of Ukraine.

7. Consider the approach of the Council of Europe Strategy for Roma and Traveller Inclusion when preparing the Action Plan/operational plan for the implementation of the Roma Strategy, as well as when developing the strategy for the subsequent period.

Gender Equality and Protection of LGBTIQ+ Rights

Despite certain positive developments in the field of gender equality, the overall pace of reform remains limited, and a significant share of the necessary steps is stalled. Limited progress has been recorded in some areas, while regression has been observed in others. Moreover, during the reporting period, legislative initiatives were registered that may potentially restrict the rights of women, LGBTIQ+ persons and same-sex couples.

In the security and defence sector, positive developments have taken place following the entry into force of legislation aimed at improving mechanisms for ensuring military discipline and preventing discrimination and sexual harassment in the AFU. At the same time, recommendations on introducing full-time gender adviser positions remain only partially implemented.

In the labour sphere, certain positive steps have been noted with the registration of the draft Labour Code of Ukraine, which provides for the principle of equal pay for work of equal value, prohibits discrimination and introduces mechanisms to monitor compliance with this prohibition, as well as establishing additional paid parental leave.

As regards the implementation of the Istanbul Convention, progress remains minimal. Legislative initiatives recommended for adoption in the Shadow Reports 2024–2025 have not been considered by Parliament for a prolonged period. This indicates insufficient prioritisation of reforms in preventing violence and protecting victims. Although the number of new initiatives is increasing, their advancement has effectively stalled.

The proposed amendments to civil legislation raise significant concern, as the provisions of the draft Civil Code of Ukraine are aimed at restricting the rights of women and LGBTIQ+ persons.

No progress has been made in legislative support for the rights of LGBTIQ+ persons, through the introduction of registered partnerships and the establishment of liability for hate crimes. At the same time, certain positive developments in judicial practice have been observed — for the first time, a court decision establishing the fact of cohabitation as a family between persons of the same sex has entered into force.

Impact of the War on Women. Women in the Defence of the Country

The situation of women in the security and defence sector has seen slight improvements but requires further progress.

The number of women in the AFU has increased to 75,000, which is 5,000 more compared to the previous period.[2670]

On 18 March 2026, **Law of Ukraine No. 4797-IX**[2671] **entered into force, aimed at improving mechanisms for ensuring military discipline and preventing and countering discrimination and sexual harassment in the AFU**. The Law establishes the obligation of service members to comply with standards of equal rights for women and men, and of commanders to respond to cases of discrimination and sexual violence. In addition, it enables the suspension from duty of persons involved in offences against sexual freedom and further improves the mechanisms for internal investigations.

On 18 February 2026, the Government approved the **Procedure for Responding to Cases of Discrimination on the Grounds of Sex**,[2672] which establishes a mechanism for responding to cases of gender-based discrimination, gender-based violence and sexual harassment in state authorities, the AFU, other military formations established in accordance with the law, specialised law enforcement bodies, civil protection forces and the defence-industrial complex. The procedure has become operational, and certain authorities[2673] have already approved internal regulations on handling such cases and on the functioning of the relevant commissions.

The entry into force of Law of Ukraine No. 4797-IX and the approval of the relevant response mechanisms indicate the implementation of the recommendation of the Shadow Report 2025[2674] and the partial resolution of the problem of the absence of a clear

2670 More than 75,000 women serve in the Armed Forces of Ukraine, — Oksana Hryhorieva, Gender Adviser to the General Staff of the AFU. Army FM, 2026. ↗

2671 On Amendments to the Disciplinary Statute of the Armed Forces of Ukraine, the Statute of Internal Service of the Armed Forces of Ukraine, and the Disciplinary Statute of the Civil Protection Service regarding the improvement of mechanisms for ensuring military discipline, preventing and countering discrimination and sexual harassment: Law of Ukraine No. 4797-IX of 25.02.2026. ↗

2672 On Approval of the Procedure for Responding to Cases of Discrimination Based on Sex: Resolution of the Cabinet of Ministers of Ukraine No. 226 of 18.02.2026. ↗

2673 For example: On Approval of the Regulation on Responding to, Preventing and Countering Discrimination Based on Sex and Sexual Harassment in the Workplace among service members, civil servants and employees of the State Service of Special Communications and Information Protection of Ukraine: Order of the Administration of the State Service of Special Communications and Information Protection of Ukraine No. 806 of 05.12.2025. ↗

2674 The recommendation previously provided by civil society in the Shadow Report 2025 (p. 533) has been implemented. ↗

algorithm for identifying, responding to, investigating and conducting internal reviews of cases of sexual harassment in the AFU.

Despite these positive developments, the recommendation set out in the Shadow Report 2025[2675] to introduce full-time gender adviser positions at the level of units, operational commands and corps remains unimplemented.

Gender Equality in the Political Process and Public Life

No increase in the number of women participating in the political process and public life of the country has been observed.

Following changes in the Government in July 2026, the number of women heading ministries decreased: **only two women are members of the Cabinet of Ministers of Ukraine, representing 11%.**[2676]

The problem of **low representation of women in managerial positions in the civil service persists**. According to the National Agency of Ukraine on Civil Service, in the first quarter of 2026 women accounted for 26% of civil servants in Category A, 68% in Category B and 80% in Category C.[2677] These data indicate that the situation regarding the representation of women in the civil service remains unchanged.

The issue of **abolishing the requirement of continuous residence in Ukraine as a condition for standing in elections** — which effectively prevents women who were forced to leave the country due to the war from running — was identified in the Shadow Report 2025 but remains unresolved.[2678]

At the same time, some **positive developments have been recorded: the Government has implemented the recommendation to lift restrictions on cross-border travel for women serving as members of local councils.**[2679] These changes apply to women members of local councils at all levels, except for those subject to other legal grounds restricting their departure abroad.[2680]

The problem of the **marginalisation of women in the information space** remains unresolved. According to monitoring data, the share of female experts featured in broadcasts of the 'United News' marathon and on the Pershyi TV channel ranged between 15% and 24% across different months.[2681]

2675 The issue previously identified by civil society in the Shadow Report 2025 (p. 526) remains relevant. ↗

2676 Government and Executive Authorities. Cabinet of Ministers of Ukraine. ↗

2677 Dashboard on the quantitative composition of civil servants in Ukraine. National Agency of Ukraine on Civil Service, 2026. ↗

2678 The issue previously identified by civil society in the Shadow Report 2025 (p. 527) remains relevant. ↗

2679 The recommendation previously provided by civil society in the Shadow Report 2025 (p. 533) has been implemented. ↗

2680 Yuliia Svyrydenko: Women serving as local councils members will be able to cross the state border without restrictions during martial law. Cabinet of Ministers of Ukraine, 2025. ↗

2681 Faces of the 'United News' marathon and Suspilne: who was featured most frequently in February 2026. Detector Media, 2026. ↗

Gender Equality in Labour and Civil Relations

A significant positive development in the field of labour relations was the submission to the Verkhovna Rada of Ukraine of the **Government-drafted Labour Code of Ukraine.**[2682] The proposed **provisions of the draft took into account Directive (EU) 2023/970**[2683] on strengthening the application of the principle of equal pay for equal work or work of equal value between men and women through pay transparency and enforcement mechanisms, the implementation of which was recommended in the Shadow Report 2025.[2684] In particular, the draft Code provided that women and men are to receive **equal pay for the same or equivalent work** and stipulated that remuneration systems must be designed in a way that precludes any form of discrimination in their application.

The draft Code also aimed to **prohibit harassment and to introduce additional paid parental leave** of a total duration of four months — two months for each parent. Following the resignation of the Government, the draft Code was automatically withdrawn from Parliament before it had been considered. It is therefore expected to be resubmitted to the Verkhovna Rada by the new Prime Minister. However, the previous text of the draft requires minor refinement with regard to ensuring the right to work of pregnant employees, employees who have recently given birth and those who are breastfeeding.[2685]

A number of risks were associated with the **draft Civil Code of Ukraine** (Private Law Code)[2686] registered by the Speaker of the Verkhovna Rada of Ukraine and a group of MPs, as well as with its alternative Draft Laws No. 14394-1[2687] and No. 14394-2.[2688] The provisions of this legislative initiative contained a **substantial number of threats to women's rights**. In particular, it was proposed to: (1) lower the age of consent for marriage for women to 14, subject to a court decision in cases of pregnancy; (2) prohibit divorce during a woman's pregnancy and for one year following childbirth; (3) in certain circumstances, require courts to set reconciliation periods for spouses; (4) establish a woman's refusal to give birth as grounds for divorce; and (5) introduce a mandatory reconciliation procedure between parents in the event of divorce (including an obligation for courts to refer parents to social services centres to undertake such measures).[2689] These proposals have triggered strong backlash from the human rights community and civil society and have become the subject of peaceful protest — the 'Women's March' held in Kyiv on 8 March 2026, which called for the rejection of the draft Civil Code of Ukraine.[2690]

2682 Labour Code of Ukraine: Draft, registration No. 14386 of 15.01.2026. ↗

2683 Directive (EU) 2023/970 of the European Parliament and of the Council of 10 May 2023 to strengthen the application of the principle of equal pay for equal work or work of equal value between men and women through pay transparency and enforcement mechanisms. PE/81/2022/REV/1. ↗

2684 The recommendation previously provided by civil society in the Shadow Report 2025 (p. 534) remains relevant, but has been further clarified. ↗

2685 New labour legislation is needed. What should be expected from it? Association of Women Lawyers 'JurFem', 2026. ↗

2686 Civil Code of Ukraine (Private Law Code): Draft, registration No. 14394 of 22.01.2026. ↗

2687 Civil Code of Ukraine (Private Law Code): Draft, registration No. 14394-1 of 06.02.2026. ↗

2688 Civil Code of Ukraine (Private Law Code): Draft, registration No. 14394-2 of 06.02.2026. ↗

2689 Analysis of the New Civil Code. Women's March. 2026. ↗

2690 Women's March took place in central Kyiv. Ukrainska Pravda, 2026. ↗

Subsequently, the draft Civil Code of Ukraine and the alternative drafts were withdrawn from consideration. Instead, the same group of Members of Parliament registered a **new draft Civil Code of Ukraine, No. 15150**.[2691] Although revised, the draft retained a number of provisions posing risks to women's rights, including those outlined above in points 3, 4 and 5. On 28 April 2026, the Verkhovna Rada adopted Draft Code No. 15150 at first reading as a basis. It is currently being prepared for the second reading in Parliament.

The adoption of the draft Code at first reading prompted a wave of concern among the human rights community and civil society. This led to further protests, appeals and statements by human rights organisations calling for the draft to be thoroughly revised in order to remove provisions that are inconsistent with international human rights standards and create risks to the protection of women's rights.[2692]

Implementation of the Istanbul Convention, Combating Sexual Violence

According to the NPU, in 2025 a total of 94,855 **cases of domestic violence** were recorded and classified under Article 173[2] of the CUAO,[2693] which is **significantly lower** compared to 2024, when 149,760 such cases were registered.[2694]

Several provisions of the Istanbul Convention[2695] **remain unimplemented**. Draft laws No. 12297[2696] and No. 10420,[2697] aimed at implementing certain provisions of the Convention, have not been considered by the Verkhovna Rada, and their advancement has been stalled for over a year.[2698]

Although legislative initiatives aimed at implementing the provisions of the Istanbul Convention are not progressing, their number in the Verkhovna Rada is increasing. On 15 September 2025, Draft Law No. 14046[2699] was registered in Parliament, aimed at fostering a gender-sensitive educational environment and integrating the principles of equality and violence prevention, including bullying, into the education system. It

2691 Civil Code of Ukraine: Draft, registration No. 15150 of 09.04.2026. ↗

2692 More Than 80 Organisations Call on Stefanchuk to Review the Draft Civil Code. Institute of Mass Information. 2026. ↗

2693 Code of Ukraine on Administrative Offences No. 8073-X of 07.12.1984. ↗

2694 The number of domestic violence cases decreased in Kyiv and across Ukraine in 2025: police statistics. Politarena, 2026. ↗

2695 Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) No. 994_001-11 of 11.05.2011. ↗

2696 On Amendments to the Criminal Code of Ukraine and the Criminal Procedure Code of Ukraine regarding Ensuring the Full Implementation of the Provisions of International Law on Countering Domestic and Other Forms of Violence, Including Against Children: Draft Law of Ukraine, registration No. 12297 of 09.12.2024. ↗

2697 On Amendments to the Criminal Procedure Code of Ukraine regarding Conducting Medical Examinations and Expert Examinations, Concluding Reconciliation Agreements and Criminal Proceedings in the Form of Private Prosecution in Connection with the Ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention): Draft Law of Ukraine, registration No. 10420 of 22.01.2024. ↗

2698 The issue previously identified by civil society in the Shadow Report 2025 (p. 530) remains relevant. ↗

2699 On Amendments to Certain Legislative Acts in Connection with the Ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) regarding Education and the Training of Specialists: Draft Law of Ukraine, registration No. 14046 of 15.09.2025. ↗

provides for an obligation for educational institutions to introduce internal procedures for responding to cases of violence, sexual harassment, bullying and gender-based discrimination. The draft law also envisages the inclusion of gender equality topics in educational programmes, the introduction of gender-sensitive review of educational materials, and the training of professionals across various sectors — including law enforcement, judicial, social and medical — on the prevention of violence and the protection of victims.[2700]

In parallel with Draft Law No. 14046, Draft Law No. 14045[2701] has been registered with the Parliament, aimed at introducing specialised modules on gender equality and combating violence into the initial training and continuing professional development of judges. These modules are intended to equip judges handling cases involving victims of violence, including by strengthening skills in interagency cooperation, effective communication and the protection of victims' rights.[2702]

On 12 September 2025, the Government registered Draft Law No. 14036[2703] in the Parliament, which proposed amendments to the Disciplinary Statute of the NPU to integrate the principles of equality and non-discrimination into the system of service discipline. In particular, it introduced an obligation for police officers to refrain from discriminatory conduct and sexual harassment in the workplace, to introduce accountability of supervisors for ensuring equal rights and opportunities for women and men within police units and set out procedural mechanisms for responding to cases of discrimination or harassment, including the conduct of internal investigations by disciplinary commissions with due regard to gender balance in their composition.[2704] However, following the change in the composition of the Government in July 2026, the draft law was withdrawn.

Despite the considerable number of draft laws aimed at implementing the provisions of the Istanbul Convention, their consideration remains unjustifiably delayed. The lack of proper prioritisation of these legislative initiatives by the Verkhovna Rada results in their prolonged non-consideration.

Homophobic Attacks and the State of Their Investigation

According to the monitoring network of the LGBT Centre 'Nash Svit', **60 cases motivated by homophobia or transphobia, discrimination and other human rights violations** were recorded in 2025, compared to 75 cases in 2024. Of these, 23 cases bore indicators of hate crimes, while 15 were classified as hate incidents. In 27 cases, victims

2700 Conclusions of JurFem's gender legal expert review of Draft Law No. 14046. Association of Women Lawyers 'JurFem', 2025. ↗

2701 On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' in Connection with the Ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) regarding the Training of Judges: Draft Law of Ukraine, registration No. 14045 of 15.09.2025. ↗

2702 Conclusions of JurFem's gender legal expert review of Draft Law No. 14045. Association of Women Lawyers 'JurFem', 2025. ↗

2703 On Amendments to the Disciplinary Statute of the National Police of Ukraine regarding the regulation of the prevention of cases of discrimination on the grounds of sex and sexual harassment in the workplace: Draft Law of Ukraine, registration No. 14036 of 12.09.2025. ↗

2704 Conclusions of JurFem's gender legal expert review of Draft Law No. 14036. Association of Women Lawyers 'JurFem', 2025. ↗

interacted with law enforcement authorities, and in 8 of these instances violations of the rights of LGBTIQ+ persons by law enforcement officers were documented.[2705]

At the same time, the **lack of a clear legislative definition of hate crimes, including on the grounds of SOGI**, remains unresolved. The recommendation of the Shadow Report 2025 to develop draft legislation amending the CUAO and the CC of Ukraine has been partially implemented. The proposed amendments are intended to establish administrative liability for manifestations of discrimination; recognise the commission of a criminal offence motivated by intolerance (including on SOGI grounds) as an aggravating circumstance; and introduce criminal liability for public incitement to violence motivated by intolerance (including on SOGI grounds).[2706] To this end, Draft Law No. 13597[2707] was registered in the Verkhovna Rada on 4 August 2025. While it introduces several positive elements, the draft law requires further refinement, particularly with regard to hate speech, multiple and intersectional discrimination, discrimination by association, public prosecution and related issues.[2708]

The adoption of the relevant legislation under the Rule of Law Roadmap was **scheduled for the fourth quarter of 2025; however, this deadline has not been met**.[2709]

Civil Partnership and Recognition of Same-Sex Unions

Ukraine still lacks any mechanisms for the legal recognition and protection of same-sex couples. Draft Law No. 12252,[2710] as well as Draft Law No. 9103,[2711] both of which provide for the introduction of a registered partnership institution, including for same-sex couples, have not been considered or adopted by the Verkhovna Rada.

The judgment of the ECtHR in the case of 'Maymulakhin and Markiv v. Ukraine'[2712] remains unimplemented. Likewise, the **provisions of the Rule of Law Roadmap — which envisaged the adoption of the relevant legislation by the third quarter of 2025 — have not been fulfilled**.[2713]

2705 A. Kravchuk, O. Zinchenkov, O. Liashchenko. Holding the Line. The Situation of LGBTQI+ People in Ukraine in 2025. Nash Svit, 2026. ↗

2706 The recommendation previously provided by civil society in the Shadow Report 2025 (p. 544) remains relevant but has been further clarified. ↗

2707 On Amendments to the Code of Ukraine on Administrative Offences and the Criminal Code of Ukraine Regarding Combating Manifestations of Discrimination: Draft Law of Ukraine, registration No. 13597 of 04.08.2025. ↗

2708 Better protection against discrimination and hate crimes, but with gaps: what should be changed in European integration Draft Law No. 13597. ZMINA Human Rights Centre, 2026. ↗

2709 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475-p of 14.05.2025. ↗

2710 On Amendments to Certain Legislative Acts of Ukraine to align them with the requirements of Articles 8 and 14 of the Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights) and Council Regulation (EU) 2016/1104 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of the property consequences of registered partnerships: Draft Law of Ukraine, registration No. 12252 of 27.11.2024. ↗

2711 On the Institution of Registered Partnerships: Draft Law of Ukraine, registration No. 9103 of 13.03.2023. ↗

2712 Case of 'Maymulakhin and Markiv v. Ukraine', application No. 75135/14. Judgment of the European Court of Human Rights of 01.06.2023. ↗

2713 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

There has been notable progress in judicial practice. On 25 February 2026, the SC dismissed a cassation appeal lodged by the NGO 'All Together! Civic Movement',[2714] in which the applicant challenged a decision establishing the fact of cohabitation as a family (de facto marital relationship) between two men. In this case, the court of first instance substantiated its finding by referring to the ECtHR judgment in 'Maymulakhin and Markiv v. Ukraine', the constitutional principle of equality and dignity of all citizens, and a decision of the Constitutional Court of Ukraine recognising that family members may include not only relatives but also persons who have lived together for a prolonged period and share a common life.[2715] This case constitutes the **first judicial recognition of a de facto same-sex partnership**.

Despite this, there are **ongoing attempts to restrict the rights of same-sex couples and LGBTIQ+ persons in the draft Civil Code of Ukraine**[2716] adopted by the Verkhovna Rada at first reading as a basis. While this draft envisages a comprehensive revision of family and civil legislation, it does so without taking into account obligations to establish mechanisms for the registration of same-sex families. Moreover, this draft defines 'de facto family unions' exclusively as cohabitation between persons of opposite sex, thereby excluding same-sex couples. Such an approach effectively precludes judicial recognition of samesex couples as families, thereby removing the limited but existing legal protection currently afforded and reversing recent judicial progress.

Certain provisions of the draft also automatically invalidates marriages concluded by persons who have legally changed their gender, effectively forcing the dissolution of such marriages irrespective of the will of the parties. These provisions constitute a direct interference with the right to respect for private and family life as guaranteed by Article 8 of the ECHR.[2717] Several dozen human rights and civil society organisations have issued a joint statement condemning the unacceptable provisions of this draft Code.[2718]

The MoJ, in its opinion, criticised the provisions of the withdrawn **draft Civil Code of Ukraine**[2719] that defined 'de facto family unions' as a union between two persons of opposite sex. It noted that the general legal framework for same-sex registered partnerships should form part of the draft Code and that the absence of such a fundamental basis effectively undermines the relevant legislative initiatives on registered partnerships (Nos. 9103 and 12252) and prevents the implementation of the measures set out in the Rule of Law Roadmap, thereby distancing national legislation from contemporary EU legal standards and policy.[2720] Since the relevant provisions are replicated in the current version of Draft Civil Code of Ukraine No. 15150, these conclusions may also be applied to it.

2714 Judgment of the Supreme Court of 25.02.2026 in case No. 754/12856/24. ↗

2715 Judgment of the Desnianskyi District Court of Kyiv City of 10.06.2025 in case No. 754/12856/24. ↗

2716 Civil Code of Ukraine: Draft, registration No. 15150 of 09.04.2026. ↗

2717 Convention for the Protection of Human Rights and Fundamental Freedoms (as amended by the Protocols) (European Convention on Human Rights) of 04.11.1950. ↗

2718 Draft of the New Civil Code, registered by the Chairman of the Verkhovna Rada of Ukraine Ruslan Stefanchuk, contradicts the requirements for Ukraine's accession to the EU: statement by civil society organisations. ZMINA, 2026. ↗

2719 Civil Code of Ukraine (Code of Private Law): Draft, registration No. 14394 of 22.01.2026. ↗

2720 Opinion of the Ministry of Justice of Ukraine on Draft Law No. 14394. Ministry of Justice of Ukraine, 2026. ↗

Recommendations

1. Adopt Draft Laws Nos. 10420, 12297, 14036, 14045 and 14046 implementing the provisions of the Istanbul Convention.

2. Ensure further implementation of the remaining provisions of the Istanbul Convention and to withdraw the reservations made upon its ratification.[2721]

3. Submit to the Verkhovna Rada a draft Labour Code of Ukraine that takes into account all concerns raised in relation to Draft Labour Code No. 14386.

4. Reject the draft Civil Code of Ukraine (Private Law Code) — Draft Law Nos. 15150.

5. Finalise and adopt Draft Law No. 13597 on amendments to the CUAO and the CC of Ukraine regarding combating manifestations of discrimination.

6. Introduce full-time gender adviser positions at the level of military units, operational commands and corps of the AFU.

7. Promote an increase in the number of women in leadership positions in the Government, diplomatic missions and the civil service.

8. Finalise and adopt Draft Law No. 11300 to enable women who left Ukraine due to the war to participate in future elections in Ukraine.

9. Promote greater visibility of women in the media by increasing the participation of women experts and women politicians in broadcasts on national television channels and online media, including the 'United News' marathon.

10. Adopt Draft Law No. 12252 on amendments to certain legislative acts of Ukraine to align them with the requirements of Articles 8 and 14 of the ECHR and Council Regulation (EU) 2016/1104 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of the property consequences of registered partnerships, or alternatively Draft Law No. 9103 on registered partnerships.

Reintegration of TOT and Protection of the Rights of Persons Affected by Russian Aggression (IDPs, residents of TOT, etc.)

Since 2014, Ukraine has consistently declared its course towards the de-occupation of the TOT, their subsequent reintegration and the protection of the rights of citizens affected by the armed aggression of the Russian Federation. At the same time, the dynamics of state policy in this area remain uneven, while institutional transformations, including the decision of 16 July 2026 to establish the Ministry for Communities, Territories and Internally Displaced Persons of Ukraine, in recent years continue to affect the stability

2721 Recommendations 2 and 6–10 were already provided by civil society in the Shadow Report 2025 (pp. 533–535) and remain relevant. ↗

and predictability of policy, maintaining risks of losing certain policy areas and of fragmented decision-making. Overall, the situation can be assessed as demonstrating limited progress.

During the reporting period, work on strategic documents in the field of support for IDPs was completed and a new version of the special Law was adopted. However, in key areas — damage registration, the use of documents issued under occupation, social protection and pension provision — a gap persists between declared approaches and their practical implementation, which directly affects affected persons' access to rights and state guarantees.

These issues acquire additional significance in the context of European integration processes and cooperation with the EU, in particular with regard to ensuring the principles of non-discrimination, legal certainty and equal access to services. In several cases, current state approaches create risks of non-compliance with these standards, which necessitates a systemic review of policy, taking into account both current challenges and the long-term objectives of reintegration.

State Policy on Persons Affected by the Armed Aggression of the Russian Federation against Ukraine

During the reporting period, **no strategy or unified vision for a system to ensure the rights of affected persons** — particularly those who have suffered harm to life and health — was developed or approved. **The continuous reshuffling of authorised bodies** leads to the loss of certain competences or policy areas and complicates the transition from a fragmented policy approach to a coherent vision and shared objectives. Following the changes in the Government, human rights organisations appealed to the Prime Minister to designate the ministries responsible for developing policies concerning the affected population, transitional justice and evacuation, and to take these areas into account when approving the updated regulations governing the relevant ministries.[2722]

The formulation of state policy regarding the TOT of Ukraine remains inconsistent and limited at the level of practical implementation. Before the changes in the composition of the Government in July 2026,[2723] the Ministry for Development of Communities and Territories of Ukraine (Ministry for Development), as the authority responsible for policy on the TOT of Ukraine, established a working group to update Law No. 1207-VII[2724] and intensified[2725] the activities of the Coordination Centre for the Management of Regions Where Hostilities Are (or Were) Conducted or Temporarily Occupied by the Russian

2722 Human Rights Defenders Call on the Government to Clearly Allocate Powers in the Field of Protection of Persons Affected by the War. ZMINA Human Rights Centre. 2026. ↗

2723 On 17 July 2026, by Resolution No. 963 'Certain Issues of Optimising the System of Central Executive Authorities', the Cabinet of Ministers of Ukraine established the Ministry for Communities, Territories and Internally Displaced Persons of Ukraine, which will henceforth formulate policy concerning IDPs.

2724 On Ensuring the Rights and Freedoms of Citizens and the Legal Regime in the Temporarily Occupied Territory of Ukraine: Law of Ukraine No. 1207-VII of 15.04.2014. ↗

2725 Publication by Member of Parliament of Ukraine Mykhailo Ananchenko on the social network Facebook, 2026. ↗

Federation,[2726] which predominantly focuses on communities located in areas of active hostilities. No concrete decisions regarding the TOT have been adopted within this framework. Neither instrument offered effective solutions and, accordingly, no concrete decisions concerning the TOT have been adopted in this area.

While state policy on the TOT of Ukraine is formally based on the principle of a human-centred approach, in practice key decisions continue to be postponed 'until after de-occupation'.[2727] The Ministry for Development prepared a draft normative legal act on the priorities of State policy concerning the territory of Ukraine temporarily occupied by the Russian Federation.[2728] In parallel, a Working Group under the Verkhovna Rada Committee on the Organisation of State Power, Local Self-Government, Regional Development and Urban Planning began work on a Deoccupation and Reintegration Strategy.[2729] At the same time, there is no coherent State policy defining approaches to the preparatory stage, the transitional period and long-term reintegration. These challenges are further exacerbated by continuing changes in the architecture of public administration and the periodic resumption of preparations for post-war electoral processes, which will need to take account of the interests of all population groups, including residents of the TOT of Ukraine.

Some progress has been made in developing approaches to supporting residents of the TOT of Ukraine,[2730] including through the introduction of a housing voucher mechanism amounting to UAH 2 million.[2731] However, only UAH 6.6 billion has been allocated for these purposes, compared to the estimated minimum need of at least UAH 40 billion,[2732] and the mechanism is available exclusively to persons who are combat veterans or who acquired a disability as a result of the war.

Ukraine still lacks a clearly defined security policy concerning the TOT and the citizens residing there, while state actions in this area remain sporadic and unpredictable, leading to **biased treatment of residents of the TOT of Ukraine.**[2733] Instances of refusal and/or unjustified delays in issuing identity and citizenship documents, as well as initiatives aimed at restricting access to public service,[2734] risk violating EU standards on non-discrimination, equality and the protection of human rights, as enshri-

2726 On the Establishment of the Coordination Centre for the Management of Regions Where Hostilities Are (or Were) Conducted or Temporarily Occupied by the Russian Federation: Resolution of the Cabinet of Ministers of Ukraine No. 18 of 10.01.2025. ↗

2727 Resistance to Occupation: Experts Discussed Policy on the TOT and a Long-Term Reintegration Strategy. ZMINA Human Rights Centre, 2026. ↗

2728 Ministry for Development Discusses Priorities of State Policy on the Temporarily Occupied Territories of Ukraine. Ministry for Development of Communities and Territories of Ukraine. 2026. ↗

2729 Publication of the Member of Parliament of Ukraine Tamila Tasheva on the social network Facebook. 2026. ↗

2730 Information provided by an expert of NGO 'Donbas SOS' during an interview conducted on 13.03.2026.

2731 Housing Vouchers for IDPs from the Temporarily Occupied Territories: Everything You Need to Know about the Programme. Ministry for Development of Communities and Territories of Ukraine, 2025. ↗

2732 The Government Allocated UAH 6.6 Billion for Housing Vouchers for IDPs from the Temporarily Occupied Territories. Ministry for Development of Communities and Territories of Ukraine, 2026. ↗

2733 17 Priority Steps in the Field of Human Rights Protection in the Context of Armed Aggression against Ukraine in 2026. ZMINA Human Rights Centre, 2026. ↗

2734 Polygraph Instead of Guarantees: Human Rights Defenders on the Risks of the Draft Law on Access to Public Service. ZMINA Human Rights Centre, 2025. ↗

ned in the Charter of Fundamental Rights of the European Union.[2735] At the same time, certain public authorities have issued separate communications, including recommendations by the Mission of the President of Ukraine in the Autonomous Republic of Crimea on civilian safety and preparations for possible departure from the TOT of Ukraine[2736] amid intensified actions by the AFU in Crimea.

In 2025, **competences in policy formation concerning IDPs were transferred from the Ministry for Development to the MSP**. This could indicate an attempt by the Government to establish a more coherent policy for IDPs, who number approximately 4.6 million persons. However, following the formation of the new Government, some powers concerning IDPs are expected to be transferred to the Ministry for Communities, Territories and Internally Displaced Persons of Ukraine. As of the end of July 2026, updated regulations governing the ministries had not been approved.

In June 2026, the Cabinet of Ministers of Ukraine approved the Strategy of State Policy on Internal Displacement for the Period up to 2030,[2737] which takes into account the work of the groups established in the autumn under the Ministry for Development and involving experts from national and international organisations. The document provides for comprehensive and continuous support for IDPs at all stages, from displacement through adaptation, integration or voluntary return, with a focus on restoring independence and addressing each person's individual needs.[2738] A Coordination Council on IDPs, Support for Maintaining Ties with Ukrainian Citizens Abroad and Their Voluntary Return to Ukraine was also established.[2739]

At the same time, on 1 July 2026 **Parliament adopted Law No. 4924-IX**[2740] (Draft Law No. 12301), which, among other things, enshrines basic guarantees of State support for IDPs at all stages of displacement, guarantees the right to a pension on general terms and provides for the introduction of an electronic account for IDPs. The Law will enter into force in October 2026.

It is also worth noting the increased activity of certain initiatives[2741] aimed at **shaping a policy for the return of citizens from abroad**: a draft Action Plan for 2026–2027 for responding to challenges associated with the possible end of temporary protection for Ukrainians in the EU[2742] was presented and the 'Dodomu' digital platform was launched

2735 Charter of Fundamental Rights of the European Union, 2012/C 326/02. ↗

2736 Address by the Mission of the President of Ukraine in the Autonomous Republic of Crimea to Residents of the Peninsula. Mission of the President of Ukraine in the Autonomous Republic of Crimea. 2026. ↗

2737 On Approval of the State Policy Strategy on Internal Displacement for the Period up to 2030 and the Operational Action Plan for Its Implementation in 2026–2028: Order of the Cabinet of Ministers of Ukraine No. 598 of 10.06.2026. ↗

2738 Ukraine Launches Unified IDP Support System: Government Approves Strategy until 2030. Ministry of Social Policy, Family and Unity of Ukraine. 2026. ↗

2739 On the Establishment of the Coordination Council on Internally Displaced Persons, Facilitating the Maintenance of Ties with Ukrainian Citizens Abroad and Their Voluntary Return to Ukraine: Resolution of the Cabinet of Ministers of Ukraine No. 899 of 08.07.2026. ↗

2740 On Ensuring the Rights and Freedoms of Internally Displaced Persons: Law of Ukraine No. 4924-IX of 01.07.2026. ↗

2741 Publications by Ilona Havronska, Deputy Minister of Social Policy of Ukraine, on the social network Facebook, 2026. ↗

2742 Public Discussion Held on the Draft Action Plan for 2026–2027 in Connection with the Possible End of Temporary Protection for Ukrainians in the EU. Ministry of Social Policy, Family and Unity of Ukraine. 2026. ↗

to facilitate planning for return to Ukraine.[2743] This issue is of particular importance for the Ukraine–EU dialogue, especially in the context of future decisions on the extension of the temporary protection regime for Ukrainian citizens.

Registration of Damage to Personal Non-Property Rights of Persons Affected by the Armed Aggression of the Russian Federation and the System of Their Support

During the reporting period, **no substantial progress** was made in establishing a systematic mechanism for recording damage to the personal non-property rights of persons affected by the armed aggression of the Russian Federation, nor in creating a system of their support. Despite the entry into force of Law No. 4071-IX[2744] in January 2025, only in July 2026 was the first meeting held of the working group on improving normative legal acts concerning support for certain categories of civilians affected by the armed aggression of the Russian Federation against Ukraine.[2745]

As of July 2026, the **System for Recording Information on Damage** envisaged by this Law **has not been effectively established**, and a significant share of the tasks defined by Resolution of the Cabinet of Ministers of Ukraine No. 450[2746] remain unfulfilled. Technical integration of state registers has not been ensured, and the mechanism for automatic data collection has not been launched.

A draft law intended to define the legal framework for a comprehensive system of support for affected persons has not been developed or submitted to Parliament. On this issue, human rights organisations have addressed appeals[2747] to the Prime Minister of Ukraine.

The basic definition of a 'person affected by the armed aggression against Ukraine', as well as the list of categories falling under this designation, remain undefined. **The current system continues to operate through fragmented categories of affected persons**, established in separate laws and programmes, with differing procedures for establishing status and inconsistent approaches to the provision of assistance.

Particular attention should be paid to the **'invisibility' of non-property damage**. A significant proportion of affected persons do not recognise themselves as having suffered harm to their personal non-property rights or remain unaware of the possibility of recording such damage.[2748]

2743 Supporting Return and Reintegration: 'Dodomu' Digital Platform for Ukrainians Abroad Launched. Ministry of Social Policy, Family and Unity of Ukraine. 2026. ↗

2744 On Recording Information on Damage Caused to Personal Non-Property Rights of Individuals as a Result of the Armed Aggression of the Russian Federation against Ukraine: Law of Ukraine No. 4071-IX of 20.11.2024. ↗

2745 First Meeting of the Working Group on Supporting Civilians Affected by the War Held at the Ministry of Social Policy. Ministry of Social Policy, Family and Unity of Ukraine. 2026. ↗

2746 Certain Issues of Ensuring the Functioning of the System for Recording Information on Damage Caused to Personal Non-Property Rights of Individuals as a Result of the Armed Aggression of the Russian Federation against Ukraine: Resolution of the Cabinet of Ministers of Ukraine No. 450 of 15.04.2025. ↗

2747 Human Rights Defenders Call on the Government to Ensure an Effective Support System for Persons Who Have Suffered Harm to Life and Health as a Result of the Aggression of the Russian Federation. Crimean Human Rights Group, 2025. ↗

2748 Information provided by an expert of NGO 'Donbas SOS' during an interview conducted on 13.03.2026.

The Register of Damage for Ukraine, established under the auspices of the Council of Europe, has expanded the categories under which claims for damage may be submitted. As of July 2026, **17 categories were open** for submissions, including categories B1.1, B1.2, C1.1 and C1.2 'Damage or Destruction of Critical and Non-Critical Infrastructure' and C3.1 'Damage, Destruction or Loss of Assets'.[2749] Overall, as of July 2026, more than 170,000 claims had been submitted to the Register, of which more than 58,000 had been entered in the Register.[2750]

In December 2025, the Convention on the **Establishment of an International Compensation Commission** was adopted — the second component of the international compensation mechanism, following the Register of Damage for Ukraine. It provides for the establishment of an independent body authorised to examine claims submitted by affected persons and to determine the amount of compensation for damage caused by the aggression of the Russian Federation. The Convention was adopted with the participation of 52 states and the EU, of which 34 states and the EU signed it immediately upon its opening for signature.[2751]

At the same time, the **national system for recording damage remains misaligned with these processes**. In particular, the Register of Damage for Ukraine covers events from 24 February 2022 onwards, whereas at the national level there is no comprehensive recording of damage caused by the armed aggression since 2014. This creates risks of loss of evidence and constrains access to compensation for persons affected prior to the full-scale invasion by the Russian Federation.

An additional challenge, in the context of submitting claims via the Diia digital portal, is the limited accessibility for certain categories of affected persons, in particular older persons and those lacking adequate digital skills. The low level of motivation to submit claims is further linked to the lack of clarity regarding the future use of the data, as well as the prospects of obtaining compensation.

Overall, **the absence of a functioning system for recording damage and of a comprehensive policy for supporting affected persons** reveals a systemic gap between legislative initiatives and their practical implementation. Despite certain developments — including the adoption of Law No. 4793-IX,[2752] which provides for compensation for harm to life and health caused by Russian aggression to relatives of those killed and to persons injured at critical infrastructure facilities, as detailed in the Shadow Report

2749 Register of Damage for Ukraine Announces Launch of Claims Categories B1.1, B1.2, C1.1, C1.2 and C3.1 for Businesses and the State of Ukraine. Register of Damage for Ukraine. 2026. ↗

2750 Statement of the Board of the Register of Damage for Ukraine. Register of Damage for Ukraine. 2026. ↗

2751 Diplomatic Conference Organised by the Council of Europe and the Netherlands Adopted the Convention on the Establishment of the International Compensation Commission as the Successor to the Register of Damage for Ukraine. Register of Damage for Ukraine, 2025. ↗

2752 On Amendments to the Law of Ukraine 'On One-Time Monetary Assistance for Damage to Life and Health Caused to Employees of Critical Infrastructure Facilities, Civil Servants, and Local Self-Government Officials as a Result of the Military Aggression of the Russian Federation against Ukraine': Law of Ukraine No. 4793-IX of 25.02.2026. ↗

2025[2753] — and increased attention to this issue at the level of Parliament,[2754] as of July 2026 state policy in this area does not ensure the rights of affected persons and undermines trust in public institutions.

Use of Information from Documents Issued under Occupation

The state's approach to documents issued in the TOT of Ukraine continues to be based on the principle of their **complete non-recognition**.[2755] The only exceptions are documents confirming the **facts of birth, death and the registration (or dissolution) of marriage**; however, recognition of certain facts (birth and death) is available **exclusively through a judicial procedure**, while no procedure has been established for acts of marriage and divorce. This approach remained unchanged during the reporting period, as following the withdrawal of Draft Law No. 9069[2756] due to the change of Government in summer 2025, no alternative mechanisms have been proposed by either Parliament or the Government.

The judicial procedure for establishing facts of civil status, despite its formal simplification, remains **in practice lengthy, complex** and limited in accessibility, particularly for persons residing in the TOT of Ukraine.

Over 12 years of occupation, the occupying authorities have issued millions of various documents to Ukrainian citizens who remain in the occupied territories (including medical records and documents confirming property rights). However, the information contained in these documents is not recognised in Ukraine, resulting in barriers to accessing services.

Despite the adoption of Law No. 3482-IX[2757] and the approval in 2025 of the Procedure for the Recognition of Learning Outcomes Obtained in the TOT,[2758] its practical implementation remains limited. This Law could have served as a first step towards a systemic shift in the state's approach to the use of information from documents issued in the TOT of Ukraine. However, as of the reporting period, the necessary conditions for its full implementation have not been established. A key issue is the lack of consistency in the development of the regulatory framework: the procedure for recognising learning outcomes at the level of complete general secondary education

2753 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the 2024 EU Enlargement Package, 2025. p. 548. ↗

2754 Hearing of the Committee on the topic 'On the State of Implementation of the Law of Ukraine "On Recording Information on Damage Caused to Personal Non-Property Rights of Individuals as a Result of the Armed Aggression of the Russian Federation against Ukraine" No. 4071-IX of 20 November 2024'. Committee of the Verkhovna Rada of Ukraine on Social Policy and Protection of Veterans' Rights, 2026. ↗

2755 On Ensuring the Rights and Freedoms of Citizens and the Legal Regime in the Temporarily Occupied Territory of Ukraine: Law of Ukraine No. 1207-VII of 15.04.2014, Article 9. ↗

2756 On Amendments to Certain Legislative Acts of Ukraine Concerning the Specifics of State Registration of Civil Status Acts that Occurred in the Temporarily Occupied by the Russian Federation Territory of Ukraine and Outside Ukraine: Draft Law of Ukraine, registration No. 9069 of 28.02.2023. ↗

2757 On Amendments to Certain Laws of Ukraine on the Recognition of Learning Outcomes of Persons Who Resided in the Temporarily Occupied Territory of Ukraine: Law of Ukraine No. 3482-IX of 21.11.2023. ↗

2758 On Approval of the Procedure for Recognition of Learning Outcomes Obtained in the Temporarily Occupied Territory of Ukraine at the Levels of Vocational (Vocational-Technical), Professional Pre-Higher and Higher Education: Resolution of the Cabinet of Ministers of Ukraine No. 871 of 15.07.2025. ↗

has not yet been adopted.[2759] In addition, the issue of recognising learning outcomes of persons from the TOT has not been sufficiently prioritised at the level of the MoES.

The use of information from documents is also a critical issue in the context of personal identification, particularly for young people leaving the TOT of Ukraine without valid documentation. On 13 July 2026, a **pilot project was launched for issuing certificates of identity for return to Ukraine to certain categories of Ukrainian citizens abroad who do not possess identity documents.**[2760] At the same time, the mechanism introduced has not provided a comprehensive solution to the problem of documenting Ukrainian citizens residing in the temporarily occupied territories of Ukraine, while some of its provisions have created additional barriers to the exercise of the right to documentation.[2761]

In practice, there is evidence of the **de facto use of information from certain documents, particularly in the healthcare sector**. Medical professionals may consider information contained in medical records issued in the TOT of Ukraine (for example, regarding vaccinations or cancer treatment),[2762] thereby ensuring continuity of care. However, such practices remain unregulated and largely depend on individual discretion.

In EU Member States, medical documents are often accepted as a source of information for diagnosis and treatment. Educational documents, depending on the country, may be rejected, require additional verification or be accepted without a formal procedure. Diverging approaches between Ukraine and EU Member States, as well as among the Member States themselves, create risks of legal uncertainty for citizens, limit access to administrative, educational and social services and complicate the alignment of procedures within the framework of European integration commitments.

Social Protection and Pension Provision

During the reporting period, state policy in the field of social protection and pension provision for affected persons has been characterised by significant shortcomings in its practical implementation, resulting in breaches of the principle of legal certainty and restricted access to basic social guarantees.

Following the entry into force in March 2025 of Resolution of the Cabinet of Ministers of Ukraine No. 299,[2763] intended to unify approaches to pension payments, particularly for IDPs and persons residing in the TOT of Ukraine, expectations of improved access to pension provision have been only partially met.

2759 Information provided by an expert of the Centre for Civic Education 'Almenda' during an interview conducted on 18.03.2026.

2760 On the Implementation of a Pilot Project for Issuing Certificates of Identity for Return to Ukraine to Certain Categories of Ukrainian Citizens Born in the Territory of Ukraine Temporarily Occupied by the Russian Federation: Resolution of the Cabinet of Ministers of Ukraine No. 736 of 04.06.2026. ↗

2761 Position on the Procedure for Implementing the Pilot Project for Issuing Certificates of Identity for Return to Ukraine to Certain Categories of Ukrainian Citizens Born in the Temporarily Occupied Territory. NGO 'Donbas SOS'. 2026. ↗

2762 Information provided by an expert of NGO 'Donbas SOS' during an interview conducted on 13.03.2026.

2763 On Certain Peculiarities of the Payment of Pensions (Monthly Lifetime Monetary Maintenance) and Insurance Payments under Insurance against Accidents at Work and Occupational Diseases Resulting in Loss of Working Capacity: Resolution of the Cabinet of Ministers of Ukraine No. 299 of 11.02.2025. ↗

In January 2026, widespread cases of suspension of pension payments were recorded, including affecting persons residing in the TOT of Ukraine, those staying abroad and IDPs. The primary grounds for suspension were the failure to undergo physical identification and the absence of information within the Pension Fund of Ukraine (PFU) confirming non-receipt of a pension from the Russian Federation. Cases have also been documented where payments were suspended for individuals who had in fact completed identification procedures or were not subject to the relevant requirements, including children receiving survivor's pensions and persons with war-related disabilities, among others.[2764] Human rights organisations publicly called on the Government to urgently restore payments and revise its approach to the verification of pension recipients.[2765] In response, the Government postponed until 1 April 2026 the requirement to confirm non-receipt of payments from the Russian Federation;[2766] which made it possible to restore pension payments to affected persons. **Law No. 4924-IX**,[2767] adopted by the Verkhovna Rada, **provides for abolishing the requirement for IDPs to declare that they do not receive a pension from the Russian Federation**. Accordingly, once the Law enters into force in this respect, the relevant secondary legislation should be amended.

The centralisation of functions related to the assignment and payment of social benefits within the PFU has reduced the accessibility of the system for beneficiaries. A deterioration in the quality of administration has been observed, including delays in the processing of applications, the return of documents without adequate explanation and the absence of direct communication with responsible officials.[2768] The shift to a model in which the PFU performs predominantly a technical function, without sufficient client orientation, represents a marked departure from the previous approach of social protection authorities, which was more focused on accompanying individuals throughout the process.

In the area of social benefits, no significant changes occurred during the reporting period, with the exception of a Government decision[2769] to expand the category of recipients eligible for subsistence allowances for children whose payments had previously been discontinued. At the same time, this initiative has been received with mixed assessments by the expert community, particularly in light of statements by certain Members of Parliament[2770] regarding the possible introduction of a universal child benefit irrespective of means-testing criteria. Such an approach risks undermining the principle of targeted social support, placing additional pressure on limited budgetary resources and creating inflated expectations among the population.

2764 Proposals to the Recommendations of the Hearing of the Committee of the Verkhovna Rada of Ukraine on Social Policy and Protection of Veterans' Rights on the topic 'On the State of Organisation and Verification of Payments and Identification of Persons — Recipients of Pensions and/or Social Benefits'. Civil Holding 'GROUP OF INFLUENCE', 2026. ↗

2765 Human Rights Defenders Call on the Government to Immediately Restore Pensions Suspended in January 2026. ZMINA Human Rights Centre, 2026. ↗

2766 By 1 April, Pensioners from the TOT Must Inform the Pension Fund of Ukraine about Non-Receipt of Payments from the Russian Federation — Otherwise Payments Will Be Suspended. ZMINA Human Rights Centre, 2026. ↗

2767 On Ensuring the Rights and Freedoms of Internally Displaced Persons: Law of Ukraine No. 4924-IX of 01.07.2026. ↗

2768 Information provided by an expert of the 'Charitable Foundation "Stabilization Support Services"' during an interview conducted on 13.03.2026.

2769 On Amendments to the Procedure for Providing Living Allowance to Internally Displaced Persons: Resolution of the Cabinet of Ministers of Ukraine No. 390 of 18.03.2026. ↗

2770 Publication by Serhii Kozyr, Member of Parliament of Ukraine, on the social network Facebook, 2026. ↗

Following the adoption by the Verkhovna Rada of Law No. 4924-IX, the procedure for providing the IDP subsistence allowance requires comprehensive review and alignment with the new model of State support. In particular, the criteria for granting, extending and terminating the allowance should be reviewed, with State support provided on the basis of an assessment of IDPs' needs.

Systemic problems persist, including the inadequacy of benefit levels and contested eligibility criteria, regarding the assessment of total household income. Even minor delays in payments trigger strong reactions among beneficiaries, indicating a high level of dependence of certain households on this form of support.[2771]

A separate issue remains the **low level of awareness of available social support instruments**. During evacuation, individuals often lack information about available benefits and services, which limits their ability to access support in a timely manner and affects decisions on whether to relocate.[2772]

Demand for certain social services is increasing, notably for the 'municipal nanny' programme (a state programme providing compensation for childcare services for children up to the age of three, or six in specific cases),[2773] which may indicate a **gradual shift among some beneficiaries from cash assistance to service-based support**. At the same time, such initiatives remain limited in scale and are not accompanied by sufficient information support. Similarly, the development of home-based care services, including nursing care, is seen as a promising area, yet their availability and duration remain insufficient to meet existing needs.

Overall, policy in the field of social protection continues to lack a comprehensive approach: reductions in cash benefits are not accompanied by the adequate development of alternative support instruments, while new programmes (including in the areas of housing solutions and social services) remain limited in both coverage and effectiveness. During the reporting period, the 'Houses in the Village' programme was launched, establishing a mechanism for the temporary provision of housing to IDPs in rural areas.[2774] However, existing housing initiatives do not amount to a coherent system of long-term solutions and insufficiently incorporate instruments such as social rental, rent-to-own schemes and affordable lending, thereby limiting opportunities for IDPs to transition from temporary to sustainable housing arrangements.

The State Strategy on IDPs identifies the transition from temporary to sustainable forms of accommodation as a priority, which will require systemic decisions in the future.

Recommendations

1. Designate a central executive authority at the ministerial level responsible for shaping and implementing state policy concerning persons affected by the armed aggression of the Russian Federation against Ukraine.

2771 Information provided by experts of NGO 'Donbas SOS', CF 'Right to Protection', and NGO 'Civil Holding "GROUP OF INFLUENCE"' during interviews.

2772 Information provided by an expert of NGO 'Crisis Insight' during an interview conducted on 19.03.2026.

2773 Certain Issues of Reimbursement of the Cost of the Childcare Service 'Municipal Nanny' during Martial Law and for Three Months after Its Termination or Cancellation: Resolution of the Cabinet of Ministers of Ukraine No. 664 of 07.06.2024. ↗

2774 Communities Receive a Clear Mechanism for Purchasing Housing for Internally Displaced Persons in Rural Areas. Ministry of Social Policy, Family and Unity of Ukraine. 2026. ↗

2. Ensure the development and adoption of the normative legal acts necessary to implement the Law of Ukraine 'On Ensuring the Rights and Freedoms of Internally Displaced Persons', including as regards abolishing the requirement for persons who left the TOT of Ukraine to confirm that they do not receive a pension from the Russian Federation.

3. Ensure the implementation of State policy on internal displacement, preventing duplication or loss of policy as a result of the redistribution of powers among central executive authorities, and approve a policy framework for persons returning from abroad, including from EU Member States.

4. Ensure the establishment and proper financial and organisational support for the functioning of the System for Recording Information on Damage Caused to Personal Non-Property Rights of Individuals as a Result of the Armed Aggression of the Russian Federation against Ukraine.

5. Develop a mechanism for the use of information contained in documents issued in the TOT of Ukraine and introduce out-of-court procedures for recognising information from civil status documents to ensure access to rights and services.

6. Ensure the recognition of learning outcomes of persons who resided in the TOT of Ukraine at all levels of education through authorised educational institutions.

7. Develop and introduce amendments to the Law of Ukraine 'On Mandatory State Pension Insurance' regarding the confirmation of non-receipt of a pension from the Russian Federation for persons who left the TOT, ensuring equal and unimpeded access to pension provision.

8. Ensure the development and scaling up of long-term housing solutions for IDPs, including temporary housing programmes, preferential lending, rent-to-own schemes and social housing, with a view to reducing reliance on cash assistance and promoting durable solutions.

9. Ensure the further development and expansion of access to social services at the community level, including integrated resilience-building services and the 'municipal nanny' programme, tailored to the needs of persons affected by the armed aggression of the Russian Federation against Ukraine.

Citizenship

Ukraine's international human rights obligations require that national citizenship legislation ensure effective mechanisms for the acquisition of citizenship, the prevention of statelessness and, as far as possible, the facilitation of the naturalisation of stateless persons, including through the simplification and acceleration of naturalisation procedures. While states enjoy broad discretionary powers to determine the grounds and conditions for the acquisition and termination of citizenship, such powers must be exercised in compliance with fundamental principles — namely, to ensure the right to citizenship for every individual, to prevent arbitrary deprivation of citizenship and to take measures to reduce statelessness.

In 2026, amendments were introduced to the legislation on Ukrainian citizenship in connection with the introduction of the institution of multiple citizenship. However, despite the introduction of multiple citizenship and the simplification of procedures for acquiring citizenship for certain categories of persons, these changes have not only failed to remove existing systemic barriers but have also further restricted access to citizenship for stateless persons, children of persons with irregular status and children of asylum seekers and persons in need of complementary protection.

Access to citizenship and the documentation of stateless persons, persons with irregular status in Ukraine and their children — many of whom have lived in Ukraine for decades — remains complicated.

In light of the recent legislative changes, *there has been no overall progress in addressing statelessness in Ukraine*, as the key obligations under the Convention on the Reduction of Statelessness and the Convention relating to the Status of Stateless Persons remain unfulfilled.

For Ukrainian citizens residing in or having left the TOT of Ukraine, despite the introduction in June 2026 of a new mechanism for issuing certificates of identity for return to Ukraine, procedures for obtaining Ukrainian-format birth certificates, confirming Ukrainian citizenship, and restoring lost identity and citizenship documents remain complex.

A separate unresolved issue is the absence of a simplified procedure for acquiring citizenship for persons in need of complementary protection. Despite their vulnerable status and long-term residence in Ukraine, the legislation does not provide for any specific naturalisation mechanisms for this category, unlike for refugees.

Despite legislative developments and digitalisation efforts, the main obstacles remain administrative barriers, characterised by overly complex procedures and formalistic approaches to identification. As a result, applicants' rights are violated in the process of applying for the acquisition or confirmation of citizenship. This situation continues to lead not only to violations of the right to citizenship but also of fundamental rights such as the right to respect for private and family life, freedom of movement, and the right to liberty and security of person, and it further restricts access to housing and humanitarian assistance — an issue of particular concern under martial law.

Access to Ukrainian Citizenship and the Risk of Statelessness

In 2025, the institution of multiple citizenship was introduced in Ukraine following the adoption of Law No. 4502-IX,[2775] **which entered into force on 16 January 2026.** The declared objectives of the amendments to citizenship legislation were to address the consequences of the demographic crisis, preserve the citizenship of Ukrainian citizens residing abroad, and safeguard Ukraine's national interests in ensuring the exercise of the right to acquire and retain Ukrainian citizenship. In particular, Law No. 4502-IX introduces amendments to the Law of Ukraine 'On Citizenship of Ukraine'[2776] (Law No. 2235-III), which define permissible cases of multiple citizenship, establish specific features of the acquisition and restoration of Ukrainian citizenship for certain catego-

2775 On Amendments to Certain Laws of Ukraine on Ensuring the Exercise of the Right to Acquire and Retain Ukrainian Citizenship: Law of Ukraine No. 4502-IX of 18.06.2025. ↗

2776 On Citizenship of Ukraine: Law of Ukraine No. 2235-III of 18.01.2001. ↗

ries of persons under a simplified procedure, and clarify the conditions for acquiring Ukrainian citizenship by birth, by territorial origin, as well as the conditions for admission to Ukrainian citizenship.

The adopted amendments — **in terms of facilitating access to Ukrainian citizenship for certain categories of foreigners and introducing the possibility of holding Ukrainian citizenship simultaneously with a foreign citizenship/nationality** — may be regarded as positive steps towards stabilising the demographic situation.

Law No. 2235-III[2777] has been supplemented with Article 5[1], which defines cases of multiple citizenship, that is, the simultaneous possession by citizens of Ukraine of another citizenship/nationality. These include, inter alia, the acquisition by a child of another citizenship at birth, acquisition as a result of marriage to a foreign national, as well as cases where nationals of certain states are entitled to acquire Ukrainian citizenship under a simplified procedure.

Certain categories of foreign nationals have been granted the right to acquire Ukrainian citizenship under a simplified procedure. This applies to nationals of states included in a designated list,[2778] which currently comprises **34 countries**. The simplified procedure consists in submitting a declaration recognising oneself as a citizen of Ukraine, which allows applicants to retain their original citizenship/nationality upon acquiring Ukrainian citizenship. Such a declaration confirms that, in legal relations with Ukraine, the applicant recognises themselves solely as a citizen of Ukraine.

A simplified procedure for acquiring Ukrainian citizenship — subject, however, to the requirement to renounce foreign citizenship/nationality — also applies to other categories of foreign nationals[2779] who are not citizens of the states included in the designated list. These categories include: refugees and persons granted asylum in Ukraine; persons who are or have been performing military service; persons with outstanding merits before Ukraine or whose admission to Ukrainian citizenship is of state interest; persons who have provided assistance to the AFU, as well as their family members (as defined by law). The **simplification also applies to nationals of the aggressor state who have been subjected to political persecution in their country of citizenship** and to the family members specified by law. For these categories of foreign nationals, the submission of a declaration of renunciation of foreign citizenship and recognition of oneself solely as a citizen of Ukraine is required for the purposes of acquisition, admission to or restoration of Ukrainian citizenship.

Simplified access to Ukrainian citizenship also extends to persons who have obtained the **status of a foreign Ukrainian**.[2780] For this category, the required period of continuous residence in the territory of Ukraine has been reduced to one year (instead of five years) from the date of obtaining an immigration permit, provided that the status of a foreign Ukrainian has been held for at least one year.[2781]

2777 Ibid.

2778 On Approval of the List of States Whose Nationals Acquire Ukrainian Citizenship under a Simplified Procedure: Resolution of the Cabinet of Ministers of Ukraine No. 1412 of 05.11.2025. ↗

2779 On Citizenship of Ukraine: Law of Ukraine No. 2235-III of 18.01.2001, Article 10[1]. ↗

2780 On Foreign Ukrainians: Law of Ukraine No. 1582-IV of 04.03.2004. ↗

2781 On Citizenship of Ukraine: Law of Ukraine No. 2235-III of 18.01.2001, Article 9. ↗

However, despite the expansion of access to Ukrainian citizenship and the simplification of certain procedures, the range of persons eligible for the simplified procedure for acquiring citizenship remains limited. Moreover, even within the simplified procedure, several **barriers persist**, including the mandatory requirement to pass examinations on the fundamentals of the Constitution of Ukraine, the history of Ukraine and proficiency in the Ukrainian language, as well as requirements concerning continuous residence in Ukraine, possession of an immigration permit and proof of lawful sources of subsistence.

At the same time, certain updated provisions of Law No. 2235-III[2782] **further restrict access to Ukrainian citizenship for vulnerable categories of persons — namely stateless persons and those at risk of statelessness, refugees, persons in need of complementary protection, asylum seekers and their children**. Amendments to Article 7 of this Law modify the requirements concerning the legal status of parents who are foreign nationals or stateless persons for the purpose of their children acquiring Ukrainian citizenship. Under the revised provisions, such parents must hold temporary or permanent residence in Ukraine, whereas the previous version of the Law required only lawful residence in the territory of Ukraine.[2783] As a result, children born to certain categories of foreign nationals or stateless persons have effectively **lost the right to acquire Ukrainian citizenship by birth**, as these categories are no longer considered to be residing in Ukraine on a temporary or permanent basis within the meaning of the Law.

Under the revised provisions of this Article, the right of children to acquire citizenship by birth is made dependent on the legal status of their parents. Foreign nationals must hold permanent residence in Ukraine, while stateless persons must hold either permanent or temporary residence. Such changes worsen the legal position of children belonging to these categories of foreign nationals and stateless persons, thereby hindering the effective exercise of their other fundamental rights.

Children of undocumented stateless persons, as well as applicants undergoing the procedure for recognition as stateless persons or those challenging refusals of such recognition, remain in a particularly vulnerable situation. Many of these individuals resided in Ukraine for years without the possibility of regularising their status due to the absence of a statelessness determination procedure prior to 2021.[2784] As a result, the majority of such persons continue to live in Ukraine without identity documents, which effectively deprives them of the ability to exercise their fundamental rights. Their children not only lack the right to acquire Ukrainian citizenship but also face restricted access to birth registration, which in turn undermines their access to healthcare, education and social protection.

This situation constitutes a violation of Article 1 of the UN Convention on the Reduction of Statelessness,[2785] which obliges states to grant their citizenship to persons born on their territory who would otherwise be stateless. At the same time, the UN Human Rights Committee, in its recommendations, has emphasised the obligation of states

2782 Ibid.

2783 Ibid.

2784 In March 2021, the Government approved, by Resolution No. 317, the Procedure for Examining Applications for Recognition as a Stateless Person. ↗

2785 Convention on the Reduction of Statelessness of 30.08.1961. ↗

to ensure that all children are covered by citizenship at birth, regardless of the residence status of the child or their parents.[2786]

In breach of international obligations to eradicate statelessness, **Ukrainian legislation still does not contain provisions ensuring the granting of citizenship to children who would otherwise be stateless**. Despite the recommendations of the UN Committee on the Rights of the Child[2787] — addressed to Ukraine on two occasions, in 2011 and 2022 — regarding the need to introduce such legislative amendments, the situation has remained unchanged throughout the reporting period.[2788] The absence of a simplified naturalisation procedure for stateless persons is inconsistent with the approaches of the majority of EU Member States, where legal regulation and judicial practice are based on the principle of the best interests of the child and the prevention of statelessness. In such jurisdictions, the right to citizenship by birth is guaranteed to a child where they do not acquire the citizenship of any other state.[2789]

At the same time, **Law No. 4502-IX**[2790] **has narrowed access to citizenship for children of asylum seekers and children of persons in need of complementary protection.**[2791] Children born in the territory of Ukraine to parents granted complementary protection, or to persons who have applied for recognition as refugees or as persons in need of complementary protection, are effectively deprived of real access to citizenship. This is due, inter alia, to the fact that such parents are not recognised as permanently residing in the territory of Ukraine, which creates risks of statelessness and prolonged legal uncertainty. A detailed analysis of this issue and the associated risks was provided in the Shadow Reports of 2024[2792] and 2025.[2793]

Another issue arising from the **introduced amendments is the requirement to pass examinations on the fundamentals of the Constitution of Ukraine, the history of Ukraine and proficiency in the Ukrainian language when acquiring citizenship by territorial origin**. These changes may significantly affect the ability of stateless persons to acquire citizenship on this basis, as the majority of such individuals belong to vulnerable groups, **often lack basic education and may be illiterate**. This is largely a consequence of the previously described situation — namely, the long-standing absence in Ukraine of a legal framework and an effective procedure for recognition as a stateless person, and consequently the lack of opportunities for such individuals to obtain education or integrate into Ukrainian society.

2786 CCPR General Comment No. 17: Article 24 (Rights of the Child). UN Human Rights Committee 07.04.1989. ↗

2787 Concluding observations on the combined fifth and sixth periodic reports of Ukraine. CRC/C/UKR/CO/5-6. Committee on the Rights of the Child, 27.10.2022. ↗; Concluding observations on the third and fourth periodic reports of Ukraine. CRC/C/UKR/CO/3-4. Committee on the Rights of the Child, 21.04.2011. ↗

2788 The issues previously identified by civil society in the Shadow Report 2025 (pp. 568) remain relevant. ↗

2789 Prevention and Reduction of Statelessness in Ukraine on the Path to EU Membership. Right to Protection Charitable Foundation, 2025. ↗

2790 On Amendments to Certain Laws of Ukraine on Ensuring the Exercise of the Right to Acquire and Retain Ukrainian Citizenship: Law of Ukraine No. 4502-IX of 18.06.2025. ↗

2791 Appeal to the President of Ukraine on Vetoing the Law of Ukraine 'On Amendments to Certain Laws of Ukraine on Ensuring the Exercise of the Right to Acquire and Retain Ukrainian Citizenship' of 18 June 2025. Right to Protection Charitable Foundation, 2025. ↗

2792 The issues previously identified by civil society in the Shadow Report 2024 (pp. 406–408) remain relevant. ↗

2793 The issues previously identified by civil society in the Shadow Report 2025 (pp. 572–574) remain relevant. ↗

A further significant **barrier is the fee established for taking these examinations**. According to the Procedure for Taking Examinations on the Fundamentals of the Constitution of Ukraine and the History of Ukraine[2794] and the Procedure for Assessing Proficiency in the State Language,[2795] the fee amounts to three subsistence minimums for able-bodied persons, as established on 1 January of the relevant calendar year, per examination. In 2026,[2796] the total fee for both examinations is UAH 19,968 (approximately EUR 400). Contrary to Ukraine's international obligations under the UN Convention relating to the Status of Stateless Persons,[2797] which provides for the obligation of the state to provide relief from administrative fees in cases of insufficient means, and notwithstanding the vulnerable situation of stateless persons in Ukraine, national legislation does not provide for such benefits, reductions in examination fees or exemptions for stateless persons.[2798]

Another persistent issue under Law No. 2235-III is the **absence of a simplified procedure for admission to citizenship for persons in need of complementary protection**.[2799] Such an approach is inconsistent with the practice of EU Member States, where a simplified naturalisation procedure is provided for this particularly vulnerable category of persons.[2800]

Access to Confirmation of Ukrainian Citizenship for Persons from the TOT and the Risk of Loss of Citizenship

During the reporting period, limited progress has been made in ensuring access for persons residing in or having left the TOT of Ukraine to procedures for obtaining Ukrainian-format birth certificates, as well as for the issuance of a passport of a citizen of Ukraine. These procedures remain complex, lengthy and disproportionately burdensome for persons from the TOT of Ukraine compared to other population groups.

In accordance with Ukraine's international obligations,[2801] every child must be registered immediately after birth and have the right to a name and nationality, which is a key element in preventing statelessness. However, where a child is born in the TOT of Ukraine, the procedure for registering their birth in the territory controlled by the Government of Ukraine requires an application to a court for the establishment of the legal fact of birth.[2802]

2794 Certain Issues on Ensuring the Taking of Examinations on the Fundamentals of the Constitution of Ukraine and the History of Ukraine: Resolution of the Cabinet of Ministers of Ukraine No. 620 of 30.05.2024, para. 34. ↗

2795 On Approval of the Procedure for Conducting Examinations on the Level of Proficiency in the State Language: Resolution of the Cabinet of Ministers of Ukraine No. 409 of 14.04.2021, para. 51. ↗

2796 On the State Budget of Ukraine for 2026: Law of Ukraine No. 4695-IX of 03.12.2025, para. 3 Article 7. ↗

2797 Convention relating to the Status of Stateless Persons of 28.09.1954. ↗

2798 The issues previously identified by civil society in the Shadow Report 2025 (pp. 572–574) remain relevant. ↗

2799 Ibid, pp. 578-579.

2800 Refugee rights subsiding? Europe's two-tier protection regime and its effect on the rights of beneficiaries. European Council on Refugees and Exiles, 2016. ↗

2801 Convention on the Rights of the Child of 20.11.1989, Article 7. ↗; Convention on the Reduction of Statelessness of 30.08.1961, Article 4. ↗; European Convention on Nationality of 06.11.1997, Article 4. ↗

2802 Analytical Note 'What Approaches Could Be Applied to Documents Issued under Occupation?'. ZMINA, 2025. ↗

The judicial procedure for obtaining a Ukrainian-format birth certificate is largely ineffective, particularly following the onset of the full-scale invasion in 2022, due to the need to leave the TOT of Ukraine, additional financial costs, the requirement for professional legal assistance and the length of judicial proceedings. Its inefficiency is also confirmed by expert assessments,[2803] according to which between February 2014 and 2025, between 350,000 and 450,000 children were born in the occupied territories, while **only 15–20% obtained a Ukrainian-format birth certificate through court proceedings** to establish the fact of birth.

According to the MoJ,[2804] the **number of birth registrations carried out based on court decisions establishing the fact of birth shows a sharp decline** — 3,531 cases in 2022, 4,864 in 2023, 1,425 in 2024 and 863 in 2025, and 245 between January and April 2026. The number of registered birth facts is influenced by the policy of the Russian Federation, which significantly restricts freedom of movement (departure) from the TOT of Ukraine. At the same time, the requirement to undergo court proceedings has an additional deterrent effect on parents of children born in the TOT of Ukraine.

Following the withdrawal in July 2025, due to the change in the composition of the Government, of Draft Law No. 9069,[2805] which provided for the introduction of a simplified extrajudicial procedure for registering births that occurred in the TOT of Ukraine and abroad, no alternative legislative initiatives have been proposed either at the level of the Verkhovna Rada of Ukraine or the Government.

As a result, **the majority of children born in the TOT of Ukraine do not possess Ukrainian-format birth certificates**, which complicates or renders impossible the confirmation of their affiliation with Ukrainian citizenship and restricts their access to education, healthcare and social protection. The issue of state registration of births of children from the TOT of Ukraine, highlighted in the Shadow Reports of 2024[2806] and 2025,[2807] is becoming increasingly acute.

The implementation of procedures for confirming Ukrainian citizenship and obtaining a passport of a citizen of Ukraine for persons from the TOT of Ukraine remains complicated. **The main obstacles include difficulties in establishing a person's affiliation with Ukrainian citizenship and verifying the applicant's identity. Another systemic problem is the violation of applicants' rights by authorised officials of the State Migration Service of Ukraine (SMS) during the acceptance of documents for issuing a passport of a citizen of Ukraine**. There are widespread cases of unlawful oral refusals to accept applications from persons from the TOT of Ukraine — where state

2803 Children Invisible to Ukraine: Why the Judicial Procedure for the Registration of Civil Status Acts Has Become a Barrier for Ukrainians under Russian Occupation. ZMINA Human Rights Centre, 2025. ↗

2804 Analytical Note 'What Approaches Could Be Applied to Documents Issued under Occupation?'. ZMINA, 2025. ↗; Information provided by the Ministry of Justice of Ukraine in a letter of 18.03.2026 No. 37594/PI-YUR-1104/19.3.1; Information on State Registration of Facts of Birth and Death that Occurred in the Temporarily Occupied Territory of Ukraine, Based on Court Decisions Issued Pursuant to Article 317 of the Civil Procedure Code of Ukraine, for the First Four Months of 2026. ↗

2805 On Amendments to Certain Legislative Acts of Ukraine Concerning the Specifics of State Registration of Civil Status Acts Occurring in the Temporarily Occupied Territory of Ukraine and Abroad: Draft Law of Ukraine, registration No. 9069 of 28.02.2023. ↗

2806 The issues previously identified by civil society in the Shadow Report 2024 (pp. 395–396) remain relevant. ↗

2807 The issues previously identified by civil society in the Shadow Report 2025 (pp. 562–564) remain relevant. ↗

archives have been lost — as well as demands to submit documents not required by law.[2808] In a number of cases, such practices make it impossible to confirm Ukrainian citizenship, leaving the **procedure for recognition as a stateless person** as the only available avenue for individuals to regularise their legal status and obtain identity documents.

At the same time, on 24 December 2025, the Government approved a Procedure[2809] aimed at **addressing the systemic problem of arbitrary oral refusals to accept applications for the issuance of a passport of a citizen of Ukraine**. Where documents are incomplete or not duly completed in accordance with legal requirements, officials of the SMS are required not to refuse acceptance of the application but instead to issue a decision to leave the application form without consideration until the deficiencies are remedied. Such a decision must be duly served on or communicated to the applicant and shall clearly set out the identified deficiencies, the applicable legal requirements that have not been met, the means and time limits for remedying those deficiencies, as well as the procedure and deadlines for appealing the decision.

The Procedure also introduces the **possibility for adult persons from the TOT of Ukraine** who lack identity documents and are residing abroad **to obtain a passport of a citizen of Ukraine**.[2810] It provides for the right to submit documents for the first issuance of a passport, after reaching the age of 18, to a separate unit of the SMS abroad during the period of martial law. Prior to the adoption of this Procedure, such individuals had no practical means of obtaining a passport of a citizen of Ukraine, a certificate for return to Ukraine, or returning to Ukraine for the purpose of obtaining a passport. This situation stemmed from the absence of information on persons from the TOT of Ukraine in state registers confirming citizenship, which made it impossible to issue identity documents.[2811]

Accordingly, particular importance should be attached to taking into account information contained in passports issued in the TOT of Ukraine as factual data for the purposes of identifying individuals and establishing their affiliation with Ukrainian citizenship during the issuance of a passport of a citizen of Ukraine — without recognising the legitimacy of the actions of the aggressor state or its occupation administrations, or the legal validity of the documents they issue. In practice, a passport of the Russian Federation issued in the TOT of Ukraine may be the only document containing a photograph of the individual, which is essential for identification — particularly for persons who do not possess Ukrainian-standard documents, including those who reached the age for obtaining a passport during the occupation. However, in practice, such information is not considered, and these passports are often confiscated

2808 On Citizenship of Ukraine: Law of Ukraine No. 2235-III of 18.01.2001. ↗; On the Organisation of the Implementation of the Law of Ukraine 'On Citizenship of Ukraine': Decree of the President of Ukraine No. 215/2001 of 27.03.2001. ↗; On Approval of the Template Form, Technical Description and Procedure for the Issuance, Exchange, Transfer, Withdrawal, Return to the State, Invalidation and Destruction of a Passport of a Citizen of Ukraine: Resolution of the Cabinet of Ministers of Ukraine No. 302 of 25.03.2015. ↗

2809 Certain Issues of Processing (Including Replacement of Lost or Stolen Documents) and Exchange of the Passport of a Citizen of Ukraine and the Passport of a Citizen of Ukraine for Travel Abroad, Including Abroad: Resolution of the Cabinet of Ministers of Ukraine No. 1709 of 24.12.2025. ↗

2810 Ibid.

2811 17 Priority Steps in the Field of Human Rights Protection in the Context of Armed Aggression against Ukraine in 2026. ZMINA Human Rights Centre, 2026. ↗

without any procedure provided for by law, without proper documentation of such confiscation and without a defined procedure for their subsequent handling.[2812]

A positive development was the **adoption by the Government of Resolution No. 736, which introduces a pilot project for issuing certificates of identity for return to Ukraine at Ukrainian diplomatic missions abroad** to certain categories of citizens born in the TOT of Ukraine.[2813] At the same time, an analysis of the Resolution has identified several problematic aspects, including an unjustified narrowing of the range of persons who may act as witnesses in the identity-establishment procedure, the inclusion of an objection by the SSU among the grounds for refusing to issue a certificate without defining the criteria or procedure for such an objection, and the absence of a requirement to inform the applicant of a refusal decision. These provisions create significant **legal risks for the exercise by persons from the TOT of Ukraine of their right to return to Ukraine**.

The problem of the complicated procedure for obtaining a certificate of identity for return to Ukraine at Ukrainian diplomatic missions abroad remains relevant **for persons from the TOT of Ukraine**, particularly young people who have not obtained a Ukrainian passport because of difficulties with the identity-establishment procedure,[2814] governed by the Procedure for Processing and Issuing a Certificate of Identity for Return to Ukraine, approved by Resolution of the Cabinet of Ministers of Ukraine No. 285.[2815]

The risk of loss of Ukrainian citizenship for persons from the TOT of Ukraine also persists. In particular, Law No. 4502-IX establishes that the acquisition of citizenship of the aggressor state or occupying state in the TOT of Ukraine, as well as a result of unlawful deportation from these territories, shall not be considered voluntary — except in cases where a person's actions are aimed at promoting war, publicly supporting armed aggression against Ukraine or otherwise creating threats to national security and/or national interests of Ukraine within the meaning of the Law of Ukraine 'On National Security of Ukraine'.[2816] At the same time, the Law does not specify which actions may be considered as posing a threat to national security and/or national interests, how and by whom such circumstances are to be established, or what evidence will be deemed sufficient to prove their occurrence. This creates scope for broad interpretation and excessive discretion on the part of public authorities, thereby undermining the principle of legal certainty.[2817]

During the reporting period, **the aggressor state has continued systematically to impose Russian citizenship in the TOT of Ukraine.**[2818] For persons living under occupa-

2812 Analytical Note 'What Approaches Could Be Applied to Documents Issued under Occupation?'. ZMINA, 2025. ↗

2813 On the Implementation of a Pilot Project for Issuing Certificates of Identity for Return to Ukraine to Certain Categories of Ukrainian Citizens Born in the Territory of Ukraine Temporarily Occupied by the Russian Federation: Resolution of the Cabinet of Ministers of Ukraine No. 736 of 04.06.2026. ↗

2814 The problems previously identified by civil society in the Shadow Report 2025 (pp. 578–579) remain relevant. ↗

2815 On Approval of the Specimen Form, Technical Description and Procedure for Processing and Issuing a Certificate of Identity for Return to Ukraine: Resolution of the Cabinet of Ministers of Ukraine No. 285 of 05.04.2017. ↗

2816 On National Security of Ukraine: Law of Ukraine No. 2469-VIII of 21.06.2018. ↗

2817 Appeal to the President of Ukraine on Vetoing the Law of Ukraine 'On Amendments to Certain Laws of Ukraine on Ensuring the Exercise of the Right to Acquire and Retain Ukrainian Citizenship' of 18 June 2025. Right to Protection Charitable Foundation, 2025. ↗

2818 Human Rights Situation during the russian Occupation of the Territory of Ukraine and its Aftermath, 24 February 2022 – 31 December 2023. UN Human Rights Monitoring Mission in Ukraine, 2024. ↗

tion, obtaining a Russian passport is, in most cases, a means of survival rather than a matter of free choice.[2819] A decree of the president of the Russian Federation[2820] effectively required Ukrainian citizens in the TOT of Ukraine who do not hold Russian citizenship, by 10 September 2025, either to leave the respective territory or to 'regularise' their legal status in accordance with Russian legislation. In response, the Ministry of Foreign Affairs of Ukraine stated that it would not recognise Russian passports obtained by Ukrainian citizens in the TOT of Ukraine based on this decree.[2821] This measure was further reinforced by the entry into force, on 20 January 2026, of a law of the Russian Federation requiring children residing in the TOT of Ukraine to possess Russian passports to leave the occupied territory.[2822]

In this context, the provisions of Law No. 1207-VII[2823] and Law No. 2235-III[2824] require alignment. Law No. 1207-VII,[2825] in its current version, stipulates that the forced automatic acquisition of citizenship of the Russian Federation by Ukrainian citizens residing in the TOT of Ukraine is not recognised by Ukraine and does not constitute grounds for the loss of Ukrainian citizenship. At the same time, Law No. 2235-III[2826] provides that the acquisition of citizenship of the aggressor state in the TOT of Ukraine shall not be considered voluntary — including in cases where such acquisition required the submission of an application, as well as in connection with unlawful deportation — except where a person's actions are aimed at promoting war, publicly supporting armed aggression against Ukraine or otherwise creating threats to national security and/or national interests of Ukraine.

A separate risk arises for Ukrainian citizens from the TOT who have been compelled to obtain a passport of the Russian Federation to leave the occupied territory for third countries, including EU Member States. Following the anticipated expiry of temporary protection in March 2028,[2827] some of these individuals may find themselves in a vulnerable situation. They may fear the loss of Ukrainian citizenship and potential persecution. These risks stem from legal uncertainty regarding the grounds and criteria under which their actions may be qualified as posing a threat to national security and/or national interests of Ukraine. A related issue concerns the application of legislation on collaboration activities, which does not take into account the conditions

2819 Forced displacement from territory of Ukraine occupied by the Russian Federation: forcible transfer and deportation, barriers to return and the rights of internally displaced persons, 24 February 2022 – 31 December 2025. Office of the UN High Commissioner for Human Rights, 2026. ↗

2820 On the Legal Status of Certain Categories of Foreign Nationals in the Russian Federation, Amendments and Repeal of Certain Decrees of the President of the Russian Federation: Decree of the President of the Russian Federation No. 159 of 20.03.2025. ↗

2821 The MFA of Ukraine will not recognise Russian passports obtained by Ukrainians from the TOT following the new decree of putin. Suspilne Novyny, 2025. ↗

2822 Russia introduces new exit requirements for children under 14: implications for Ukrainians in the TOT and Crimea. Suspilne Crimea, 2026. ↗

2823 On Ensuring the Rights and Freedoms of Citizens and the Legal Regime in the Temporarily Occupied Territory of Ukraine: Law of Ukraine No. 1207-VII of 15.04.2014. ↗

2824 On Citizenship of Ukraine: Law of Ukraine No. 2235-III of 18.01.2001. ↗

2825 On Ensuring the Rights and Freedoms of Citizens and the Legal Regime in the Temporarily Occupied Territory of Ukraine: Law of Ukraine No. 1207-VII of 15.04.2014. ↗

2826 On Citizenship of Ukraine: Law of Ukraine No. 2235-III of 18.01.2001. ↗

2827 EU countries agree to extend temporary protection for those fleeing Ukraine until March 2028. 2026. ↗

of occupation and interprets the notion of 'cooperation with occupation authorities' broadly, thereby creating a risk of prosecution for residents of the TOT of Ukraine.

Moreover, the state continues to introduce discriminatory practices affecting residents of the TOT of Ukraine. As a result, such individuals may, in practice, be compelled to resort to international protection procedures in EU Member States instead of considering return to Ukraine. This outcome runs counter to the approach reflected in European Commission[2828] and Council of the EU[2829] documents on a coordinated exit from the temporary protection regime, which aim to prevent a legal vacuum after March 2027 and to support informed, voluntary and sustainable return to Ukraine, rather than pushing individuals into asylum procedures due to legal uncertainty in their country of origin.

The 2025 Report under the EU Enlargement Package[2830] also emphasises the **need to take measures to address the situation of Ukrainian citizens in the TOT of Ukraine** — in particular children born during the occupation — who are being coerced by Russian occupation authorities into acquiring Russian citizenship, in order to ensure alignment with EU acquis.

Recommendations[2831]

1. Amend the Law of Ukraine 'On Citizenship of Ukraine', in particular to provide for:

- the right to acquire Ukrainian citizenship by birth for all children born in the territory of Ukraine who do not acquire another citizenship;
- the right of stateless persons to undertake an obligation to pass examinations on the fundamentals of the Constitution of Ukraine, the history of Ukraine and proficiency in the State language within two years from the date of acquisition or admission to Ukrainian citizenship;
- a simplified procedure for admission to Ukrainian citizenship for persons granted complementary protection.

2. Exempt stateless persons from fees for examinations on the fundamentals of the Constitution of Ukraine, the history of Ukraine and proficiency in the State language.

3. Ensure the right to acquire Ukrainian citizenship for children born to persons in need of complementary protection and to asylum seekers.

4. Ensure the proper and effective implementation by authorised public authorities of legally guaranteed rights in the process of confirming citizenship and issuing a passport of a citizen of Ukraine.

2828 Proposal for a Council Recommendation on a coordinated approach to the transition out of temporary protection for displaced persons from Ukraine. European Commission, COM(2025) 651 final, 04.06.2025. ↗

2829 Council Recommendation on a coordinated approach to the transition out of temporary protection for displaced persons from Ukraine. Council of the European Union, 12015/25, 08.09.2025. ↗

2830 Ukraine 2025 Report. Communication on EU Enlargement Policy. ↗

2831 Some of the recommendations were already provided by civil society in the Shadow Report 2025 (p. 579) and remain relevant.

5. Ensure the possibility of taking into account information contained in passports of the Russian Federation issued in the TOT of Ukraine as factual data for the purposes of identifying individuals and establishing their affiliation with Ukrainian citizenship during the issuance of a passport of a citizen of Ukraine; discontinue the practice of confiscating such passports and establish a procedure for their voluntary surrender, registration and storage.

6. Simplify and ensure the effective implementation of the procedure for issuing certificates for return to Ukraine at foreign diplomatic missions for persons from the TOT of Ukraine who, due to the occupation, were deprived of the possibility of obtaining a passport of a citizen of Ukraine.

7. Ensure the effective implementation of the provisions of the Law of Ukraine 'On Ensuring the Rights and Freedoms of Citizens and the Legal Regime in the Temporarily Occupied Territory of Ukraine' concerning the recognition of documents certifying facts of birth, death and registration (dissolution) of marriage in the TOT of Ukraine, by introducing an extrajudicial (administrative) procedure for the state registration of such civil status acts.

8. Align the provisions of Article 5 of the Law of Ukraine 'On Ensuring the Rights and Freedoms of Citizens and the Legal Regime in the Temporarily Occupied Territory of Ukraine' and Article 19 of the Law of Ukraine 'On Citizenship of Ukraine' by stipulating that any acquisition of citizenship of the aggressor state or occupying state in the TOT of Ukraine, or as a result of deportation or forced displacement, shall be considered involuntary and cannot constitute grounds for the loss of Ukrainian citizenship. In addition, establish an exhaustive list of exceptions, clear criteria for their application, and define the authorised body and the procedure for their determination, exclusively subject to confirmation of the relevant circumstances by a court decision that has entered into legal force.

Property Rights

Overall, Ukraine's progress in protection of property rights should be assessed as limited. In the context of the ongoing armed aggression of the Russian Federation, during the reporting period the State simultaneously sought to carry out a large-scale recodification of private law by registering in the Verkhovna Rada several draft laws on a new Civil Code of Ukraine, while failing to ensure an adequate resolution of urgent issues in the field of protection of property rights directly caused by the war. Despite certain positive developments, in the areas of privatisation, the functioning of the compensation mechanism for destroyed and damaged property, and targeted improvements to procedures for managing state property, these changes have not acquired a systemic character and have not removed the key barriers to the exercise and protection of property rights.

An important set of issues related to the protection of property rights continues to concern the difficulties in entering information into the State Register of Property Rights to Immovable Property (SRPR) on ownership rights to immovable property acquired prior to the launch of this register in 2013. Both administrative and judicial procedures for confirming ownership rights to such property require simplification. However, no progress in this area was observed as of the end of July 2026.

The scope of the national compensation mechanism remains rather limited and does not cover a significant number of affected persons, particularly those whose housing was destroyed or damaged as a result of the armed aggression of the Russian Federation before 24 February 2022 or is located in the TOT of Ukraine.

Other barriers to accessing compensation and existing gaps that may hinder its receipt also persist. To some extent, the State is facilitating their gradual resolution through periodic amendments to the regulatory framework governing the relevant compensation procedures; however, given the scale of destruction and the number of affected persons, the extent of such efforts remains insufficient. This concerns the need for further expansion of the scope of the alternative solution introduced in 2025 for those excluded from the national compensation procedure — the mechanism for providing state assistance to certain categories of IDPs who resided in the TOT of Ukraine.

Another challenge for the implementation of the national compensation mechanism may arise from the reorganisation of the system of central executive authorities carried out in July 2026. On 17 July 2026, the Government decided to establish a new Ministry for Communities, Territories and Internally Displaced Persons of Ukraine and to rename the existing Ministry for Development as the Ministry for Restoration, Infrastructure and Transport of Ukraine.[2832] Both ministries were required, within two weeks (by 31 July 2026), to submit to the Government draft regulations governing their activities and proposals for the relevant amendments to normative legal acts resulting from the reorganisation. Until July 2026, the Ministry for Development played a key role in launching and implementing the mechanism for compensation for destroyed and damaged housing. Any further redistribution of the Ministry's powers requires particular attention to ensure the uninterrupted functioning and further development of the national compensation mechanism. The final allocation of powers and functions between the two ministries will become clear once their respective regulations are approved and will require further analysis from the perspective of ensuring adequate protection of the property rights of persons affected by the armed aggression of the Russian Federation.

Property Rights in the Context of Civil Law Reform: Draft New Civil Code of Ukraine

On 22 January 2026, a draft Civil Code of Ukraine (Private Law Code) (registration No. 14394[2833]) was registered in the Verkhovna Rada. On 6 February 2026, two alternative draft laws[2834] were also submitted. However, already in April 2026, all three draft laws were withdrawn from consideration.

On 9 April 2026, the authors of Draft Law No. 14394 submitted a **new draft Civil Code of Ukraine** (Draft Law No. 15150),[2835] which was subsequently adopted at first reading as a basis. As of July 2026, the draft law is being prepared for second reading. Accor-

2832 Certain Issues of Optimising the System of Central Executive Authorities: Resolution of the Cabinet of Ministers of Ukraine No. 963 of 17.07.2026. ↗

2833 Civil Code of Ukraine (Private Law Code): Draft, registration No. 14394 of 22.01.2026. ↗

2834 Civil Code of Ukraine (Private Law Code): Draft, registration No. 14394-1 of 06.02.2026. ↗; Civil Code of Ukraine (Private Law Code): Draft, registration No. 14394-2 of 06.02.2026. ↗

2835 Civil Code of Ukraine: Draft, registration No. 15150 of 09.04.2026. ↗

ding to the explanatory note, its purpose is the recodification and systemic modernisation of Ukraine's private (civil) law.

At the same time, in the context of the ongoing armed aggression of the Russian Federation, forced displacement of the population within the country and abroad, temporary occupation of part of the territory of the State, large-scale destruction and damage to immovable property, and the loss or damage of title documents, such a far-reaching transformation of private law regulation requires a particularly cautious approach.

Despite the clear public demand, during 2025 the Verkhovna Rada did not devote sufficient attention to such critically important issues as improving and expanding the compensation mechanism and simplifying the administrative and judicial procedures for the recognition and registration of ownership rights to immovable property.[2836] At present, the need to concentrate attention and expert resources on the review and processing of the provisions of the draft Civil Code of Ukraine reduces the likelihood of addressing these critical issues.

Certain risks associated with Draft Law No. 15150 have been raised by a number of state authorities. In particular, according to the opinion of the Main Scientific and Expert Department of the Secretariat of the Verkhovna Rada of Ukraine, the **draft Civil Code of Ukraine does not include, within the content of the right of ownership, the traditional triad of an owner's powers — possession, use and disposal**. These powers are system-forming elements of the national legal framework governing ownership and property rights more broadly.[2837] The failure to enshrine them clearly in legislation may create legal uncertainty and adversely affect the predictability of the protection of property rights.[2838]

Another important issue in the context of property rights is the **introduction of the concept of 'holding'**. The authors of the draft define it as a person's factual control over a thing that enables the person to exercise effective dominion over it, irrespective of whether that person has legal title to the thing.[2839] Both the substance of the proposed regulation and the prospects for its practical implementation raise numerous concerns. In particular, as previously noted in relation to Draft Law No. 14393,[2840] the concept of holding envisaged by Draft Law No. 15150 may facilitate **circumvention of established procedures for state registration of property rights**, create conflicts with the Constitution of Ukraine and legislation governing the management and disposal of state property, and create conditions for the unlawful factual seizure of such property.[2841]

Draft Law No. 15150 also proposes a number of amendments, including to the Law of Ukraine 'On State Registration of Property Rights to Immovable Property and Their

2836 17 Priority Steps in the Area of Human Rights Protection in the Context of Armed Aggression against Ukraine in 2026. Coalition of Human Rights Organisations Working on the Protection of the Rights of War-Affected Persons, 2026. ↗; Roadmap of Draft Laws in the Area of Protection of the Rights of Persons Affected by the Armed Aggression of the russian federation against Ukraine: Fifteenth Session of the Verkhovna Rada of Ukraine of the IX Convocation. Coalition of Human Rights Organisations Working on the Protection of the Rights of War-Affected Persons, 2026. ↗

2837 Opinion of the Main Scientific and Expert Department of the Secretariat of the Verkhovna Rada of Ukraine on the Draft Civil Code of Ukraine (registration No. 15150 of 09.04.2026), No. 16/03-2026/90388 of 22.04.2026. ↗

2838 Ibid.

2839 Civil Code of Ukraine: Draft, registration No. 15150 of 09.04.2026. ↗

2840 Civil Code of Ukraine (Private Law Code): Draft, registration No. 14394 of 22.01.2026. ↗

2841 Letter of the State Property Fund of Ukraine of 28.05.2026 No. 10-18-14703 ↗

Encumbrances'.[2842] Among other things, where an object ceases to exist as a result of accidental destruction, it is proposed that, simultaneously with the state registration of the termination of its existence, information on all property rights and encumbrances relating to that object be removed from the SRPR. The justification and advisability of completely removing information on an accidentally destroyed object from the SRPR raise a number of questions, including for tax authorities, given the need to retain access to information on the immovable property and its owners for the period preceding its destruction.[2843]

In this context, ensuring adequate protection of property rights will require substantial additional analysis and further refinement of the draft Civil Code of Ukraine. It may be advisable to postpone such large-scale legislative changes until the post-war period, to focus current efforts on more pressing issues related to the protection of the rights of the State and citizens arising from the armed aggression against Ukraine.

Privatisation of Assets and Updates to Procedures in the Activities of the State Property Fund of Ukraine

During 2025, the State Property Fund of Ukraine (SPFU) ensured the fulfilment of the **planned revenue targets from privatisation**, amounting to UAH 6.3 billion, of which UAH 3.8 billion constituted direct proceeds from privatisation of non-sanctioned assets[2844] (including value added tax amounting to UAH 400.4 million).[2845]

Work was also carried out with **sanctioned assets**,[2846] the proceeds from which are allocated to the Fund for the Elimination of the Consequences of Armed Aggression, whose resources in 2025 were directed towards compensation for destroyed or damaged housing.[2847] According to court decisions, the SPFU received 1,487 sanctioned assets, including 226 in 2025.[2848] In 2025, the disposal of 25 sanctioned assets generated UAH 4.5 billion.[2849] The overall economic effect of the SPFU's activities in 2025 exceeded UAH 9.5 billion.[2850]

2842 On State Registration of Property Rights to Immovable Property and Their Encumbrances: Law of Ukraine No. 1952-IV of 01.07.2004. ↗

2843 Proposals of the State Tax Service of Ukraine on the Draft Civil Code of Ukraine (registration No. 15150 of 09.04.2026) for the First Reading. ↗

2844 Results of 2025: Nearly UAH 9.5 Billion — Overall Economic Effect of the Activities of the State Property Fund of Ukraine. State Property Fund of Ukraine, 2025. ↗

2845 Report on the Activities of the State Property Fund of Ukraine and the Progress of Privatisation of State Property in 2025 / State Property Fund of Ukraine. 2026. P. 9. ↗

2846 Nationalised (sanctioned) assets under the management of the State Property Fund of Ukraine. State Property Fund of Ukraine, 2025. ↗

2847 On Approval of the Procedure for the Use of Funds of the Fund for the Elimination of the Consequences of Armed Aggression: Resolution of the Cabinet of Ministers of Ukraine No. 118 of 10.02.2023. ↗

2848 Report on the Activities of the State Property Fund of Ukraine and the Progress of Privatisation of State Property in 2025 / State Property Fund of Ukraine. 2026. Pp. 84–86. ↗

2849 Ibid; Results of 2025: Nationalised (Sanctioned) Assets Work for Ukraine. State Property Fund of Ukraine. 2025. ↗

2850 Results of 2025: Nearly UAH 9.5 billion — overall economic effect of the activities of the State Property Fund of Ukraine. State Property Fund of Ukraine, 2025. ↗

At the end of the first half of 2026, the SPFU managed 1,135 sanctioned assets, while proceeds from their privatisation amounted to UAH 70.45 million, with a further UAH 7.38 million generated from the sale of sanctioned property.[2851]

During 2025, the SPFU continued its activities under the **'Land Bank' project**[2852] introduced in 2024, which provides for the transfer of state-owned land into sublease for a fixed term (14 and 25 years) through open online auctions (Prozorro.Sale), where a fair market rate is established.[2853] While in 2024 nearly UAH 344 million[2854] was generated for the budget through online auctions for the sublease of state land, in 2025 the limited liability company 'State Land Bank' concluded 912 sublease agreements with auction winners and transferred 57,546 hectares of land plots for use by agricultural producers, resulting in UAH 564.5 million in revenues to the State and local budgets from the Company's activities, including VAT.[2855]

In 2025, **amendments were introduced to privatisation legislation**,[2856] abolishing the right of a lessee of state or municipal property to directly purchase such property and to introduce a mechanism whereby such property may be sold exclusively through auctions. The amendments also removed from Law of Ukraine No. 157-IX[2857] provisions concerning compensation to the lessee for inseparable improvements and instead provide for such expenses to be offset against rent payments.[2858]

With certain exceptions, these amendments entered into force on 6 June 2026. At the same time, paragraphs 2 and 3 of Section II 'Final and Transitional Provisions' of Law No. 4360-IX entered into force earlier, on 7 June 2025. Paragraph 2 of Section II 'Final and Transitional Provisions' provided for raising awareness of the principles, objectives and results of managing public-sector assets, including state-owned property. The Government adopted the relevant resolution approving the list of such measures and the procedure for their implementation only on 8 July 2026.[2859] Paragraph 3 required the development and submission, within six months, of a draft law amending the Law of Ukraine 'On Privatisation of State and Municipal Property' to establish specific arrangements for the privatisation of an individually designated port infrastructure facility (other than strategic port infrastructure) used by a business entity under a lease agreement where that entity has made improvements to the property. As of July 2026, there is no information on the registration of the relevant draft law in Parliament.

2851 UAH 3.4 Billion to the State Budget: Results of the State Property Fund's Work in the First Half of 2026. State Property Fund of Ukraine. 2026. ↗

2852 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's progress under the EU Enlargement Package 2024, 2025, p. 600. ↗

2853 Trading under the 'Land Bank' project launched for the first time in 2026. State Property Fund of Ukraine, 2026. ↗

2854 'Land Bank' paid UAH 55.7 million in minimum tax liability to the budget for 2024. State Property Fund of Ukraine, 2025. ↗

2855 Report on the Activities of the State Property Fund of Ukraine and the Progress of Privatisation of State Property in 2025 / State Property Fund of Ukraine. 2026. Pp. 50–53. ↗

2856 On Amendments to Certain Laws of Ukraine Regarding the Peculiarities of Privatisation of State and Municipal Property Objects Leased Out: Law of Ukraine No. 4360-IX of 16.04.2025. ↗

2857 On Lease of State and Municipal Property: Law of Ukraine No. 157-IX of 03.10.2019. ↗

2858 Peculiarities of privatisation of state and municipal property objects leased out: law published. Electronic Court, 2025. ↗

2859 Certain Issues of Informing the Public about the Management of Public-Sector Assets: Resolution of the Cabinet of Ministers of Ukraine No. 891 of 08.07.2026. ↗

There remains a need to align the current legislation with the Law of Ukraine 'On Sanctions',[2860] in particular with regard to land plots and assets subject to different customs regimes for which customs payments were not made upon importation. In this connection, the SPFU prepared Draft Laws Nos. 14241[2861] and 14281,[2862] which were submitted to Parliament by Members of Parliament.[2863]

It is also expected that the amendments[2864] introduced in 2025 to Law of Ukraine No. 772-VIII[2865] will facilitate **more effective realisation of sanctioned assets**, as they are intended to significantly accelerate the transfer of such assets from ARMA to the SPFU following a decision on their recovery to state ownership.[2866] In view of the systemic criticism of ARMA's performance, in particular regarding the quality of asset management[2867] and delays in transfer procedures, which in practice slow down their subsequent realisation by the SPFU,[2868] the adopted legislative changes are expected not only to improve ARMA's functioning but also to introduce an operational mechanism for the SPFU to realise sanctioned assets.

In 2025, further changes were introduced regarding the **lease of state property for the purpose of establishing dormitories for the temporary accommodation of IDPs**. In addition to the amendments noted above,[2869] a reduced rental rate was introduced for public associations and charitable organisations leasing state or municipal property for the temporary accommodation of IDPs, set at 3% of the value of the leased property.[2870] However, this rate significantly exceeded the rental rate applicable to local self-government bodies and legal entities established by them, which are fully or partially financed from local budgets, and which amounted to UAH 1 per square metre.

In view of this, in February 2026 the Government reduced the rental rate for public associations and charitable organisations accommodating IDPs in leased property to 0.01% of the value of the leased property. At the same time, however, the annual rental

2860 On Sanctions: Law of Ukraine No. 1644-VII of 14.08.2014. ↗

2861 On Amendments to Certain Legislative Acts of Ukraine Regarding the Management of Assets Recovered to the State Revenue: Draft Law of Ukraine, registration No. 14241 of 24.11.2025. ↗

2862 On Amendments to the Customs Code of Ukraine and the Law of Ukraine 'On Sanctions' Regarding Regulation of Certain Issues of Disposal of Foreign Goods and Commercial Vehicles, Clarification of the List of Persons Liable for Customs Payments and Improvement of Certain Customs Procedures: Draft Law of Ukraine, registration No. 14281 of 08.12.2025. ↗

2863 Report on the Activities of the State Property Fund of Ukraine and the Progress of Privatisation of State Property in 2025 / State Property Fund of Ukraine. 2026. P. 124. ↗

2864 On Amendments to the Law of Ukraine 'On the National Agency of Ukraine for Finding, Tracing and Management of Assets Derived from Corruption and Other Crimes' Regarding Strengthening the Institutional Capacity of the National Agency of Ukraine for Finding, Tracing and Management of Assets Derived from Corruption and Other Crimes and Improving Asset Management Mechanisms: Law of Ukraine No. 4503-IX of 18.06.2025. ↗

2865 On the National Agency of Ukraine for Finding, Tracing and Management of Assets Derived from Corruption and Other Crimes: Law of Ukraine No. 772-VIII of 10.11.2015. ↗

2866 How Sanctioned Assets Will Be Managed Under the New ARMA Law. Transparency International Ukraine, 2025. ↗

2867 Publication by Member of Parliament Anastasiia Radina on the social network Facebook, 2025. ↗

2868 How Sanctioned Assets Will Be Managed Under the New ARMA Law. Transparency International Ukraine, 2025. ↗

2869 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's progress under the EU Enlargement Package 2024, 2025, p. 589. ↗

2870 On Amendments to Certain Resolutions of the Cabinet of Ministers of Ukraine Regarding the Provision of Temporary Accommodation for Internally Displaced Persons: Resolution of the Cabinet of Ministers of Ukraine No. 1187 of 25.09.2025. ↗

fee for such property for legal entities established by the State or a territorial community was reduced to UAH 1 per year per leased object, regardless of its size.[2871] Thus, **different approaches to determining rental rates depending on the ownership form of the lessee were maintained** in 2026.

In the area of housing privatisation, significant changes are expected following the termination or lifting of martial law. Pursuant to Law of Ukraine No. 4751-IX[2872] of 13 January 2026, one year after the termination or lifting of martial law in Ukraine, Law of Ukraine No. 2482-XII[2873] will cease to have effect, as a result of which **further privatisation of housing from the state housing stock will no longer be possible**.

At the same time, on 18 March 2026, Draft Law No. 15088[2874] was registered in the Verkhovna Rada, proposing to allow the privatisation of apartments and houses damaged or destroyed as a result of the armed aggression of the Russian Federation from 24 February 2022 onwards, provided that an inspection report (act) for the relevant property is available. Although the possibility of privatising destroyed housing raises a number of concerns, **permitting the privatisation of damaged apartments and houses may constitute an important step in protecting the rights of affected occupants of such housing**. At the same time, the draft law proposed to prohibit the privatisation of apartments and houses located in the TOT of Ukraine included in an approved list.[2875] However, following the change in the composition of the Cabinet of Ministers of Ukraine, Draft Law No. 15088 was withdrawn on 16 July 2026 pursuant to Article 105 of the Rules of Procedure of the Verkhovna Rada of Ukraine.[2876]

Improvement of the State Register of Property Rights to Immovable Property and Issues Related to Entering Information into the Register

In Ukraine, ownership rights and other property rights to immovable property are subject to state registration[2877] through the entry of relevant information into the SRPR,[2878] which has been operational since 2013 and incorporates archival data from previous registers of rights to immovable property and their encumbrances.[2879] The estima-

2871 On Amendments to Certain Resolutions of the Cabinet of Ministers of Ukraine Regarding the Creation of Conditions for the Accommodation of Internally Displaced Persons: Resolution of the Cabinet of Ministers of Ukraine No. 205 of 18.02.2026. ↗

2872 On the Basic Principles of Housing Policy: Law of Ukraine No. 4751-IX of 13.01.2026. ↗

2873 On Privatisation of the State Housing Stock: Law of Ukraine No. 2482-XII of 19.06.1992. ↗

2874 On Amendments to Article 2 of the Law of Ukraine 'On the Privatisation of the State Housing Stock': Draft Law of Ukraine, registration No. 15088 of 18.03.2026. ↗

2875 On Approval of the List of Territories Where Hostilities Are (or Were) Conducted or Temporarily Occupied by the Russian Federation: Order of the Ministry for Development of Communities and Territories of Ukraine No. 376 of 28.02.2025. ↗

2876 A draft law submitted by the President of Ukraine or the Cabinet of Ministers of Ukraine is deemed withdrawn if, before its adoption at first reading as a basis, the powers of the President of Ukraine or the Cabinet of Ministers of Ukraine have been terminated.

2877 Civil Code of Ukraine: No. 435-IV of 16.01.2003. ↗

2878 On State Registration of Property Rights to Immovable Property and Their Encumbrances: Law of Ukraine No. 1952-IV of 01.07.2004. ↗

2879 Ibid.

ted number of unverified homeowners whose ownership rights are not recorded in the SRPR and are documented only in paper title documents and/or in the archival component of the SRPR may amount to at least 9.6 million persons.[2880] This indicates a **systemic deficiency in the completeness of the SRPR** and creates significant risks for the confirmation and protection of property rights, particularly in cases where their immovable property is destroyed or damaged as a result of the armed aggression.

According to the MoJ, where ownership rights to immovable property were registered prior to 2013, the owner is not required to take any action for the State to recognise such ownership; however, at their own discretion, the owner may apply for registration of their ownership rights in the SRPR.[2881] However, in cases where immovable property has been destroyed or damaged as a result of the armed aggression of the Russian Federation, the entry into the SRPR of ownership rights acquired prior to 2013 becomes necessary, and the absence of such information in the SRPR prevents access to compensation.[2882] To enter information into the SRPR regarding ownership rights acquired before 2013, it is currently necessary to apply to a state registrar or to apply electronically (online) via the Diia Portal. The online service for entering such data into the SRPR is available throughout Ukraine, except for the Autonomous Republic of Crimea and Luhansk and Donetsk regions. Despite the occupation of a significant part of these territories, the availability of the electronic service for entering data into the SRPR in areas under the control of Ukraine may contribute to improving the completeness of the SRPR and to protecting the rights of owners of immovable property located in such areas.[2883]

However, entering information on ownership rights acquired prior to 2013 into the SRPR is complicated by the requirement to provide a certificate from the relevant Bureau of Technical Inventory (BTI) at the location of the property. Where registration in the BTI was carried out exclusively in paper form and the relevant data are not available in the archival components of the SRPR, obtaining such a certificate may be impossible due to the loss or destruction of BTI archives or their location in the TOT of Ukraine. As a result, the owner is unable to enter information on their ownership rights into the SRPR through an administrative procedure and is forced to apply to a court.

This issue has become particularly acute since the start of the full-scale armed aggression against Ukraine and is further exacerbated by constant missile and drone attacks by the Russian Federation on civilian infrastructure across Ukrainian settlements.[2884] As of July 2026, the issue remained unresolved. Draft Law No. 11440 is aimed at simp-

2880 Problematic issues of verification of ownership rights to residential immovable property in Ukraine: Expert Study. NGO 'Get Yours Back', 2025. ↗

2881 Is it necessary to register ownership rights in the State Register of Property Rights to Immovable Property if such rights were registered prior to 2013? Kyiv Interregional Department of the Ministry of Justice of Ukraine, 2025. ↗

2882 On Compensation for Damage and Destruction of Certain Categories of Immovable Property as a Result of Hostilities, Terrorist Acts and Sabotage Caused by the Armed Aggression of the Russian Federation against Ukraine and the State Register of Property Damaged and Destroyed as a Result of Hostilities, Terrorist Acts and Sabotage Caused by the Armed Aggression of the Russian Federation against Ukraine: Law of Ukraine No. 2923-IX of 23.02.2023. ↗

2883 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's progress under the EU Enlargement Package 2024, 2025, p. 588. ↗

2884 2025 deadliest year for civilians in Ukraine since 2022, UN human rights monitors find. UN Human Rights Monitoring Mission in Ukraine, 2026. ↗

lifying the procedure for entering into the SRPR information on property rights to immovable property acquired before 2013.[2885] However, despite heightened public attention, its direct impact on access by affected persons to compensation for damaged and destroyed housing and proposals by groups of MPs to improve it,[2886] the draft law has remained at the stage of preparation for second reading since December 2024 and, as of July 2026, had not been finally considered by Parliament.

At the same time, further **efforts by the State are required to accelerate the digitisation of BTI archives**. This work has been partially carried out in Kyiv, where a significant volume of BTI documentation has been digitised, and the completion of an electronic database of immovable property objects and its commissioning is planned by 2027 inclusive.[2887] However, such measures remain fragmented and do not constitute a coherent policy for the preservation, digitisation and integration of BTI data on ownership rights into the system of state registration of property rights. This creates a risk that owners of immovable property may lose the possibility of entering into the SRPR, through an administrative procedure, information on ownership rights acquired prior to 2013, and also limits the State's access to complete and reliable data on immovable property within its territory.

In such circumstances, owners are required to confirm their ownership rights through judicial proceedings. However, court proceedings are lengthy and financially burdensome. In particular, the amount of the court fee depends on the value of the immovable property that is the subject of the claim.[2888] In the context of the temporary occupation of part of the territory of Ukraine, it is often impossible to determine the actual value of such property. In practice, courts may consider the declared value of the property to be understated, relying on discrepancies between the declared and the actual (market) value of the property.[2889] As a result of such reassessment, the amount of the court fee increases, making the judicial recognition of ownership rights financially onerous and less accessible for some claimants affected by the war.

Accordingly, the issue of exempting applicants from court fees in cases concerning recognition of ownership of housing destroyed or damaged as a result of the armed aggression of the Russian Federation remains relevant. This is proposed in Draft Law No. 15181,[2890] submitted to Parliament in April 2026 (as of July 2026, it is under consi-

2885 On Amendments to the Law of Ukraine 'On State Registration of Property Rights to Immovable Property and Their Encumbrances' Regarding Ensuring a Mechanism for State Registration of Ownership Rights to Immovable Property in the Absence of Access to the Records of Bureau of Technical Inventory Enterprises: Draft Law of Ukraine, registration No. 11440 of 24.07.2024. ↗

2886 On the Report on the Work Performed by the Temporary Special Commission of the Verkhovna Rada of Ukraine on the Protection of Property and Non-Property Rights of Internally Displaced and Other Persons Affected by the Armed Aggression of the Russian Federation against Ukraine: Decision of the Temporary Special Commission of the Verkhovna Rada of Ukraine of 15.12.2025. ↗

2887 More than 80 million digitised pages from BTI archives have been granted official status. Kyiv City Council, Kyiv City State Administration, 2025. ↗

2888 Civil Procedure Code of Ukraine No. 1618-IV of 18.03.2004. ↗

2889 Ruling of the Synelnykove City District Court of Dnipropetrovsk Region of 24.09.2025 in case No. 191/4844/25. ↗

2890 On Amendments to Article 5 of the Law of Ukraine 'On Court Fee' Regarding Exemption from Court Fees in Cases Concerning Recognition of Ownership of Immovable Property and Violations of Other Property Rights as a Result of the Armed Aggression of the Russian Federation against Ukraine: Draft Law of Ukraine, registration No. 15181 of 17.04.2026. ↗

deration by the parliamentary committee on finance, tax and customs policy). The judicial procedure for recognising ownership of such property also requires simplification by enabling this category of cases to be considered in separate proceedings where there is no dispute over the right.[2891]

Compensation Mechanism for Destroyed and Damaged Immovable Property

As of 10 July 2026, according to the Ministry for Development,[2892] affected persons had submitted a total of **167,735 applications for compensation for destroyed immovable property** and **232,869 applications for damaged property**.

As of that date, **74,793** housing certificates had been issued, **33,643** of which had been used by compensation recipients. The average value of a housing certificate was UAH 1.3 million. At the same time, UAH 982.4 million was paid as the first tranche of compensation for rebuilding destroyed housing on the recipient's own land plot, while funding under the second tranche totalled UAH 515.8 million.[2893]

Compensation for damaged housing was granted in respect of 153,333 applications. As of 10 July 2026, the total amount of such payments was UAH 14.8 billion.[2894]

Due to the limited scope of the compensation mechanism, **a proportion of affected persons still have no possibility of obtaining compensation for destroyed or damaged housing**. The main factors contributing to this are temporal and territorial restrictions[2895] — compensation may be obtained only where the destruction or damage occurred on or after 24 February 2022. Compensation also remains unavailable where the destroyed or damaged immovable property was located, as of that date, in the TOT of Ukraine. In practice, however, the compensation mechanism does not function for property located in territories occupied after the start of the full-scale invasion.

Another barrier to accessing compensation is the restriction of the categories of eligible persons. Foreign nationals lawfully residing in Ukraine who are owners, developers or investors in the relevant property are not eligible for compensation, as a result of which their property rights remain unprotected.[2896]

Despite numerous initiatives aimed at expanding the scope of the compensation mechanism, these limitations have remained unchanged since the adoption of Law of Ukraine

2891 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's progress under the EU Enlargement Package 2024, 2025, pp. 588. ↗

2892 Results of the eRecovery Programme as of the Morning of 10 July 2026. Ministry for Development of Communities and Territories of Ukraine. 2026. ↗

2893 Ibid.

2894 Ibid.

2895 National Compensation Mechanism for Damage and Destruction of Immovable Property: Experience, Challenges and Prospects for Improvement. Report based on monitoring and analytical research. CF 'Right to Protection', 2025. ↗

2896 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's progress under the EU Enlargement Package 2024, 2025, pp. 576–580. ↗

No. 2923-IX.[2897] Draft Law No. 13136,[2898] intended to address these issues and recommended in August 2025 by the Committee of the Verkhovna Rada on Economic Development for inclusion in the agenda and adoption in the first reading as a basis,[2899] has not been considered as of July 2026.

However, in autumn 2025, the State took **initial steps to develop alternative solutions for affected persons** who fall outside the scope of the national compensation procedure. By an Order of the Cabinet of Ministers of Ukraine,[2900] a **housing voucher** was introduced — a special electronic payment instrument that may be used to finance the purchase of (i) a residential immovable property object, (ii) the land plot on which it is located, or (iii) a share in the ownership of such property. The amount of assistance per beneficiary is UAH 2 million.[2901]

The range of beneficiaries remains limited and currently includes only natural persons — citizens of Ukraine who are registered in the Unified Information Database of IDPs and who have been displaced from the TOT of Ukraine included in the list of such territories approved by the Ministry for Development,[2902] for which no end date of temporary occupation has been determined, and who fall within one of the following two categories: (a) combatants and (b) persons with disabilities resulting from war. Beneficiaries must also meet several additional requirements, including the absence of housing provided for permanent residence by state authorities during the period of registration as an IDP, the absence of a submitted application for compensation for destroyed housing and/or an approved decision granting such compensation, etc.

From 1 August 2026, **the list of eligibility requirements is expanded**.[2903] In particular, assistance will not be available to persons where they or members of their families, bet-

2897 On Compensation for Damage and Destruction of Certain Categories of Immovable Property as a Result of Hostilities, Terrorist Acts and Sabotage Caused by the Armed Aggression of the Russian Federation against Ukraine and the State Register of Property Damaged and Destroyed as a Result of Hostilities, Terrorist Acts and Sabotage Caused by the Armed Aggression of the Russian Federation against Ukraine: Law of Ukraine No. 2923-IX of 23.02.2023. ↗

2898 On Amendments to the Law of Ukraine 'On Compensation for Damage and Destruction of Certain Categories of Immovable Property as a Result of Hostilities, Terrorist Acts and Sabotage Caused by the Armed Aggression of the Russian Federation against Ukraine and the State Register of Property Damaged and Destroyed as a Result of Hostilities, Terrorist Acts and Sabotage Caused by the Armed Aggression of the Russian Federation against Ukraine' and Certain Other Laws of Ukraine Regarding Improvement of the Compensation Mechanism and Accounting of Immovable Property: Draft Law of Ukraine, registration No. 13136 of 26.03.2025. ↗

2899 Conclusion of the Committee of the Verkhovna Rada of Ukraine on Economic Development on the Draft Law on amendments to the Law of Ukraine 'On Compensation for Damage and Destruction of Certain Categories of Immovable Property as a Result of Hostilities, Terrorist Acts and Sabotage Caused by the Armed Aggression of the Russian Federation against Ukraine and the State Register of Property Damaged and Destroyed as a Result of Hostilities, Terrorist Acts and Sabotage Caused by the Armed Aggression of the Russian Federation against Ukraine' and Certain Other Laws of Ukraine Regarding Improvement of the Compensation Mechanism and Accounting of Immovable Property (registration No. 13136) No. 04-16/03-2025/198215 of 27.08.2025. ↗

2900 On Approval of the Procedure for Providing Assistance to Address Housing Needs for Certain Categories of Internally Displaced Persons Who Resided in the Temporarily Occupied Territory and Amendments to the Procedure for Maintaining the State Register of Property Damaged and Destroyed as a Result of Hostilities, Terrorist Acts and Sabotage Caused by the Armed Aggression of the Russian Federation against Ukraine: Resolution of the Cabinet of Ministers of Ukraine No. 1176 of 22.09.2025. ↗

2901 Autumn Review of Key Developments: 2025. CF 'Right to Protection', 2025. ↗

2902 On Approval of the List of Territories Where Hostilities Are (or Were) Conducted or Temporarily Occupied by the Russian Federation: Order of the Ministry for Development of Communities and Territories of Ukraine No. 376 of 28.02.2025. ↗

2903 Certain Issues of Providing Assistance to Address Housing Needs of Certain Categories of Internally Displaced Persons Who Resided in the Temporarily Occupied Territory: Resolution of the Cabinet of Ministers of Ukraine No. 723 of 04.06.2026. ↗

ween 24 February 2022 and the date of applying for assistance, ceased to hold ownership rights to residential property. At the same time, under the Civil Code of Ukraine, ownership may cease, inter alia, as a result of foreclosure on property for the owner's obligations or the destruction of the property.[2904] Consequently, an IDP from the TOT of Ukraine may be unable to receive State assistance to address housing needs, for example where the person's only dwelling in Government-controlled territory of Ukraine was destroyed as a result of the armed aggression. This restriction may be intended to prevent the same person from receiving both State housing assistance and compensation for destroyed housing. However, given the existing restrictions on such assistance for IDPs where they or their family members have applied for compensation for destroyed housing and/or a decision granting such compensation has been approved,[2905] the **new restrictions** linked to the termination of ownership of residential property after the start of the full-scale invasion **are excessive**, insufficiently justified and require subsequent review in order to protect the rights of IDPs and take into account the objective life circumstances of the population affected by the armed aggression.

As of 10 July 2026, within the framework of this programme, citizens had submitted 43,268 applications, of which more than 35,000 had received positive decisions.[2906] Funding under the housing voucher scheme was approved in 3,296 cases for a total amount of UAH 6.59 billion.[2907] Thus, the UAH 6.6 billion allocated by the Government[2908] for this purpose has now been used. However, the Council of Europe Development Bank will provide Ukraine with EUR 80 million in further financing for the programme, which should provide housing for approximately 2,000 additional families.[2909]

In addition to increasing funding for the programme, ensuring housing for the largest possible number of persons displaced from the TOT of Ukraine also requires expanding the categories of IDPs eligible for such assistance. Under the Operational Action Plan for 2026–2028 for the implementation of the State Policy Strategy on Internal Displacement until 2030, approved by the Government on 10 June 2026,[2910] expansion of the categories of recipients of housing assistance for IDPs from the TOT of Ukraine is planned only for the second quarter of 2028. Moreover, as this measure provides only for the development and submission to the Government of the relevant normative legal act expanding the categories of recipients, its adoption by the Government and subsequent implementation may take place later than that deadline.

2904 Civil Code of Ukraine No. 435-IV of 16.01.2003. ↗

2905 On Approval of the Procedure for Providing Assistance to Address Housing Needs of Certain Categories of Internally Displaced Persons Who Resided in the Temporarily Occupied Territory and Amendments to the Procedure for Maintaining the State Register of Property Damaged and Destroyed as a Result of Hostilities, Terrorist Acts and Sabotage Caused by the Armed Aggression of the Russian Federation against Ukraine: Resolution of the Cabinet of Ministers of Ukraine No. 1176 of 22.09.2025. ↗

2906 Results of the eRecovery Programme as of the Morning of 10 July 2026. Ministry for Restoration, Infrastructure and Transport of Ukraine. 2026. ↗

2907 Ibid.

2908 Government Allocates UAH 6.6 Billion for Housing Vouchers for IDPs from the Temporarily Occupied Territories. Ministry for Restoration, Infrastructure and Transport of Ukraine. 2026. ↗

2909 EUR 80 Million for Housing for Displaced Persons: Ukraine Expands Housing Voucher Programme. Political Party 'Servant of the People'. 2026. ↗

2910 On Approval of the State Policy Strategy on Internal Displacement for the Period up to 2030 and the Operational Action Plan for Its Implementation in 2026–2028: Order of the Cabinet of Ministers of Ukraine No. 598 of 10.06.2026. ↗

In the second half of 2025 and during the first half of 2026, **the Government introduced a number of significant changes to the existing compensation procedures**. In particular, the Government further regulated the procedure for **inspecting cultural heritage objects for the purposes of granting compensation** to their owners in cases of damage caused by the armed aggression.[2911] In particular, an act of technical inspection of the condition of a cultural heritage object has been recognised as one of the documents used to determine the extent of damage to immovable property. The procedure governing compensation for damaged housing[2912] has also been supplemented by a separate List of categories of construction products that may be purchased by beneficiaries using compensation funds for the repair of damaged cultural heritage objects.

In May 2026, these changes were repealed[2913] because of practical difficulties[2914] in their implementation, and the procedure for inspecting damaged cultural heritage objects was brought closer to the general procedure for inspecting other buildings and structures damaged as a result of the armed aggression, subject to certain specific features. Remote inspection of such objects is not carried out where they are located in areas of possible or active hostilities.[2915] In view of these changes, the effectiveness of the compensation mechanism in cases involving the destruction of or damage to cultural heritage objects will require further monitoring.

The Government also amended the **requirements concerning the applicant's submission of consent from co-owners of damaged housing to receive compensation**. For a long time, the requirement to provide such consent — either in electronic form (via the Diia Portal) or in paper form with notarised signatures of co-owners[2916] — constituted one of the key barriers to accessing compensation. In practice, the absence of information on the whereabouts of co-owners, their residence abroad, the loss of social ties, or conflicts between them often made it impossible to obtain such consent and, consequently, to receive compensation.[2917] Following a partial relaxation of these requirements in the spring of the previous year, when the Government established that the

2911 On Amendments to Certain Resolutions of the Cabinet of Ministers of Ukraine Regarding the Elimination of Damage to Cultural Heritage Objects Caused by Hostilities, Terrorist Acts and Sabotage Resulting from the Armed Aggression of the Russian Federation against Ukraine: Resolution of the Cabinet of Ministers of Ukraine No. 1237 of 01.10.2025. ↗

2912 On Approval of the Procedure for Granting Compensation for the Restoration of Certain Categories of Immovable Property Damaged as a Result of Hostilities, Terrorist Acts and Sabotage Caused by the Armed Aggression of the Russian Federation, Using the Electronic Public Service 'eRecovery': Resolution of the Cabinet of Ministers of Ukraine No. 381 of 21.04.2023. ↗

2913 Certain Issues of Addressing the Consequences of the Armed Aggression of the Russian Federation Related to Damage to or Destruction of Immovable Cultural Heritage Objects: Resolution of the Cabinet of Ministers of Ukraine No. 713 of 20.05.2026. ↗

2914 Information is based on the practice of lawyers of CF 'Right to Protection', 2025.

2915 On Approval of the Procedure for Carrying Out Emergency Works to Address the Consequences of the Armed Aggression of the Russian Federation Related to Damage to Buildings and Structures: Resolution of the Cabinet of Ministers of Ukraine No. 473 of 19.04.2022. ↗

2916 On Approval of the Procedure for Granting Compensation for the Restoration of Certain Categories of Immovable Property Damaged as a Result of Hostilities, Terrorist Acts and Sabotage Caused by the Armed Aggression of the Russian Federation, Using the Electronic Public Service 'eRecovery': Resolution of the Cabinet of Ministers of Ukraine No. 381 of 21.04.2023. ↗

2917 National Compensation Mechanism for Damage and Destruction of Immovable Property: Experience, Challenges and Prospects for Improvement. Report based on monitoring and analytical research. CF 'Right to Protection', 2025. ↗

consent of a co-owner who is a foreign national or a stateless person is not required,[2918] further amendments entered into force in January 2026 simplifying this procedure for all affected persons.[2919]

Other important changes that entered into force in January 2026 relate to the **determination of the amount of compensation for damage to housing**. For the first time since their approval in April 2023, the Government revised the average cost indicators for materials and works used to calculate the amount of compensation. The failure to adjust these indicators in previous years, despite the requirements established by the Cabinet of Ministers of Ukraine, resulted in compensation being awarded at a level that did not correspond to the actual costs required to repair damaged housing.[2920]

In October 2025, the Government adopted several amendments concerning the **specific features of remote inspections of destroyed immovable property located in areas of possible and active hostilities** for which no end date has been determined.[2921] Despite these changes, the implementation of the mechanism remains relatively complicated and requires further improvement. In practice, there is a widespread tendency to shift the burden of collecting evidence of destruction onto affected persons. The statutory timeframe for conducting remote inspections has proven insufficient, and commissions are often unable to complete inspections and collect the necessary remote sensing data within the prescribed period, as a result of which they adopt decisions to suspend inspections.[2922] The subsequent actions and obligations of commissions during such suspension — including with regard to the collection of additional information on the inspected property — are not regulated by legislation. At the same time, the resumption of inspections is made contingent on the applicant's ability to obtain additional information on the property and submit it to the commission,[2923] although the capacity of affected persons to obtain such information is limited.

2918 On Amendments to Certain Resolutions of the Cabinet of Ministers of Ukraine Regarding the Restoration of Certain Categories of Immovable Property Damaged as a Result of Hostilities, Terrorist Acts and Sabotage Caused by the Armed Aggression of the Russian Federation and the Provision of Compensation for Such Property: Resolution of the Cabinet of Ministers of Ukraine No. 296 of 14.03.2025. ↗

2919 On Amendments to the Procedure for Granting Compensation for the Restoration of Certain Categories of Immovable Property Damaged as a Result of Hostilities, Terrorist Acts and Sabotage Caused by the Armed Aggression of the Russian Federation, Using the Electronic Public Service 'eRecovery': Resolution of the Cabinet of Ministers of Ukraine No. 1525 of 26.11.2025. ↗

2920 On Amendments to Annex 2 to the Procedure for Granting Compensation for the Restoration of Certain Categories of Immovable Property Damaged as a Result of Hostilities, Terrorist Acts and Sabotage Caused by the Armed Aggression of the Russian Federation, Using the Electronic Public Service 'eRecovery': Resolution of the Cabinet of Ministers of Ukraine No. 1646 of 12.12.2025. ↗

2921 On Amendments to the Resolutions of the Cabinet of Ministers of Ukraine No. 473 of 19 April 2022 and No. 815 of 7 July 2025: Resolution of the Cabinet of Ministers of Ukraine No. 1347 of 22.10.2025. ↗

2922 Information based on the practice of lawyers of CF 'Right to Protection' in 2025.; 'The Most Vulnerable Were Excluded': A Lawyer on the Pros and Cons for IDPs of Resolution No. 815 on Destroyed Property. Suspilne Donbas, 2025. ↗

2923 Certain Issues of Conducting Remote Inspections of Destroyed Immovable Property of Certain Categories Located in Areas of Possible Hostilities Where No End Date of Hostilities Has Been Determined, Areas of Active Hostilities and Areas of Active Hostilities Where State Electronic Information Resources Are Functioning, for Which No End Date of Hostilities Has Been Determined: Resolution of the Cabinet of Ministers of Ukraine No. 815 of 07.07.2025. ↗

Further amendments[2924] to the established procedure for conducting remote inspections, introduced by the Government in April 2026, additionally regulated certain aspects of the work of commissions carrying out such inspections, including the possibility, where necessary, of including representatives of the SSU or other competent state authorities in their composition and obtaining the data required on destroyed objects. Accordingly, proper implementation of the remote inspection mechanism therefore requires not only improvements to its regulatory framework but also changes in practical approaches at the local level.

In February 2026, **amendments to the Procedure for Maintaining the State Register of Property** Damaged and Destroyed as a Result of Hostilities, Terrorist Acts and Sabotage Caused by the Armed Aggression of the Russian Federation against Ukraine (Register of Damaged and Destroyed Property) entered into force.[2925] Under the revised rules, upon application to the Ministry for Development,[2926] the status of a user of register information may now be granted, inter alia, to representatives of international donor organisations performing monitoring functions regarding the use of funds and the implementation of the 'eRecovery' electronic public service, the eRecovery Support Group and representatives of the Office of the United Nations High Commissioner for Refugees through its Representation in Ukraine. This enables such users to view information, obtain extracts and oversee the reliability, accuracy and completeness of data entered by public registrars, and is intended to strengthen oversight of the implementation of the compensation mechanism, particularly in light of the significant volume of international funding for compensation payments.[2927]

At the same time, the **issue of public accessibility of the data contained in the Register of Damaged and Destroyed Property remains unresolved**. According to the Procedure, information entered into the Register is open and publicly accessible, except for certain data, including passport details and the place of residence of natural persons.[2928] At the end of November 2025, the Ministry for Development announced plans to open access to this data;[2929] however, as of July 2026, the relevant information has not been published, which significantly limits the transparency of the functioning of the national compensation mechanism.

2924 On Amendments to the Specific Arrangements for Conducting Remote Inspections of Destroyed Certain Categories of Immovable Property Located in Areas of Possible Hostilities for Which No Date for the End of Possible Hostilities Has Been Determined, Areas of Active Hostilities and Areas of Active Hostilities in Which State Electronic Information Resources Operate for Which No Date for the End of Hostilities Has Been Determined: Resolution of the Cabinet of Ministers of Ukraine No. 511 of 22.04.2026. ↗

2925 Certain Issues of Ensuring the Functioning of the State Register of Property Damaged and Destroyed as a Result of Hostilities, Terrorist Acts and Sabotage Caused by the Armed Aggression of the Russian Federation against Ukraine: Resolution of the Cabinet of Ministers of Ukraine No. 624 of 13.06.2023. ↗

2926 In view of the changes to the system of central executive authorities in July 2026, the authorised ministry may subsequently change.

2927 On Amendments to the Procedures Approved by the Resolutions of the Cabinet of Ministers of Ukraine No. 381 of 21 April 2023 and No. 624 of 13 June 2023: Resolution of the Cabinet of Ministers of Ukraine No. 179 of 11.02.2026. ↗

2928 Certain Issues of Ensuring the Functioning of the State Register of Property Damaged and Destroyed as a Result of Hostilities, Terrorist Acts and Sabotage Caused by the Armed Aggression of the Russian Federation against Ukraine: Resolution of the Cabinet of Ministers of Ukraine No. 624 of 13.06.2023. ↗

2929 Publication by the Ministry for Development of Communities and Territories of Ukraine on the social network Facebook, 2025. ↗

Further improvements are also required with regard to the completion of the Register of Damaged and Destroyed Property. As in previous years, no mechanism has been introduced for collecting and entering into this register information on the destruction or damage of movable property, while the procedures for entering data on destroyed and damaged immovable property remain limited. Despite the existence of a legislative framework, the procedures do not ensure the collection of information on objects destroyed or damaged prior to the start of the full-scale invasion, nor on those located in the TOT of Ukraine.[2930]

The intensification of the expropriation by the Russian occupation authorities of housing owned by Ukrainian citizens in the TOT of Ukraine has brought renewed urgency to the absence of a **mechanism for entering information in the Register of Damaged and Destroyed Property** on cases of expropriation or other unlawful seizure of such housing. This prevents systematic recording and consolidation of information on the relevant violations and the subsequent development of measures and instruments to assist affected owners of such property.

As of July 2026, the implementation of the compensation mechanism continues to be affected by the following factors:

1) The scope of the national compensation mechanism is limited by territorial, temporal and personal criteria, which prevents access for citizens of Ukraine whose housing was destroyed or damaged before 24 February 2022 or was located in the TOT of Ukraine[2931] as of that date, as well as for foreign nationals lawfully residing in Ukraine who are owners, developers or investors in the relevant immovable property.[2932]

2) The incompleteness of the regulatory framework governing certain components of the compensation mechanism, particularly the absence of a number of procedures necessary for the full implementation of all its elements. These include, inter alia, a procedure for granting compensation for damage to common property in apartment buildings, and a procedure for granting compensation to members of housing (residential) cooperatives who have purchased an apartment (or other residential premises in a building or cooperative house) but have not formalised ownership rights. A procedure for conducting remote inspections of destroyed objects located in the TOT of Ukraine also remains absent.

3) Shortcomings of the compensation mechanism for damaged immovable property, including:

- The impossibility of obtaining compensation for repairs to damaged immovable property already carried out at the owner's own expense. Despite the existence of a legislative framework, in practice this type of compensation remains inaccessible. [2933]

2930 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's progress under the EU Enlargement Package 2024, 2025, pp. 581–583. ↗

2931 Ibid, pp. 577-578.

2932 National Compensation Mechanism for Damage and Destruction of Immovable Property: Experience, Challenges and Prospects for Improvement. Report based on monitoring and analytical research. CF 'Right to Protection', 2025. ↗

2933 Ibid.

- The limited amount of compensation for damage to housing. The maximum amount is UAH 350,000 for apartments (residential premises) in apartment buildings and UAH 500,000 for single-family houses, cottages and other types of houses defined by law.[2934] Where the cost of the necessary repairs exceeds these limits, compensation may be obtained only where additional co-financing is available from Ukrainian or international organisations or other sources to ensure the full restoration of the damaged property.[2935]
- The mismatch between the list of repair works covered under the compensation mechanism and the actual needs for restoring housing. The defined list of repair works taken into account in calculating the amount of compensation and eligible for funding from compensation funds[2936] does not cover several works necessary for the repair of damaged housing, thereby complicating its restoration.

4) Shortcomings of the compensation mechanism for destroyed immovable property include:

- The impossibility of correcting errors in the housing certificate. There is no administrative procedure for correcting inaccuracies in the data specified in the housing certificate, which significantly complicates its further use.[2937]
- The absence of a procedure allowing an heir to use a housing certificate in the event of the death of its holder. In such cases, the heir is required to reapply for compensation under the general procedure, which becomes impossible if the deceased had already registered the termination of ownership rights to the destroyed housing in the SRPR, as the relevant object no longer legally exists.[2938]
- The insufficiency of the established period for the use of funds reserved under a housing certificate. This period is 30 calendar days from the date of the decision confirming financing.[2939] Within this period, the recipient must conclude a sale and purchase agreement for housing and register ownership rights to the acquired property in accordance with the established procedure. Failure to do so results in the automatic cancellation of the reservation of funds.[2940] In practice, some recipients are unable to use the funds within the prescribed period, leading

2934 On Approval of the Procedure for Granting Compensation for the Restoration of Certain Categories of Immovable Property Damaged as a Result of Hostilities, Terrorist Acts and Sabotage Caused by the Armed Aggression of the Russian Federation, Using the Electronic Public Service 'eRecovery': Resolution of the Cabinet of Ministers of Ukraine No. 381 of 21.04.2023. ↗

2935 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's progress under the EU Enlargement Package 2024, 2025, pp. 578–579. ↗

2936 On Approval of the Procedure for Granting Compensation for the Restoration of Certain Categories of Immovable Property Damaged as a Result of Hostilities, Terrorist Acts and Sabotage Caused by the Armed Aggression of the Russian Federation, Using the Electronic Public Service 'eRecovery': Resolution of the Cabinet of Ministers of Ukraine No. 381 of 21.04.2023. ↗

2937 National Compensation Mechanism for Damage and Destruction of Immovable Property: Experience, Challenges and Prospects for Improvement. Report based on monitoring and analytical research. CF 'Right to Protection', 2025. ↗

2938 Ibid.

2939 On Approval of the Procedure for Granting Compensation for Destroyed Immovable Property: Resolution of the Cabinet of Ministers of Ukraine No. 600 of 30.05.2023. ↗

2940 Ibid.

to such cancellation. This risk is particularly significant for elderly persons, persons with disabilities and recipients with low levels of digital literacy.[2941]

5) Technical shortcomings of the digital tools supporting the compensation mechanism, including:

- The absence of a technical possibility to submit an information notice in respect of property destroyed or damaged in the period from 19 February 2014 to 24 February 2022,[2942] which was to have been ensured by the MDT in the second half of 2022. As a result, the destruction or damage of immovable property prior to the start of the full-scale invasion by the Russian Federation is still not recorded in the Register of Damaged and Destroyed Property.[2943]
- The impossibility for owners of property registered in the SRPR as a 'room' to obtain compensation. Documented cases indicate that the Diia Portal does not allow the submission of compensation applications for such property, thereby depriving their owners of the possibility to exercise their right to compensation.[2944]

Recommendations

1. Conduct a comprehensive analysis of the provisions of the draft new Civil Code of Ukraine (Draft Law No. 15150) with regard to their impact on the property rights of war-affected populations, the implementation of the national compensation mechanism for destroyed and damaged immovable property, the state registration of property rights and other rights of persons affected by the war. Until such analysis is completed, legal conflicts are resolved and sufficient transitional provisions are introduced, refrain from the expedited adoption of the new Civil Code of Ukraine.

2. Establish a unified approach to determining the level of rent for the use of state and municipal property for the purpose of providing temporary accommodation for IDPs, considering exclusively the intended use of the property and avoiding additional discriminatory conditions depending on the ownership form and sources of financing of the lessee.

3. Introduce a simplified administrative procedure for entering into the SRPR information on ownership rights to immovable property acquired prior to 2013.

4. Ensure the digitisation of BTI archives to preserve the information necessary for entering into the SRPR data on ownership rights to immovable property acquired prior to 2013.

5. Ensure the simplification of judicial procedures for recognising ownership rights to immovable property destroyed or damaged as a result of the armed aggression of the Russian Federation, in particular by introducing court consideration of this category of cases under separate proceedings (in the absence of a dispute as to

2941 National Compensation Mechanism for Damage and Destruction of Immovable Property: Experience, Challenges and Prospects for Improvement. Report based on monitoring and analytical research. CF 'Right to Protection', 2025. ↗

2942 Ibid.

2943 Ibid.

2944 Ibid.

rights) and exempting applicant-owners of destroyed or damaged immovable property from the payment of court fees.

6. Extend the mechanism for granting compensation for the destruction or damage of certain categories of immovable property as a result of the armed aggression of the Russian Federation, established by Law of Ukraine No. 2923-IX, to persons whose immovable property was destroyed or damaged before 24 February 2022, as well as to those whose destroyed or damaged housing is located in the TOT of Ukraine, by introducing amendments to Law of Ukraine No. 2923-IX or developing other equivalent solutions to ensure the provision of compensation to such persons.

7. Extend the scope of the mechanism for providing assistance to address housing needs for certain categories of IDPs who resided in the TOT of Ukraine by introducing amendments to the Order of the Cabinet of Ministers of Ukraine No. 1176 of 22 September 2025, to ensure adequate protection of the rights of the widest possible range of IDPs from the TOT of Ukraine.

8. Ensure the collection and recording of information on immovable property destroyed or damaged as a result of the armed aggression of the Russian Federation during the period from 19 February 2014 to 24 February 2022 inclusive, in particular by providing the technical possibility for owners of housing destroyed or damaged during this period to submit information notices on damaged or destroyed immovable property as a result of hostilities, terrorist acts or sabotage caused by the armed aggression of the Russian Federation against Ukraine, in accordance with the Order of the Cabinet of Ministers of Ukraine No. 380 of 26 March 2022.

9. Ensure the development and approval of a procedure for collecting data and maintaining systematic records of cases of appropriation, nationalisation or other seizure by the occupying authorities / the Russian Federation of property located in the TOT of Ukraine, as well as cases where owners have lost access to immovable property located in such territories and in areas of active hostilities.

10. Develop and implement a mechanism for collecting and recording information on movable property (including vehicles) destroyed or damaged as a result of the armed aggression of the Russian Federation.

11. Ensure a thorough review of the existing compensation procedures with a view to amending and supplementing them with the necessary provisions to ensure proper protection of the rights of owners of housing destroyed or damaged as a result of the armed aggression of the Russian Federation and to eliminate technical barriers to accessing compensation, in particular:

- adopt a procedure for granting compensation for damage to common property in apartment buildings;
- regulate the procedure for correcting errors in the data specified in the housing certificate;
- provide for an extension of the period for the use of funds reserved under the housing certificate.

12. Ensure the practical implementation of the process for granting compensation for repairs to damaged immovable property already carried out at the owner's own

expense. The MDT should ensure the technical functionality required for the submission of applications for compensation for such repairs to damaged housing.

13. Ensure the possibility of granting compensation to owners of damaged housing in cases where the cost of the necessary repairs exceeds the maximum amount of compensation currently provided for by the Order of the Cabinet of Ministers of Ukraine No. 381 of 21 April 2023, in the absence of additional co-financing.

14. Further regulate the process for inspecting destroyed immovable property of certain categories (by introducing amendments to the Order of the Cabinet of Ministers of Ukraine No. 815 of 7 July 2025) to define a clear procedure and the responsibilities of commissions for conducting remote inspections of the relevant immovable property.

15. Regulate this issue and ensure the possibility of conducting inspections of destroyed immovable property of certain categories located in the TOT of Ukraine.

Procedural Rights

During the reporting period, *no progress* has been observed in ensuring the protection of individuals' procedural rights.

The procedural rights of children in criminal proceedings do not fully comply with the EU acquis (including Directives (EU) 2016/800 and 2012/29/EU). Legislative amendments aimed at introducing mandatory involvement of a lawyer and a psychologist for minor victims and witnesses, as well as improving the legal framework for restorative justice, mediation and other components of juvenile justice, remain unadopted.

The presumption of innocence as a fundamental principle of criminal proceedings is properly implemented at the legislative level; however, it is not ensured at the level of secondary legislation, particularly within rules of ethical conduct. Planned legislative amendments introducing unified approaches to ethical standards across law enforcement bodies have not been adopted. Procedural safeguards related to informing individuals of their rights depend on the existence of an appropriate procedural status. To reduce instances of 'shadow' detentions and 'grey' areas, the Custody Records system continues to be implemented within units of the NPU. Between 2024 and 2026, the number of such units increased from 88 to 156. The Government has developed a draft law aimed at improving the in absentia procedure, primarily regarding proper notification of pre-trial investigations and court proceedings conducted in the absence of the person concerned, as well as introducing the possibility of appealing court judgments ex novo where such notification was not duly carried out. At the same time, draft laws submitted by Members of Parliament are under consideration in the Parliament, addressing certain aspects of the problem but failing to provide a comprehensive solution.

The Government is also developing a draft law to improve the right to interpretation, by introducing a procedural mechanism to challenge the quality of interpretation or the interpreter where interpretation is inadequate. In parallel, efforts are ongoing to improve the financial conditions for engaging qualified interpreters in criminal proceedings in accordance with Directive 2010/64/EU. Lawyers have submitted substantive

proposals regarding the content of a new mechanism for ensuring high-quality interpretation in criminal proceedings.

Protection of Children's Rights in Civil and Criminal Proceedings (Juvenile Justice)

The CPC of Ukraine is more focused on protecting the rights of suspects and accused persons and less oriented towards victims of criminal offences. As a result, the **legal status of victims is limited**.[2945] Similar issues also apply to children.

Accordingly, the **CPC of Ukraine does not contain requirements for the mandatory involvement of a lawyer as a representative of a minor victim or witness, nor of a psychologist** to prevent secondary psychological traumatisation. The existence of a child's own lawyer, who would facilitate the exercise of their procedural rights, currently depends solely on the will of parents or other legal representatives. Such involvement should be mandatory and ensured through the free legal aid (FLA) system. At present, mandatory participation of defence counsel is provided only for minor suspects and accused persons.[2946]

The shortcomings of the CPC of Ukraine regarding the mandatory involvement of a lawyer for a child victim from the moment a criminal offence or socially dangerous act against them is identified, as well as during investigative (search) actions involving such a child, are also recognised as a problem in the National Strategy for the Protection of Children's Rights in the Field of Justice until 2028 ('National Strategy').[2947]

As of the fourth quarter of 2025, the Operational Plan for the implementation of the National Strategy[2948] provides for the development of **amendments to the CPC of Ukraine** concerning the involvement of defence counsel for a child in criminal proceedings from the moment their involvement in the commission of a criminal offence or a socially dangerous act involving a child is established, on the basis of a decision of an investigator, prosecutor or inquiry officer. It also introduces **amendments to the Law of Ukraine 'On Free Legal Aid'**[2949] regarding the definition of a mechanism for engaging a representative of the child on the basis of a decision of an investigator, prosecutor or inquiry officer to protect the child's interests during investigative (search) actions involving the child. At present, the draft law has not been developed.

At the same time, for the fourth quarter of 2026, the Rule of Law Roadmap[2950] provides for the development and adoption of laws and secondary legislation aimed at

2945 For example: Rights of Victims of Violent Crimes in Ukraine: International Standards and National Practices / A. Orlean, T. Pavliukovets, Y. Krapyvin, D. Lotiuk, V. Chovhan; edited by V. Chovhan. Kyiv: 'Artek Publishing House', 2020. 206 p. ↗

2946 Criminal Procedure Code of Ukraine: Law of Ukraine No. 4651-VI of 13.04.2012, para. 1 Part 2 Article 52. ↗

2947 On Approval of the National Strategy for the Protection of Children's Rights in the Field of Justice until 2028 and the Operational Plan for Its Implementation in 2025–2028: Order of the Cabinet of Ministers of Ukraine No. 708 of 14.07.2025. ↗

2948 Ibid.

2949 On Free Legal Aid: Law of Ukraine No. 3460-VI of 02.06.2011. ↗

2950 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

aligning national legislation with Directive 2012/29/EU,[2951] which establishes minimum standards on the rights, support and protection of victims of crime. The planned amendments cover all victims, including children and should also include specific provisions aimed at ensuring the procedural rights of children.

Restorative Justice

Since 2024, the pilot project 'Programme of Restorative Justice Involving Minors Suspected or Accused of Committing Criminal Offences'[2952] has been under implementation. **During 2025, interregional FLA centres processed 217 cases concerning participation in the programme**, 50 of which related to criminal proceedings involving several minors, including suspects, accused persons and victims.[2953] In total, 287 minors participated in the resolution of criminal law conflicts through restorative justice in the form of mediation, the majority of whom were suspects. According to the Coordination Centre for Legal Aid Provision,[2954] **the satisfaction rate with restorative outcomes**[2955] **in 2025 reached 75 per cent**.[2956]

Restorative justice is addressed in several public policy documents. In particular, pursuant to paragraph 2.6.5 of the Action Plan for the implementation of the Overarching Strategic Plan for Reforming Law Enforcement Agencies for 2023–2027,[2957] the MoJ was expected, in the first quarter of 2025, to develop a draft law which, inter alia, would provide for the implementation of international standards of child-friendly justice, as well as mechanisms for the application of additional restorative justice programmes, including 'family group conference', 'family circle', 'circle of justice' and 'circle of reconciliation'.

In the fourth quarter of 2025, pursuant to paragraph 14 of the Operational Plan for the implementation of the National Strategy,[2958] amendments to the CPC of Ukraine were to be developed concerning the application of restorative justice in criminal pro-

2951 Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA. ↗

2952 On the Implementation of the Pilot Project 'Restorative Justice Programme Involving Juvenile Suspects and Accused Persons': Order of the Ministry of Justice of Ukraine, the Ministry of Internal Affairs of Ukraine and the Prosecutor General's Office No. 2176/5/501/176 of 22.07.2024. ↗

2953 Annual Report of the Free Legal Aid System. Free Legal Aid System, 2026, p. 61. ↗

2954 Calculated in accordance with the Methodology for Conducting a Survey of Participants in the Restorative Justice Programme Involving Juvenile Suspects or Accused Persons. See: On Conducting a Survey of Participants in Restorative Justice within the Pilot Project 'Restorative Justice Programme Involving Juvenile Suspects and Accused Persons': Order of the Coordination Centre for Legal Aid Provision No. 1 of 07.01.2026. ↗

2955 Agreed outcome of the restorative process (including agreements recorded in a mediation agreement, or the outcome of mediation where no agreement has been concluded).

2956 Annual Report of the Free Legal Aid System. Free Legal Aid System, 2026, p. 64. ↗

2957 On Approval of the Action Plan Aimed at the Implementation of the Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027: Order of the Cabinet of Ministers of Ukraine No. 792 of 23.08.2025. ↗

2958 On Approval of the National Strategy for the Protection of Children's Rights in the Field of Justice until 2028 and the Operational Plan for Its Implementation in 2025–2028: Order of the Cabinet of Ministers of Ukraine No. 708 of 14.07.2025. ↗

ceedings, as well as diversion from the criminal justice system. A similar measure with the same timeframe is envisaged in the Rule of Law Roadmap, with the clarification that it concerns the implementation of Directives (EU) 2016/800[2959] and 2012/29/EU,[2960] the EU Strategy on the Rights of the Child,[2961] as well as Council of Europe standards and priorities, ensuring the best interests of the child.

On 23 December 2025, the MoJ submitted to the Cabinet of Ministers of Ukraine a **draft Law of Ukraine on amendments to the CC of Ukraine, the CPC of Ukraine and other laws aimed at introducing child-friendly justice**.[2962] As of July 2026, there is no information in the public domain on the outcome of the Government's consideration of this legislative initiative.

Presumption of Innocence, Right to Information on Procedural Rights, Right to Be Present at Trial

Problems with compliance by public authorities with the presumption of innocence remain unchanged compared to previous years.

The Rule of Law Roadmap provides that, by the fourth quarter of 2027, laws and secondary legislation are to be developed and adopted to ensure the implementation of the presumption of innocence, by prohibiting public authorities, in their public statements, from referring to a suspect or accused person as guilty prior to a conviction becoming final. No information is currently available regarding progress on this draft law.

At the same time, such a prohibition is already established at both the level of the Constitution of Ukraine and sectoral legislation, primarily as one of the fundamental principles of criminal proceedings. Moreover, criminal legislation[2963] provides for **liability for knowingly bringing an innocent person to criminal responsibility**. However, between 2021 and 2025 and the first half of 2026, **only four such criminal cases were referred to court**.[2964] Thus, this provision is almost never applied in practice, and there have been no cases of actual convictions in recent years.

2959 Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings. ↗

2960 Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA. ↗

2961 Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – EU Strategy on the Rights of the Child. COM(2021) 142 final. European Commission, 24.03.2021. ↗

2962 Information presented within the work of the Coordination Council for Monitoring the Implementation of the Action Plan Aimed at the Implementation of the Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027. See: On the Establishment of the Coordination Council for Monitoring the Implementation of the Action Plan Aimed at the Implementation of the Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027: Resolution of the Cabinet of Ministers of Ukraine No. 65 of 21.01.2026. ↗

2963 Criminal Code of Ukraine: No. 2341-III of 05.04.2001, Article 372. ↗

2964 According to criminal statistics from the Unified Report on Criminal Offences. See: On Registered Criminal Offences and the Results of Their Pre-Trial Investigation. Prosecutor General's Office. ↗

At the same time, the Code of Professional Ethics and Conduct of Prosecutors (2017),[2965] as well as the ethical codes of the NABU (2016),[2966] SBI (2021),[2967] SSU (2023)[2968] and ESBU[2969] (2022), contain the relevant prohibition as a component of rules of ethical conduct, and legislation provides for disciplinary liability for their violation. At the same time, only the ethical code of the NPU[2970] does not contain such provisions, although, through a more systematic interpretation, disciplinary bodies could derive such an obligation from other ethical rules.[2971]

Moreover, the current Law of Ukraine 'On the National Police' does not explicitly establish such a duty of a police officer as compliance with rules of ethical conduct, nor does it even refer to this concept. Rules of ethical conduct for police officers are introduced into the regulatory framework only at the level of secondary legislation, without a basic provision in the Law, and therefore lack the stability of regulation at the level of a legislative act. Such a situation does not reflect the fundamental importance of rules of ethical conduct for ensuring the effective functioning of the NPU.[2972]

Information on Procedural Rights

In its case law, the ECtHR has repeatedly found violations by Ukraine of Article 5 of the European Convention on Human Rights[2973] and has emphasised that detention without sufficient legal grounds is contrary to the Convention, while judicial review of its lawfulness must be effective and carried out without delay.

In addressing this systemic issue, **Ukraine has been developing the Custody Records system since 2017**[2974] — a British model for recording all actions concerning a detained person to ensure the timely protection of their rights and freedoms. The existence of this system reduces the number of 'shadow detentions', thereby improving the situation with informing individuals of their rights, as persons acquire a formal procedural

2965 Code of Professional Ethics and Conduct of Prosecutors of 27.04.2017, Article 9. ↗

2966 On Approval of the Code of Professional Ethics of Employees of the National Anti-Corruption Bureau of Ukraine: Order of the National Anti-Corruption Bureau of Ukraine No. 242 of 01.09.2016, para. 1.3 Section III. ↗

2967 On the Entry into Force of the Rules of Professional Ethics of Employees of the State Bureau of Investigation: Order of the State Bureau of Investigation No. 30 of 16.01.2021, para. 2.4 Section II. ↗

2968 On Approval of the Rules of Professional Ethics and Integrity of Service Members of the Security Service of Ukraine: Order of the Security Service of Ukraine No. 474 of 27.11.2023, para. 2 Section II. ↗

2969 On Approval of the Rules of Professional Ethics of Employees of the Economic Security Bureau of Ukraine: Order of the Economic Security Bureau of Ukraine No. 129 of 30.06.2022, para. 9 Section II. ↗

2970 On Approval of the Rules of Ethical Conduct of Police Officers: Order of the Ministry of Internal Affairs of Ukraine No. 1179 of 09.11.2016. ↗

2971 For more details on the introduction of unified ethical rules for law enforcement agencies, see the subsection 'Combating Corruption in the Criminal Justice System. Selection for Senior Positions in the National Police and the State Bureau of Investigation. Reform of the State Bureau of Investigation' in the section 'Combating Serious and Organised Crime' of this report.

2972 O. Merdova, I. Umrykhina. Rules of Ethical Conduct of Police Officers: Formal and Legal Aspects. Legal Journal of Donbas. 2025. No. 1 (90), p. 117. ↗

2973 Case of Grinenko v. Ukraine, no. 33627/06. Judgment of 15.11.2012. ↗; Case of Malyk v. Ukraine, no. 37198/10. Judgment of 29.01.2015. ; Case of Rytikov v. Ukraine, no. 52855/19. Judgment of 23.05.2024. ↗

2974 Custody Records: System for Recording All Actions Concerning Detained Persons — State of Legal Regulation. *JustTalk*, 2022. ↗

status. In addition, an authorised officer (custody officer) is able to devote more time and attention to explaining rights to a detained person than the officer who carried out the detention or the investigator, who have other official duties.

As of July 2026, the **Custody Records system was operational in 156 police units** (duty units and temporary detention facilities).[2975] In January 2026, it was operational in 144 units, compared with 129 units in December 2024 and 88 units in January 2024. Thus, the system continues to be rolled out across the territory of Ukraine and covers not only temporary detention facilities but also duty units (police stations and departments), where the risk of violations of procedural rights is highest, including 'shadow detentions' and questioning without procedural status.

In Absentia

Problems related to the in absentia procedure remain unresolved. The procedure for notifying suspects and accused persons remains formal, while judicial review of court decisions is limited to appeal proceedings, **without the possibility of a hearing ex novo** where a person was not duly informed of the pre-trial investigation and trial of their case.

Draft Law No. 9351,[2976] which proposes amendments to the CPC of Ukraine to improve the procedure for conducting pre-trial investigations and court proceedings in criminal cases related to conflict-related sexual violence committed in the context of armed conflict, has been under consideration in committees of the Verkhovna Rada since 2023. However, it is not capable of fully addressing the identified problems. The Overarching Strategic Plan for Reforming Law Enforcement Agencies for 2023–2027[2977] and its Action Plan[2978] provide that, in the first quarter of 2025, a draft law should have been developed and submitted to the Verkhovna Rada to improve the provisions of the CPC of Ukraine concerning criminal proceedings in absentia (special pre-trial investigation and special court proceedings) (paragraph 3.8.2).

At the same time, a draft law prepared jointly by the PGO, the MoJ and the SC on amendments to the CC of Ukraine, the CPC of Ukraine and other legislative acts concerning the conduct of criminal proceedings rendered impossible as a result of the armed aggression of the Russian Federation against Ukraine and the temporary occupation by the Russian Federation of certain territories of Ukraine is under consideration by the Government as of July 2026.[2979]

2975 Publication by the Department of Main Inspection and Human Rights Compliance of the National Police of Ukraine on the social network Facebook. 2026. ↗

2976 On Amendments to the Criminal Procedure Code of Ukraine Regarding the Improvement of the Procedure for Conducting Pre-Trial Investigation and Court Proceedings in Criminal Cases Related to Sexual Violence Committed in the Context of Armed Conflict: Draft Law of Ukraine, registration No. 9351 of 05.06.2023. ↗

2977 On the Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027: Decree of the President of Ukraine No. 273/2023 of 11.05.2023. ↗

2978 On Approval of the Action Plan Aimed at the Implementation of the Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027: Resolution of the Cabinet of Ministers of Ukraine No. 792 of 23.08.2024. ↗

2979 Information presented by a representative of the Ministry of Internal Affairs of Ukraine within the work of the Coordination Council for Monitoring the Implementation of the Action Plan aimed at the implementation of the OAS.

A draft law amending the CPC of Ukraine to improve the procedure for summoning persons and serving procedural documents in criminal proceedings is also under consideration in the Verkhovna Rada.[2980] If adopted, the current legislative requirements to publish summonses and procedural documents in nationwide media will be removed. Instead, an obligation will be introduced, in cases provided for by law, to publish summonses and information on procedural documents on the official websites of the PGO and courts in a manner that ensures the possibility to search for such summonses and documents by the person's surname, the number of the criminal proceedings and the number of the court proceedings.

The adoption of such a law will facilitate access to information about a person in the context of special pre-trial investigation (in absentia) and will allow for the publication of procedural documents in different languages, including Russian. **Overall, this will improve access to justice, while addressing only part of the problems associated with this legal framework**.

Right of Access to a Lawyer and the Right to an Interpreter at the Expense of the State

Right of Access to a Lawyer

In 2025, the FLA system provided more than 800,000 legal services (644,033 primary legal aid services and approximately 160,000 secondary legal aid services).[2981] More than 105,000 assignments for the appointment of defence counsel were issued in criminal proceedings and cases concerning administrative offences, of which 96.4% were executed. In 38.1% of cases, legal aid was provided in proceedings concerning serious crimes. Of these, 614 assignments related to war crimes and 2,373 to offences against the foundations of national security of Ukraine.[2982] In the context of the ongoing war, these categories of cases are characterised by a particularly negative public perception of suspects and accused persons. Nevertheless, the state remains obliged to ensure procedural safeguards, as the right to defence is guaranteed to all.

During the first half of 2026, the free legal aid system provided 171,558 legal services (119,343 primary free legal aid services and 52,215 secondary free legal aid services).[2983]

In 2025, **the list of persons entitled to secondary free legal aid was expanded to include close relatives and family members of persons missing under special circumstances.**[2984] They are entitled to receive such aid for the protection of their own rights and interests, as well as those of the missing person, as defined by the Law of Ukraine 'On the Legal Status of Persons Missing under Special Circumstances'.[2985] In 2025, 170

2980 On Amendments to the Criminal Procedure Code of Ukraine Regarding the Improvement of the Procedure for Summoning a Person and Serving Procedural Documents in Criminal Proceedings: Draft Law of Ukraine, registration No. 15095 of 20.03.2026. ↗

2981 Annual Report of the Free Legal Aid System. Free Legal Aid System, 2026. ↗

2982 Ibid, p. 37.

2983 Statistics on the Operation of the Free Legal Aid System. Coordination Centre for Legal Aid Provision. 2026. ↗

2984 On Amendments to Certain Legislative Acts of Ukraine Regarding Ensuring the Right to Free Legal Aid: Law of Ukraine No. 4490-IX of 05.06.2025. ↗

2985 On the Legal Status of Persons Missing under Special Circumstances: Law of Ukraine No. 2505-VIII of 12.07.2018. ↗

decisions on the provision of such legal aid were adopted following these applications, accounting for 0.3% of the total number.[2986]

One of the key priorities of the state, including the FLA system, has also been the **support of service members, war veterans and the families of fallen defenders.**[2987] During the first 11 months of 2025, **more than 41,000 defenders made use of FLA services**. In addition, in 2025 the MoJ, together with the Coordination Centre for Legal Aid Provision, launched the special project 'Right of the Defender', under which a set of consultations on the most pressing issues for service members, veterans and their families was developed.[2988]

Right to an Interpreter

The practice of engaging interpreters by investigators and judges is associated with several problems and is characterised by the absence of a unified approach to the procedures for their appointment and recusal. **Difficulties arise in identifying interpreters and formalising their participation in criminal proceedings**. The CPC of Ukraine does not establish requirements regarding a formal qualification in translation; an interpreter may be a native speaker, as confirmed, for example, by a secondary education certificate.[2989] Moreover, an expert conducting an examination in criminal proceedings may dispense with the involvement of an interpreter if they possess sufficient proficiency in the language of the materials submitted for examination.[2990]

In practice, the engagement of professional interpreters from companies (bureaux) providing legal translation or legal support services on a commercial basis at the expense of the state is nearly impossible. This is due to the **non-competitive level of remuneration**, which discourages qualified interpreters from undertaking such assignments. At the same time, case law indicates instances where suspects and accused persons have challenged the quality of interpretation, leading to the replacement of interpreters.[2991]

The Rule of Law Roadmap envisages, from the second quarter of 2025, a comprehensive study aimed at addressing the provision of high-quality interpretation in criminal proceedings, followed by the development of recommendations. However, the results of this study have not yet been made public. Unlike other public policy measures, the Roadmap does not specify how Directive 2010/64/EU[2992] on the right to interpretation and translation in criminal proceedings is to be implemented. Accordingly, the findings of the study are critical to determining how the state will ensure the quality of interpretation, which depends primarily on the allocation of additional funding from the state budget.

2986 Annual Report of the Free Legal Aid System. Free Legal Aid System, 2026. p. 43. ↗

2987 Free Legal Aid System: Experience of Veterans and Female Veterans and Their Families: Analytical Report. NGO 'Legal Hundred', 2025. P. 57. ↗

2988 Free Legal Aid: In 2025, the Ministry of Justice Supported More Than 41,000 Defenders. Ministry of Justice of Ukraine, 2025. ↗

2989 Judgment of the Supreme Court of 04.03.2021 in case No. 732/415/19. ↗

2990 Judgment of the Supreme Court of 28.04.2025 in case No. 148/31/23. ↗

2991 Judgment of the Supreme Court of 12.07.2021 in case No. 759/4149/17. ↗

2992 Directive 2010/64/EU of the European Parliament and of the Council of 20 October 2010 on the right to interpretation and translation in criminal proceedings. ↗

Directive 2010/64/EU provides, inter alia, for the establishment of a register of independent and qualified translators and interpreters accessible to defence counsel and competent authorities. Since 2013, Ukraine has operated a Register of Translators,[2993] administered by the State Migration Service of Ukraine, which is used, inter alia, in criminal proceedings. The judiciary also relies on a Register of Sign Language Interpreters[2994] maintained by the All-Ukrainian Association of Sign Language Interpreters and Persons with Disabilities. At the same time, the effectiveness of engaging interpreters from these registers, as well as the need for their further improvement, remain insufficiently assessed.

The Directive also requires the availability of mechanisms to challenge the quality of interpretation and, under certain conditions, to replace written translation of essential documents with oral interpretation. From a procedural perspective, the **CPC of Ukraine does not provide for such mechanisms**. Accordingly, these elements of the Directive have not been implemented in Ukrainian legislation.

Accordingly, ensuring high-quality interpretation requires: (1) clear standards for the qualification and accreditation of interpreters; (2) established protocols for the translation of legally significant documents; (3) independent quality assurance mechanisms, including the possibility to challenge inaccurate interpretation; (4) adequate funding and guarantees of free access for persons unable to bear the costs of interpretation; and (5) targeted training for judges, advocates and prosecutors on working with interpreters in criminal proceedings.[2995]

The Ukrainian National Bar Association has proposed the establishment of a specialised Centre for the translation of procedural documents in criminal proceedings under the auspices of the MoJ. Such a centre could ensure consistent quality and confidentiality, while reducing the need to identify interpreters on a case-by-case basis. Remuneration should be aligned with state tariffs, with a dedicated mechanism for free translation services for certain categories of persons.[2996]

Irrespective of the results of the study on the quality of interpretation in criminal proceedings conducted pursuant to the Rule of Law Roadmap, these proposals merit consideration in the development of draft legislative amendments. However, the key outstanding issue remains the financing of the relevant Register and interpretation services.

Right of Access to Justice

The right of access to justice encompasses several key dimensions, including the physical accessibility of courts, the affordability of judicial procedures, access to legal aid, the reasonable length of proceedings, the ability to participate effectively in procee-

2993 Register of Translators. State Migration Service of Ukraine. ↗

2994 Register of Sign Language Interpreters. All-Ukrainian Association of Sign Language Interpreters and Persons with Disabilities. ↗

2995 V.M. Brykov. The Role of an Interpreter in Ensuring the Right to a Fair Trial: Analysis of the Case Law of the European Court of Human Rights. Scientific Bulletin of Kherson State University, 2025. No. 4, p. 25. ↗

2996 Three Steps to Improve the Quality of Interpretation in Criminal Cases Identified by Lawyers. Ukrainian National Bar Association, 2026. ↗

dings and the clarity of the language in which justice is administered. The digitalisation of justice constitutes an integral component of this right.[2997]

Civil, commercial and administrative proceedings underwent significant harmonisation in 2017. Consequently, the introduction of electronic justice was first implemented in these areas. By contrast, similar reforms in criminal proceedings were introduced at a later stage, reflecting both the specific nature of its participants and the existence of the pre-trial investigation phase. Specifically, this requires the involvement of investigators, inquiry officers and prosecutors, as well as the integration of their respective databases, most notably the Unified Register of Pre-Trial Investigations. This, in turn, necessitates differentiated levels of access for various participants in criminal proceedings.

In March 2024, Law No. 3604-IX[2998] entered into force, **establishing the legislative preconditions for the gradual introduction of the Unified Judicial Information and Telecommunication System[2999] into criminal proceedings**. This is implemented through corresponding amendments to the CPC of Ukraine, following the approach previously applied in 2021 to the Code of Administrative Procedure of Ukraine, the Civil Procedure Code of Ukraine and the Commercial Procedure Code of Ukraine.

Recommendations[3000]

1. Improve the system for collecting criminal statistics on minors, including by introducing the possibility to record the number of children who have witnessed a criminal offence, in accordance with their procedural status.

2. Introduce mandatory involvement of defence counsel for minors who are victims of a criminal offence or witnesses, as well as the mandatory participation of a psychologist. Clarify the procedural status of such a psychologist.

3. Adopt a comprehensive draft law on the protection of the child within the juvenile justice system, incorporating provisions from relevant policy documents in this area.

4. Ensure an appropriate response to violations of the presumption of innocence and enhance the professional capacity of all law enforcement personnel in relation to public communication of their activities.

5. Ensure the development of consistent disciplinary practice concerning violations of the presumption of innocence as an ethical standard by disciplinary bodies of law enforcement agencies and the Qualification and Disciplinary Commission of Prosecutors, as well as harmonise ethical codes across law enforcement agencies.

6. Improve the procedure for notifying suspects and accused persons of investigations and court proceedings conducted in respect of them under special pre-trial

2997 For more details, see the subsection 'Digitalisation of Justice' in the section 'Judicial Reform' of this report.

2998 On Amendments to the Criminal Procedure Code of Ukraine Regarding the Phased Introduction of the Unified Judicial Information and Telecommunication System: Law of Ukraine No. 3604-IX of 23.02.2024. ↗

2999 For more details, see the subsection 'Digitalisation of Justice' in the section 'Judicial Reform' of this report.

3000 All of the above recommendations were already provided by civil society in the Shadow Report 2025 (pp. 604–605) and remain relevant. ↗

investigation and in absentia proceedings. Introduce a mechanism for the review of in absentia judgments that goes beyond appellate review and allows for a new hearing (ex novo).

7. Further develop the system for informing participants in criminal proceedings of their rights, including the Custody Records system and extend its application to all law enforcement agencies authorised to detain persons (in addition to the National Police of Ukraine, to include the SBI, NABU, SSU and ESBU).

8. Further develop the FLA system in Ukraine, including by conducting an independent audit of its capacity to operate under wartime conditions, to address challenges related to the increasing number of international crimes, as well as the growing number of service members, war veterans and relatives of fallen defenders of Ukraine.

9. Amend the CPC of Ukraine to introduce a procedure for challenging the quality of interpretation in criminal proceedings and for replacing an interpreter in cases of inadequate performance, in line with Directive 2010/64/EU.

10. Publish the results of the comprehensive study on the quality of interpretation in criminal proceedings. Based on its recommendations, prepare draft legislative amendments to ensure an adequate level of remuneration for qualified professional interpreters engaged at the expense of the state budget.

11. To facilitate access to justice, particularly in wartime conditions, ensure the gradual introduction of the Unified Judicial Information and Telecommunication System, including in criminal proceedings.

12. Improve procedures for participation in court hearings via videoconference outside court premises using participants' own technical means, to enable the effective conduct of online hearings regardless of the location of the parties and the court in criminal proceedings. Such procedures may be applied to the administration of justice in territories most affected by hostilities.

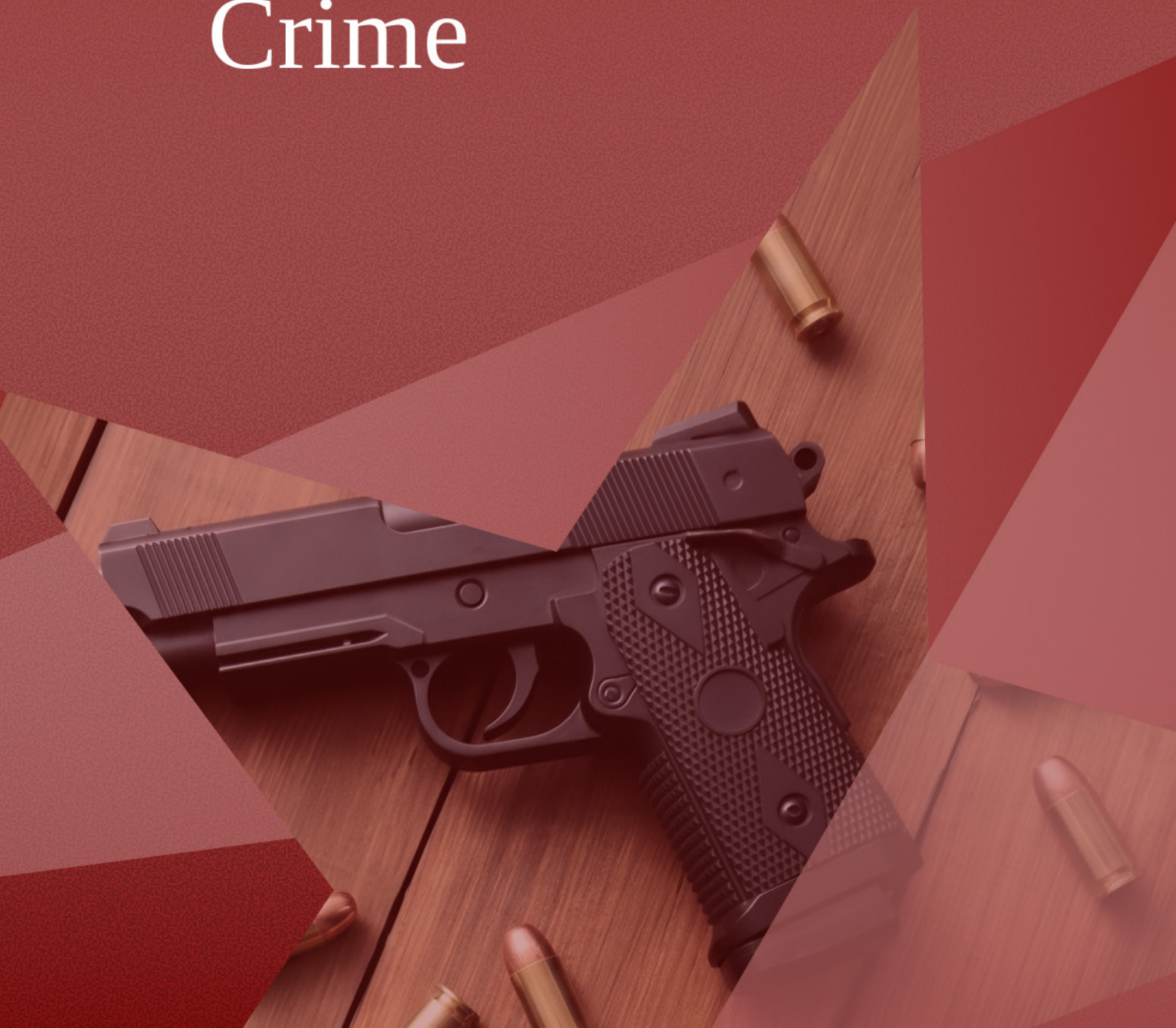
Chapter 24
‘Justice, Freedom and Security’

Agency for Legislative Initiatives

TRANSPARENCY INTERNATIONAL UKRAINE

ZMINA HUMAN RIGHTS CENTER

Combating Serious and Organised Crime



In January 2026, the Cabinet of Ministers of Ukraine (the Government) established the Coordination Council for Monitoring the Implementation of the Action Plan for the Implementation of the Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027 (Coordination Council) as a temporary consultative and advisory body. The Coordination Council analyses the implementation status of the Overarching Strategic Plan for Law Enforcement Reform for 2023–2027 (OAS) and its Action Plan (OAS Action Plan). Its two-tier structure means that the Coordination Council includes both representatives of public authorities and academics, representatives of international partners and civil society. As of July 2026, the Expert Group under the Coordination Council is actively working on the draft Law of Ukraine 'On Law Enforcement Agencies', which is fundamental to fulfilling Ukraine's European integration commitments.

A working group within the Ministry of Internal Affairs of Ukraine (MoIA) is working on a new Strategy for Combating Organised Crime for 2026–2030. At the same time, in 2025, a Comprehensive Plan of Practical Measures to Combat Organised Crime for 2025 was approved. In the context of combating organised crime, where the National Police of Ukraine (NPU) is the main actor, it is important to note that in 2025 the Minister of Internal Affairs approved the NPU Development Strategy for 2026–2030. This is the first departmental public policy document of this body since its establishment.

In November 2025, the assessment of threats of serious crime and organised crime under the SOCTA Ukraine assessment system for 2021–2024 was completed. The relevant report underwent the approval procedure by the authorised bodies involved in preparing the draft threat assessment and was sent by the MoIA to the Cabinet of Ministers of Ukraine, the National Security and Defence Council of Ukraine (NSDC) and other authorised bodies to organise the implementation of the proposals developed. Draft Law No. 13676 on the establishment of an Interagency Coordination Commission in the field of combating organised crime (National Coordinator) is still under consideration by the Verkhovna Rada of Ukraine (the Verkhovna Rada, Parliament), while the relevant functions are temporarily performed by the MoIA. Under the Rule of Law Roadmap, the draft law was to be adopted in the first quarter of 2026.

Following the appointment of its Director as a result of the competition in August 2025, the Economic Security Bureau of Ukraine (ESBU) is in an active phase of reform. Since late January 2026, the attestation of its staff has been ongoing, beginning with the attestation of heads of territorial offices. Competitions to fill vacant positions are taking place in parallel. At the same time, the ESBU is demonstrating changes in its approaches to work towards greater effectiveness, although staffing this body is complicated by low salaries compared with other law enforcement agencies: similar positions in the State Bureau of Investigation (SBI) and the National Anti-Corruption Bureau of Ukraine (NABU) offer salaries almost 50% higher.

In the area of financial investigations, progress is reflected in the fact that, since September 2025, criminal statistics have recorded financial investigations conducted in completed criminal proceedings in which property or income was obtained as a result of offence. The Strategy for Financial Investigations in the Field of Combating Criminal Offences Related to the Acquisition of Proceeds until 2028 has already been developed and is currently undergoing approval by the Government. Since June 2026, the ESBU has been responsible for finalising the draft document.

The level of counterfeiting of foreign currency banknotes decreased by a quarter in 2025 and, within the overall number of criminal proceedings in the field of economic activity, did not exceed 5%. By the fourth quarter of 2026, Ukraine must ratify the 1929 International Convention for the Suppression of Counterfeiting Currency. Ukrainian legislation must also be aligned with Directive 2014/62/EU. The ESBU has already developed the relevant legislative proposals and submitted them to the Ministry of Foreign Affairs of Ukraine (MFA) for further processing.

During the reporting period, *limited progress* was observed in anti-money laundering. On the positive side, the Government submitted to the Verkhovna Rada several draft laws providing for the creation of a Register of Accounts of Individuals, a Register of Ultimate Beneficial Owners (UBOs) of Trusts, stronger whistle-blower protection and improved mechanisms for verifying UBOs in line with the standards of the Financial Action Task Force (FATF). As of 31 July 2026, these draft laws had been withdrawn following the change of Government. The number of generalised case materials transmitted by the State Financial Monitoring Service of Ukraine (SFMS) to law enforcement agencies increased and quantitative indicators for the judicial consideration of cases under Article 209 of the Criminal Code of Ukraine (CC of Ukraine) improved. The current regulation of the status of politically exposed persons (PEPs) complies with the FATF Recommendations and Directive (EU) 2015/849, as confirmed in the Memorandums of Economic and Financial Policies of February and July 2026 as a condition of the IMF Extended Fund Facility (EFF) programme for 2026–2029. At the same time, a number of systemic problems remain: as of 31 July 2026, the NRA 2025 has not been completed; criminal offences in the sphere of official activity account for only a small number of predicate offences; and the asymmetry of sanctions persists, incentivising the de-risking of PEPs.

There has been *no progress* regarding the activities of the SFMS. Throughout the reporting period, the issue of ensuring the political independence and institutional capacity of the SFMS remained unregulated at the legislative level. Draft Law No. 13029 remains under consideration by the Verkhovna Rada committees, while the provisions of alternative Draft Law No. 14327-1, which provides for a competitive procedure for appointing the Head, were not reflected in Draft Law No. 14327-d, as revised by the Verkhovna Rada Committee on Finance, Tax and Customs Policy. The current Head of the SFMS continues to hold office without having undergone a competition and the relevant law still contains no limitation on the term of office. Institutional problems are deepening: cases of ignoring NABU requests and discrepancies between public reporting and actual data have been documented. The strategic framework is fragmented: previous documents have expired, while the Activity Priorities for 2026, approved on 26 February 2026, do not fill this gap.

There has been *moderate progress* in the reform of the National Agency of Ukraine for Finding, Tracing and Management of Assets Derived from Corruption and Other Crimes (ARMA). The entry into force of Law No. 4503-IX on 30 July 2025 is a significant institutional achievement: it introduced an improved competitive selection procedure for the Head, an independent external audit, an updated asset management model and revised reporting rules. As of July 2026, the first competition for the position of Head of ARMA held under the new rules did not result in the selection of a new Head of the Agency and preparations for a repeat competition are ongoing. In addition, the Audit Commission is finalising the results of its assessment, and the inventory of

assets for 2017–2025 has been completed. Reporting mechanisms have improved, making it possible to assess ARMA's performance in managing seized assets on a quarterly basis. At the same time, the practical implementation of the reform remains incomplete.

According to official statistics, the number of cybercrimes decreased by 46% in 2025. Moreover, not only the level of cybercrime, but also the broader range of cyber threats decreased. This can be explained by several factors, including the fact that, over the years of the full-scale invasion, Ukraine has managed to protect its internet systems and databases, including critical infrastructure. The concept of 'electronic (digital) evidence' has still not been introduced into the Criminal Procedure Code of Ukraine (CPC of Ukraine). The IOCTA assessment has still not been conducted, but in December 2025 a secondary legal act was developed for this purpose. Since 2026, cybercrimes have been recorded in a separate form of criminal statistics, which requires improvement in terms of specifying the forms in which cybercrimes are committed.

The analysis of the situation in the field of combating trafficking in human beings in Ukraine in 2025 indicates an intensification of challenges in the context of the full-scale war of the Russian Federation against Ukraine. Attention is required for women, internally displaced persons (IDPs) and Ukrainian citizens residing abroad. Statistical data demonstrate an increase in both the number of criminal proceedings and the number of persons granted the status of victims of trafficking in human beings. A notable trend is the shift in victim profiles, including a significant increase in the proportion of men and the spread of mixed forms of exploitation. Despite the existence of a regulatory framework and institutional system, these remain only partially adapted to current challenges, including digitalisation, emerging forms of crime and war-related risks. The use of online technologies in recruitment and exploitation has not yet been adequately addressed in legislation, nor have certain new forms of exploitation.

There has been almost no progress in regulating the circulation of civilian firearms. Draft Law No. 5708, adopted by Parliament at first reading in February 2022, remains on the agenda of the Verkhovna Rada, but its content does not correspond to the current vision of the working group under the MoIA, which is developing the Government's legislative proposal on this issue.[3001] In addition, Draft Law No. 10179 is under consideration by Parliament. It proposes to strengthen criminal liability for the theft, misappropriation, extortion, carrying, storage, acquisition, transfer or sale of a firearm component, as well as for the theft, misappropriation or extortion of firearm components by a service member.

During the reporting period, the Acting Head of the Security Service of Ukraine (SSU) changed twice, which did not affect its operational or strategic activities — the SSU continues to develop. A comprehensive law on SSU reform has still not been adopted, and the SSU itself insists that improving individual components of its activities under the conditions of full-scale war constitutes sufficient reform. In October 2025, Law No. 4633-IX was adopted, granting the SSU the right to submit draft laws directly to the

3001 Following the high-profile terrorist attack committed in Kyiv on 18.04.2026, work on Draft Law No. 5708 resumed. In particular, on 27.04.2026, the Verkhovna Rada Committee on Law Enforcement established a Working Group on Harmonising the Draft Laws of Ukraine 'On the Right to Civilian Firearms' (registration No. 5708) and 'On Amendments to the Code of Ukraine on Administrative Offences and the Criminal Code of Ukraine to Implement the Provisions of the Law of Ukraine "On the Right to Civilian Firearms"' (registration No. 5709) with the provisions of Directive (EU) 2021/555 of the European Parliament and of the Council of 24.03.2021 on control of the acquisition and possession of weapons and EU acquis.

Government or the President of Ukraine (the President), rather than through the MoIA, as was previously the case. Draft Law No. 11228-1 on strengthening the protection of persons involved in carrying out counterintelligence tasks is under consideration by Parliament. It has recently received a positive opinion from DCAF. On 17 March 2026, the Action Plan for the Implementation of the SSU Personnel Policy was approved.

In 2025, 584 law enforcement officers were brought to administrative liability for corruption-related offences. Anti-corruption programmes and internal control mechanisms are functioning, but they are not without shortcomings. The system for protecting whistle-blowers within the law enforcement system is developing. However, these bodies generally lack mechanisms for protecting whistle-blowers who report non-criminal corruption and corruption-related offences. Regarding the competition for the Head and senior leadership of the NPU, Draft Law No. 13716 was under consideration by the Verkhovna Rada. It did not fully comply with the Rule of Law Roadmap and may undermine the idea of merit-based selection. SBI reform has not yet begun, but the Government, at the initiative of the President, has developed a relevant draft law, which is undergoing preliminary assessment by the European Commission. The key idea currently under consideration is to reform the SBI by analogy with the ESBU. In view of this, all concerns regarding ESBU reform and the resolution of staffing issues only as a first step may also fairly apply to the SBI in the future if MPs support this vision. SBI reform is one of the 10 Kachka-Kos priorities for 2026.

In February 2026, an interagency working group was established within the MoIA to develop a draft law on ensuring, by law enforcement agencies, the safety of participants in criminal proceedings. At the same time, the status of the previous working group is unknown, and no results have been produced. Draft Law No. 5751, which is under consideration by Parliament, does not correspond to the current vision of the system for protecting participants in criminal proceedings as held by the public authorities. Thus, no progress has been made on this issue, primarily due to the high cost of such a protection system.

State of Implementation of Strategic Documents in the Field of Law Enforcement Reform

Progress and issues

Overall, during the reporting period, *some progress* was observed in the implementation of measures provided for by strategic documents in the field of law enforcement reform.

The key public policy documents in the field of law enforcement reform remain[3002] the OAS and its Action Plan.[3003]

3002 Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027: Decree of the President No. 273/2023 of 11.05.2023. ↗

3003 Action Plan for the Implementation of the Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027: Order of the Cabinet of Ministers of Ukraine No. 792 of 23.08.2024. ↗

Among the measures included in the OAS Action Plan are those aimed at enhancing the efficiency of criminal proceedings, preventing and combating crime in communities, strengthening support for victims and witnesses and developing and implementing technological solutions, including an electronic criminal proceedings system. The content of the OAS Action Plan relates not only to the institutional capacity of law enforcement agencies — unifying their legal status, introducing common management practices or the institution of detectives — but also to criminal policy, such as implementing a coherent criminal justice policy and criminological research, including crime surveys, which have proven effective in other countries, as well as criminal procedure legislation, including strengthening the protection of participants in criminal proceedings, focusing on victims' rights and introducing alternative procedures for resolving criminal law disputes. Thus, it concerns both law enforcement agencies and prosecution authorities and, in substance, goes beyond Chapter 24 'Justice, Freedom and Security'.

In May 2025, the Cabinet of Ministers of Ukraine also approved the **Rule of Law Roadmap**.[3004] It **contains a separate measure on ensuring the implementation of the OAS and the OAS Action Plan on a permanent basis, thereby incorporating it into the system of European integration commitments at the level of this public policy document**. In addition, the Rule of Law Roadmap repeats the measures of the OAS Action Plan that are most relevant from the perspective of fulfilling commitments under the 2023 and 2024 Ukraine Progress Reports within the European Union Enlargement Package.

The only difference is the later implementation deadlines: where measures are repeated, the Rule of Law Roadmap sets the deadline approximately one year later in each case. For example, the OAS Action Plan envisaged the adoption of the Law of Ukraine 'On Law Enforcement Agencies' in the second quarter of 2025, while the Rule of Law Roadmap provides for its adoption in the second quarter of 2026. Overall, this has a negative impact on the implementation of the OAS Action Plan. The adoption of such a law should become the first step towards comprehensive reforms in the organisation of law enforcement agencies, and the postponement of this measure by one year undermines the overall logic of the OAS Action Plan, since the implementation of subsequent measures directly depends on the adoption of this systemically important law. At the same time, the Government addresses such issues 'in the ordinary course of work', meaning that it proceeds on the basis of the later deadline, while understanding that all derivative measures will also not be implemented on time.

In the second quarter of 2025, the Rule of Law Roadmap envisaged the creation of a two-tier governance structure for implementing the measures of the OAS Action Plan aimed at implementing the OAS, in order to ensure regular supervision and monitoring. This measure was implemented in January 2026, when the **Cabinet of Ministers of Ukraine established the Coordination Council for Monitoring the Implementation of the OAS Action Plan**[3005] as a temporary consultative and advisory body of the Government. The Council is chaired by the Deputy Prime Minister for European and

3004 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

3005 On the Establishment of the Coordination Council for Monitoring the Implementation of the Action Plan for the Implementation of the Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027: Resolution of the Cabinet of Ministers of Ukraine No. 65 of 21.01.2026. ↗

Euro-Atlantic Integration of Ukraine. The Minister of Internal Affairs of Ukraine has been designated as Deputy Head of the Council, while the Deputy Minister of Internal Affairs serves as its secretary.

Its two-tier structure lies in the fact that the Coordination Council includes both the heads of key law enforcement agencies — the NPU, the State Border Guard Service of Ukraine (SBGS), the SBI, the ESBU, the SSU and the State Customs Service of Ukraine (SCS) — as well as representatives of the Office of the President of Ukraine (Office of the President), the NSDC, Members of Parliament, academics, representatives of international partners and civil society who work within the Coordination Council's working groups.

The Coordination Council[3006] is empowered to analyse the current state of implementation of the OAS Action Plan; conduct an expert assessment of the completeness and quality of implementation of the OAS Action Plan and the compliance of the results achieved with the defined objectives and expected outcomes; prepare relevant reasoned conclusions; analyse the causes of problems arising in the course of implementing the OAS Action Plan; and submit recommendations and proposals developed as a result of its work to the Cabinet of Ministers of Ukraine.

On 25 February 2026, the inaugural meeting of the Coordination Council was held.[3007] At the meeting, an Expert Working Group was established within the Coordination Council, and its composition and regulation were approved. Since then, the Expert Working Group has met on a monthly basis. Among other things, the Group has begun preparing proposals and recommendations on identifying ways, mechanisms and means to resolve issues arising during the implementation of the OAS Action Plan.[3008] For example, in **June 2026 the Expert Group decided to develop a consolidated version of the draft Law of Ukraine 'On Law Enforcement Agencies'**, a fundamental measure for fulfilling a number of commitments under the OAS Action Plan. Further work on the draft law will continue within a separate working group under the Coordination Council, focusing directly on developing the provisions of the draft law.[3009]

According to the assessment of the Ministry of Justice of Ukraine (MoJ),[3010] as at end of the first quarter of 2026, **28% of the OAS Action Plan had been implemented** (56 of 198 measures). Individual institutions report higher implementation rates. For example, the NPU reports that it has already implemented 54% of the measures assigned to it.[3011]

3006 Regulation on the Coordination Council for Monitoring the Implementation of the Action Plan for the Implementation of the Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027: Resolution of the Cabinet of Ministers of Ukraine No. 65 of 21.01.2026, para. 4. ↗

3007 Ihor Klymenko Took Part in the Inaugural Meeting of the Coordination Council for the Implementation of the Overarching Strategic Plan for Law Enforcement Reform. Ministry of Internal Affairs of Ukraine, 2026. ↗

3008 Information presented within the work of the Coordination Council.

3009 The Agency for Legislative Initiatives Presented Its Concept of the Law 'On Law Enforcement Agencies' at a Meeting of the Expert Group Coordinated by the MoIA. Agency for Legislative Initiatives, 2026. ↗

3010 Information provided within the activities of the Interagency Working Group on Ensuring the Negotiation Process on Ukraine's Accession to the European Union and the Adaptation of Ukrainian Legislation to European Union Law, established by Resolution of the Cabinet of Ministers of Ukraine No. 987 of 27.08.2024 'Certain Issues of Ensuring the Negotiation Process on Ukraine's Accession to the European Union'.

3011 Report on Performance Results for 2025 / National Police of Ukraine. 2025, p. 31. ↗

Of the 198 measures provided for by the OAS Action Plan, 103 are to be implemented by the Prosecutor General's Office (PGO), 43 by the MoIA, 14 by the MoJ and 38 measures are assigned to other implementing bodies. Therefore, the PGO is designated as the lead implementing body for more than 50% of the measures under the OAS Action Plan.

At the same time, cooperation between the PGO and the Government deteriorated following the change in the PGO leadership in 2025. **In the second half of 2025, the PGO independently submitted to the Verkhovna Rada 13 draft laws for which it was responsible under the OAS Action Plan.**[3012] The problem is that the **PGO does not have the right of legislative initiative** and should first have submitted these draft laws to the Government for a quality assessment. Instead, the draft laws were formally sent to the **Head of the Verkhovna Rada Committee on Law Enforcement but were never registered by him in Parliament.**[3013] One of these draft laws, concerning the strengthening of the existing mechanism and the introduction of an additional mechanism of parliamentary oversight over the activities of law enforcement agencies and the prosecution service, was registered by MPs, including a member of that Committee.[3014] Overall, this approach indicates unconstructive relations between the PGO and the Government and does not contribute to the effective fulfilment of European integration commitments.

Key measures of the OAS Action Plan implemented during 2025 – second quarter of 2026

1) *The HRM Strategy for the period until 2030*[3015] *was approved (measure 4.6.1)*. It aims to establish qualitatively new standards of education and personnel policy for security and defence sector agencies. Its strategic objectives include: 1) developing a systematic and modern approach to staff recruitment; 2) building highly professional teams in law enforcement agencies and the prosecution service that are adapted to current challenges and threats in the security environment; 3) developing organisational culture; 4) developing career progression and motivation; 5) reintegrating war veterans.

2) *Reporting by law enforcement agencies on the results of their work was unified (measure 6.6.1)*. In August 2025, the Standard Form of Annual Reporting by Law Enforcement Agencies and the Prosecution Service for the Media and Civil Society[3016] was approved, together with the Procedure for Preparing and Publishing the

3012 Report for the Media and Civil Society for 2025. Prosecutor General's Office, p. 16. ↗

3013 Information presented within the work of the Coordination Council.

3014 On Amendments to Certain Laws of Ukraine on Strengthening the Existing Mechanism and Introducing an Additional Mechanism of Parliamentary Oversight over the Activities of Law Enforcement Agencies and the Prosecution Service, Including the Introduction of Annual Public Reporting on the Work of the State Bureau of Investigation and the Prosecutor General's Office in Investigating Cases of Torture, Other Ill-Treatment of Persons and the Protection of Victims: Draft Law of Ukraine, registration No. 14130 of 20.10.2025. ↗

3015 On Approval of the Human Resources Management Strategy for Law Enforcement Agencies and the Prosecution Service until 2030: Order of the Ministry of Internal Affairs of Ukraine, the Prosecutor General's Office, the Security Service of Ukraine, the State Bureau of Investigation, the Economic Security Bureau of Ukraine and the Ministry of Finance of Ukraine No. 22/3/4/3/1/5 of 05.01.2026. ↗

3016 On Approval of the Standard Form of Annual Reporting by Law Enforcement Agencies and the Prosecution Service for the Media and Civil Society and the Procedure for Preparing and Publishing the Annual Report of Law Enforcement Agencies and the Prosecution Service for the Media and Civil Society: Order of the Prosecutor General's Office, the Ministry of Internal Affairs of Ukraine, the Security Service of Ukraine, the State Bureau of Investigation, the Economic Security Bureau of Ukraine and the Ministry of Finance of Ukraine No. 266/574/326/420/149/432 of 25.08.2025. ↗

Annual Report of Law Enforcement Agencies and the Prosecution Service for the Media and Civil Society. Whereas previously reporting had not been regular, with some agencies delaying the publication of reports by referring to martial law, it is now mandatory and must be carried out annually by 1 April. A unified report structure makes it possible not only to compare trends from previous years, but also to compare data across different law enforcement agencies. As of 1 April 2026, the reports of all law enforcement agencies had been published on time.

3) *Mechanisms for assessing the level of public trust in criminal justice bodies were introduced (measure 2.7.2)*. On 18 March 2026, the Cabinet of Ministers of Ukraine approved the Procedure and Methodology for Assessing the Level of Public Trust in State Bodies Responsible for Performing the Tasks of Criminal Proceedings.[3017] It applies to the prosecution service, the NPU, the SBGS, the SSU, the SBI, the ESBU, the State Criminal Enforcement Service and the NABU.

This document was based on the Procedure for Assessing the Level of Public Trust in the NPU, which ceased to be in force following the adoption of the above-mentioned Procedure. The assessment of the level of public trust in the NPU was conducted using a unified methodology in 2018–2021[3018] and had a positive effect, as it made it possible to track changes in trust using the same indicators as in the previous year. The results of this assessment were subsequently considered in the current activities of the state body when making management decisions aimed at increasing the level of public trust and the effectiveness of communication with the public.

Key measures of the OAS Action Plan not implemented during 2025 – second quarter of 2026 (where a corresponding measure exists in the Rule of Law Roadmap and its implementation has been postponed to a later period)

1) *Development and submission to the NSDC of a draft concept for reforming Ukraine's military law enforcement bodies in the post-war period (measure 1.1.2, deadline — second quarter of 2025)*. The MoIA's position is that the draft Concept for Reforming Ukraine's Military Law Enforcement Bodies in the Post-War Period has been developed and submitted to the Government for consideration.[3019] Thus, the measure may be considered partially implemented. At the same time, the reform of military justice bodies remains at an initial stage,[3020] despite the existence of critical problems and the fact that maintaining law and order in the military sphere is a prerequisite for the country's defence capability. Developing a conceptual vision and subsequently implementing it is an urgent issue for Ukraine's law enforcement system.

3017 On Approval of the Procedure and Methodology for Assessing the Level of Public Trust in State Bodies Responsible for Performing the Tasks of Criminal Proceedings: Resolution of the Cabinet of Ministers of Ukraine No. 394 of 18.03.2026. ↗

3018 Pursuant to Resolution of the Cabinet of Ministers of Ukraine No. 1380 of 09.12.2022 'On Amendments to Paragraph 6 of the Procedure for Assessing the Level of Public Trust in the National Police', the conduct of such an assessment at the national level was suspended for the period of martial law or a state of emergency.

3019 Information presented within the work of the Coordination Council.

3020 In June 2024, Parliament adopted at first reading as a basis the draft Law of Ukraine 'On the Military Police' (registration No. 6569-d of 31.05.2024), which proposes to establish the Military Police and empower it to carry out OSA. As of 31 July 2026, the draft law was still awaiting second reading by the Verkhovna Rada.

2) *Adoption of a package of legislative amendments to introduce criminal policy, namely strategic planning in the field of combating crime (measures 2.1.1, 2.1.3, 2.2.2, 2.3.1 and 2.3.3, deadlines — first-fourth quarters of 2025, respectively)*. Overall, strategic priority No. 2[3021] of the OAS and its implementation are of fundamental importance, as they ensure a transition from episodic responses to crime to systematic management of processes in the field of law enforcement. The implementation of the tasks under this priority should create a single strategic framework for all actors in the law enforcement system, ensuring coherence between policies, legislation and management decisions. In the OAS, the measures are set out sequentially and in a logical order. Failure to implement the initial measures results in the non-implementation of subsequent ones.

This system consists of a legislative framework for institutionalising criminal policy, including the Law on the Fundamentals of State Policy in the Field of Combating Crime; a strategic planning system that provides for the regular updating of priorities depending on crime dynamics; a criminal policy concept based on an analysis of the current situation, which will define long-term cross-sectoral and sectoral, institutional, legal and organisational measures to combat crime; a unified criminal statistics database and threat assessment analytical system and other components.[3022]

In addition, the prosecution service's coordination function should be strengthened, extending beyond a single form of implementation, namely coordination meetings, so that it becomes a fully-fledged participant in criminal policy. Measure 2.5.1, with a deadline of Q1 2025, on developing and submitting to the Verkhovna Rada a draft law defining the substance of the coordination role of prosecution authorities in general and of the Prosecutor General in particular in relation to law enforcement agencies when they exercise powers to combat crime, has also not been implemented.

According to the MoIA,[3023] the PGO sent certain draft laws to the Head of the Verkhovna Rada Committee on Law Enforcement to resolve the issue of submitting them to Parliament for consideration. However, the draft laws have still not been registered in the Verkhovna Rada and their content is unknown.

Key measures of the OAS Action Plan not implemented within the established deadlines, but for which the implementation deadline is still ongoing under the Rule of Law Roadmap

1) *Adoption of the Law of Ukraine 'On Law Enforcement Agencies' (measure 1.1.1, deadline under the OAS Action Plan — second quarter of 2025; deadline under the Rule of Law Roadmap — second quarter of 2026)*. The adoption of this law should become the first step towards comprehensive reforms in the organisation of law enforcement agencies. The postponement of this measure by one year undermines the overall logic of the OAS Action Plan, since the implementation of subsequent

3021 A coherent criminal justice policy prioritising crime prevention, the inevitability of liability, the protection of individuals, society and the state from criminal offences and the protection of victims' interests.

3022 Criminal Policy and Strategic Planning in Combating Crime: Prospects and What European Integration Has to Do with It. Agency for Legislative Initiatives, 2025. ↗

3023 Information presented within the work of the Coordination Council.

measures directly depends on the adoption of this systemically important law. The adoption of this law has a direct impact on further strengthening the accountability of law enforcement agencies, improving internal control mechanisms, establishing unified approaches to defining integrity and other related matters.

The MoIA notes[3024] that the PGO, considering proposals from co-implementing bodies, developed the Draft Law of Ukraine 'On Law Enforcement Agencies', which was sent on 7 July 2025 by letter No. 05/5-59280вих-25 to the Head of the Verkhovna Rada Committee on Law Enforcement to resolve the issue of submitting it to Parliament for consideration. At the same time, this draft law has still not been registered in the Verkhovna Rada. At the meetings of the Expert Group under the Coordination Council in March–May 2026, the issue of consolidating efforts to implement this measure within the deadlines set by the Rule of Law Roadmap was raised repeatedly. As already noted, in June 2026 the Expert Group under the Coordination Council began developing a consolidated version of the draft Law of Ukraine 'On Law Enforcement Agencies'.

2) *Adoption of the Law of Ukraine 'On Criminal Intelligence' (measure 1.7.1, deadline under the OAS Action Plan — fourth quarter of 2025; deadline under the Rule of Law Roadmap — fourth quarter of 2026)*. This law should provide for the gradual transformation of the institution of operational and search activities (OSA) away from criminal procedural activities, which in fact already took place in 2012, intelligence and counterintelligence activities and towards expanding the instruments for countering security threats. Today, the discussion concerns two components that should replace the OSA institution — criminal intelligence and intelligence-led policing, meaning policing based on intelligence analysis.

The MoIA has developed the Draft Law of Ukraine 'On Criminal Intelligence', which was sent to the relevant authorities for consideration in January 2025. In March–April 2025, with the support of the European Union Advisory Mission in Ukraine (EUAM Ukraine), events were held to analyse and study European experience in the fields of OSA and criminal intelligence, including a study visit to the Republic of Lithuania on the application of the Law of the Republic of Lithuania 'On Criminal Intelligence'. On 23 June 2025, by Order No. 428, the MoIA approved the composition of the interagency working group for developing the draft law, which meets on an ongoing basis. In late November 2025, the revised version of the draft law was provided to the relevant authorities for the preparation of final and transitional provisions.[3025]

In April 2026, the draft Law of Ukraine 'On Criminal Intelligence' was considered at a meeting at the MoIA, after which the NPU revised the draft and submitted it to the MoIA. In May, the above-mentioned interagency working group met to discuss the matter.[3026]

Measures under the Rule of Law Roadmap are largely being implemented within the established deadlines. At the same time, attention should be drawn to draft laws that

3024 Ibid.

3025 Ibid.

3026 Information provided within the activities of the Interagency Working Group on Ensuring the Negotiation Process on Ukraine's Accession to the European Union and the Adaptation of Ukrainian Legislation to European Union Law, established by Resolution of the Cabinet of Ministers of Ukraine No. 987 of 27.08.2024 'Certain Issues of Ensuring the Negotiation Process on Ukraine's Accession to the European Union'.

are critically important for law enforcement reform but have still not been adopted by the Verkhovna Rada:[3027]

- a law introducing a procedure for competitive selection, where necessary with the involvement of independent experts, for the position of Head of the NPU (deadline — fourth quarter of 2025);
- a new version of the Law on the SSU (deadline — first quarter of 2026);
- a law strengthening the institutional capacity of the State Secrets Protection system under current conditions, by defining the legal framework for the activities of the specially authorised state body in the field of State Secrets Protection (deadline is fourth quarter of 2025);
- a law introducing the recording of financial investigations conducted in the Unified Register of Pre-Trial Investigations (URPTI) (deadline — fourth quarter of 2025).

Recommendations

1. Continue implementing the measures provided for by public policy documents, primarily the OAS, its Action Plan and the Rule of Law Roadmap.

2. Ensure the proper functioning of the Coordination Council and its Expert Group. Publish reports on the implementation of the OAS and its Action Plan in a timely manner, considering the views of all members of the Coordination Council and the Expert Group to ensure an objective assessment of progress in fulfilling European integration commitments.

3. Consolidate the efforts of all implementing bodies responsible for measures that were not implemented within the deadlines set by the strategic documents in the field of law enforcement reform, to develop an algorithm for completing the implementation of such measures.

State of Legislation on Combating Organised Crime. Establishment of a Permanent National Coordination Body on Combating Organised Crime

Progress and issues

Overall, the state of combating organised crime in Ukraine during the reporting period can be assessed as showing *limited progress*.

In 2025, criminal proceedings were investigated in relation to 677 organised groups and criminal organisations,[3028] including 496 by the NPU, 40 by the SSU, 44 by the

3027 A detailed analysis of these draft laws is provided in the relevant subsections of this report.

3028 Report on the Results of Combating Organised Groups and Criminal Organisations for January–December 2025. Prosecutor General's Office. ↗

ESBU, 74 by the SBI and 23 by the NABU. At the same time, 610 organised groups and criminal organisations, or 90%, were independently detected by law enforcement units.

The total number of detected organised groups and criminal organisations is almost unchanged compared with the previous year, when 663 cases[3029] were recorded. At the same time, the NPU's share decreased from 87% to 73%. Although this figure, 496, is somewhat lower than in the previous year, when it stood at 532, this is largely explained by the concentration of efforts on detecting more complex criminal structures, which require lengthy documentation and comprehensive operational measures.

The largest number of organised groups and criminal organisations detected by the NPU was in the field of illicit drug trafficking — 150[3030] — confirming the continued relevance of combating drug-related crime. At the same time, the largest increase was recorded in NABU's area of activity, from 3 to 23 proceedings, as illustrated by the most prominent cases, including the 'scheme to bribe MPs voting for certain decisions', 'Operation Midas' involving corruption in the energy sector and the 'offer to influence the NSDC regarding the non-application of sanctions'.[3031]

Strategic Documents

On 26 August 2025, by Order No. 583, the MoIA established an interagency working group to develop the *Strategy for Combating Organised Crime for 2026–2030*. Its inaugural meeting was held in June 2025.[3032] In June 2026, the MoIA sent the draft Order of the Cabinet of Ministers of Ukraine 'On Approval of the Strategy for Combating Organised Crime until 2030 and Approval of the Operational Action Plan for Its Implementation' to the authorities concerned for approval and the relevant examinations in accordance with procedural requirements.[3033] While new Strategy is still under consideration, the Strategy for Combating Organised Crime approved in 2020[3034] remains in force.

In 2025, the *Comprehensive Plan of Practical Measures to Combat Organised Crime for 2025*[3035] was approved. The Plan provides for the implementation of strategic documents on reforming law enforcement agencies as part of the security and defence sector of Ukraine for 2023–2027, including: preparation of the legal and regulatory framework for introducing the Internet Organised Crime Threat Assessment (IOCTA) into the activities of law enforcement agencies and the prosecution service; ensuring interagency

3029 Report on the Results of Combating Organised Groups and Criminal Organisations for January–December 2024. Prosecutor General's Office. ↗

3030 Report on Performance Results. National Police of Ukraine, 2025, p. 56. ↗

3031 Report: Second Half of 2025. National Anti-Corruption Bureau of Ukraine, pp. 28, 34. ↗

3032 The MoIA Held the Inaugural Meeting of the Interagency Working Group on the Development and Approval of the Strategy for Combating Organised Crime for 2026–2030. Ministry of Internal Affairs of Ukraine, 2025. ↗

3033 Information provided within the activities of the Interagency Working Group on Ensuring the Negotiation Process on Ukraine's Accession to the European Union and the Adaptation of Ukrainian Legislation to European Union Law, established by Resolution of the Cabinet of Ministers of Ukraine No. 987 of 27.08.2024 'Certain Issues of Ensuring the Negotiation Process on Ukraine's Accession to the European Union'.

3034 On Approval of the Strategy for Combating Organised Crime: Order of the Cabinet of Ministers of Ukraine No. 1126 of 16.09.2020. ↗

3035 Strategy for Combating Organised Crime 2026–2030: The MoIA Held the Second Meeting of the Interagency Working Group. Ministry of Internal Affairs of Ukraine, 2025. ↗

cooperation to prevent the illegal possession and circulation of firearms; the activities of the Coordination Centre on Combating the Illicit Trafficking in Firearms; and the implementation of the serious and organised crime threat assessment (SOCTA Ukraine). Implementation of this Plan is currently ongoing. The document is not public, making it impossible to analyse its content.

In the context of combating organised crime, where the NPU is the main actor, it is important to note that in 2025 the Minister of Internal Affairs approved the *NPU Development Strategy for 2026–2030*.[3036] Thus, for the first time[3037] in the history of the NPU, a medium-term strategic development framework has been established, aligned with the priorities of security and defence sector reform and the state's European integration course.[3038]

The Strategy provides for bringing police work closer to people's needs, by expanding the local presence of police officers to respond promptly to citizens' problems and sets out a clear vision for optimising police service. Its priorities include strengthening the response to cybercrime, developing the 'community police officer' model in every territorial community, restoring infrastructure after the war and reintegrating police veterans. To strengthen the effectiveness of responses to organised crime threats, the NPU plans to introduce risk-based management, artificial intelligence (AI) tools in analytics, full digitalisation of documents and enhanced international cooperation with the European Union Agency for Law Enforcement Cooperation (Europol) and the International Criminal Police Organisation (Interpol). During the war and in the post-war period, the focus is on documenting crimes committed by the aggressor, arms control and stabilising de-occupied territories.

ILP and SOCTA

In the first quarter of 2026, an assessment of threats of serious criminal offences and organised crime under the SOCTA Ukraine assessment system for 2021–2024 was to be carried out. The relevant report has been published on the MoIA website.[3039] This was preceded, in the third quarter of 2025, by the strengthening of the institutional capacity of law enforcement agencies to continue implementing the national SOCTA assessment, in relation to their intelligenceled activities[3040], information management and analysis.

The Report will subsequently serve as the basis for shaping state policy on combating serious and organised crime by identifying strategic priorities for combating organised crime, which will be translated into comprehensive action plans aimed at neutralising the most serious criminal threats.

3036 National Police of Ukraine Development Strategy for 2026–2030: Order of the Ministry of Internal Affairs of Ukraine No. 733 of 21.10.2025. ↗

3037 In 2016, the first Head of the NPU, Khatia Dekanoidze, presented her own vision for the development of this body — the Concept '100 Days of Quality of the National Police'. However, this document was limited in scope, had a short time-frame and can hardly be compared with full-fledged strategic public policy documents. See: Seven Myths about Police Reform. Dzerkalo Tyzhnia, 2017. ↗

3038 The Strategy was developed by the NPU in cooperation with foreign partners and civil society to ensure the implementation of measure 1.2.2 of task 1.2 of the OAS Action Plan.

3039 Serious and Organised Crime Threat Assessment, SOCTA Ukraine 2021–2024. ↗

3040 Intelligence-led policing (ILP) instruments.

Legislative Amendments

The issue of defining the status of the National Coordinator remains critical. The National Coordinator will provide organisational support for the implementation of state policy in the field of combating organised crime and will be responsible for the effective functioning of coordination, cooperation, monitoring and reporting mechanisms in this area.

Draft Law No. 13676,[3041] developed by the MoIA, **on the establishment of an Interagency Coordination Commission in the field of combating organised crime (National Coordinator)** was under consideration by the Verkhovna Rada. This draft law proposed establishing an interagency commission in Ukraine — a coordination body, the National Coordinator — which would monitor and assess the implementation of the Strategy for Combating Organised Crime.[3042] In addition, based on the approved priorities, the National Coordinator was to develop comprehensive action plans and summarise information on the progress of their implementation, completion or the reasons for non-implementation. Until this legislative initiative is adopted and the law enters into force, the functions of the National Coordinator, pending its establishment, are assigned to the MoIA.[3043]

On 9 June 2026, following a vote, the Verkhovna Rada decided to return Draft Law No. 13676 for a repeated first reading for the second time. At the same time, in July 2026, following the change in the composition of the Government, the draft law was withdrawn. Under the Rule of Law Roadmap, **the draft law was to be adopted in the first quarter of 2026**.

Criminal Intelligence

The OAS Action Plan provided that, no later than the fourth quarter of 2025, a draft law on criminal intelligence was to be developed and submitted to Parliament. Criminal intelligence is understood as a system of overt and covert search and investigative measures and tools, based on analytics, aimed at the timely prevention, detection and neutralisation of real and potential threats to Ukraine's national interests. The OAS Action Plan also envisaged, with due regard to the gradual approximation of Ukrainian legislation to the EU acquis, the phased transformation of OSA into criminal intelligence and the establishment of clear criteria for distinguishing it from criminal procedural, intelligence and counterintelligence activities.[3044] A similar measure is also provided for in the Rule of Law Roadmap, with the implementation deadline set for the fourth quarter of 2026.

3041 On Amendments to the Law of Ukraine 'On the Organisational and Legal Foundations for Combating Organised Crime' Regarding the Establishment of an Interagency Coordination Commission in the Field of Combating Organised Crime (National Coordinator): Draft Law of Ukraine, registration No. 13676 of 21.08.2025. ↗

3042 The current Strategy was approved by Order of the Cabinet of Ministers of Ukraine No. 1126 of 16.09.2020. The MoIA is currently developing a draft new Strategy for 2026–2030. For details, see the subsection 'State of Implementation of Strategic Documents in the Field of Law Enforcement Reform'. ↗

3043 Pursuant to para. 2 of Order of the Cabinet of Ministers of Ukraine No. 850 of 27.09.2022 'On Approval of the Action Plan for the Implementation of the Strategy for Combating Organised Crime'. ↗

3044 Action Plan for the Implementation of the Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027: Order of the Cabinet of Ministers of Ukraine No. 792 of 23.08.2024, measure 1.7.1. ↗

As noted above,[3045] the MoIA has developed the Draft Law of Ukraine 'On Criminal Intelligence', which is currently being revised following proposals submitted by the relevant state institutions and is being prepared for submission to the Government.

Recommendations

1. Adopt the Law of Ukraine 'On Criminal Intelligence', which will transform the institution of OSA by distinguishing it from criminal procedural, intelligence and counterintelligence activities.

2. Adopt a new Strategy for Combating Organised Crime for 2026–2030, together with an action plan for its implementation, taking into account the methodology of the European Multidisciplinary Platform Against Criminal Threats (EMPACT).

3. Update public policy documents to take into account the identified crime threats set out in the Report on the Results of the Serious and Organised Crime Threat Assessment — SOCTA Ukraine for 2021–2024. Strengthen the institutional capacity of law enforcement agencies to implement the national SOCTA assessment.

4. Establish the National Coordinator for Combating Organised Crime and define its powers at the level of the Law of Ukraine 'On the Organisational and Legal Foundations for Combating Organised Crime'.

Strengthening the Institutional Capacity of the Economic Security Bureau of Ukraine

Following the appointment of the ESBU Director in August 2025, the reform of the institution has shown *some progress*. According to a sociological survey, public trust in the ESBU almost doubled in December 2025 compared with September of the same year, reaching 7.8%.[3046]

In 2025,[3047] **ESBU detectives investigated 6,896 criminal proceedings falling within the ESBU's investigative jurisdiction, of which 4,263 reports and notifications of criminal offences were registered in 2025**. The caseload per detective was 12.6 reports and notifications of criminal offences. **A total of 904 criminal proceedings were sent to court**. In 2025, damages amounting to **UAH 3.82 billion were compensated** in criminal proceedings sent to court by ESBU detectives. These figures do not differ significantly from the previous year, as crime dynamics in this area remain stable.

It is worth noting another aspect — the structural changes in the ESBU's work observed under the Bureau's new leadership. These include an **increase in tax revenues of approximately UAH 100 million** as a result of terminating business 'splitting' schemes, the

3045 For details, see the subsection 'State of Implementation of Strategic Documents in the Field of Law Enforcement Reform'.

3046 Successes and Failures of the Year: The Economy, Resistance to Russia, the Fight against Corruption and Assessment of State Institutions. Active Group, 2025. ↗

3047 Report on the Activities of the Economic Security Bureau of Ukraine for 2025 Pursuant to Article 35 of the Law of Ukraine 'On the Economic Security Bureau of Ukraine', p. 31. ↗

seizure of excisable goods and property worth approximately UAH 3 billion and an **increase in declared turnover from UAH 380.4 billion in 2024 to UAH 403.4 billion in 2025**.[3048] **The Bureau itself links this to the gradual de-shadowing of the market**. However, assessing the effectiveness of the ESBU's work based on these figures alone is insufficient. Economic crimes are more difficult to assess in terms of their positive impact than corruption-related or ordinary criminal offences. The most common penalty in such cases is a fine, and the objective is not to destroy businesses, but to make them operate by the rules. An excessively punitive approach may have the opposite effect — a decline in economic activity and, as a result, lower tax revenues. Therefore, in cases involving tax discipline violations, the logic of response is gradually shifting from a purely punitive approach to an incentive-based one.[3049]

To ensure the effective implementation of guarantees of the ESBU's independence, Draft Law No. 14207-1,[3050] authored by MP Y. Zhelezniak, was registered in the Verkhovna Rada in November 2025. It proposes amendments to the Law of Ukraine 'On the Economic Security Bureau of Ukraine'[3051] to define the ESBU as a central executive authority with special status, as well as to comprehensively address several other issues related to strengthening its effectiveness. In particular, it proposes including the ESBU in all necessary legislative acts on an equal footing with other bodies performing law enforcement functions; strengthening the Bureau's analytical capacity; regulating urgent issues related to the operation of the ESBU's internal control units; improving matters related to service, the procedure for the ESBU's implementation of security measures; strengthening social guarantees for ESBU staff and other issues. The draft law has now been included on the agenda of the Verkhovna Rada, but there has been no progress in its consideration. The ESBU sent a letter supporting this draft law to the Verkhovna Rada Committee on Finance, Tax and Customs Policy, which was designated as the lead committee.[3052] However, Draft Law No. 14207-1 was never included on the agenda of that Committee.

Attestation of ESBU Staff

Pursuant to Law No. 3840-IX,[3053] adopted in June 2024 to improve the operation of the ESBU, its staff are subject to a one-time attestation to confirm an appropriate level of integrity and professional competence. This Law was adopted as part of Ukraine's commitments to the International Monetary Fund (IMF).[3054]

3048 'Relaunch' of the ESBU: Can the Institution Shed the Legacy of the Tax Police — and When? Dzerkalo Tyzhnia, 2026. ↗

3049 Ibid.

3050 On Amendments to Certain Laws of Ukraine on Improving the Legal Regulation of the Activities of the Economic Security Bureau of Ukraine: Draft Law of Ukraine, registration No. 14207-1 of 27.11.2025. ↗

3051 On the Economic Security Bureau of Ukraine: Law of Ukraine No. 1150-IX of 28.01.2021. ↗

3052 Meeting of the Committee on Anti-Corruption Policy of 10.02.2026 at 15:00. YouTube Channel of the Committee on Anti-Corruption Policy, 01:18:27. ↗

3053 On Amendments to Certain Legislative Acts of Ukraine to Improve the Work of the Economic Security Bureau of Ukraine: Law of Ukraine No. 3840-IX of 20.06.2024, para. 4, Section II 'Final and Transitional Provisions'. ↗

3054 Letter of Intent of the Government of Ukraine to the International Monetary Fund No. 7054/0/2-23 of 24.03.2023 and Annex 1 thereto. ↗

On 5 November 2025, two attestation commissions were established.[3055] They include representatives of international organisations and civil society, academics, advocates and other specialists who have higher education, an impeccable business reputation, high professional and moral qualities, the necessary knowledge and skills to perform the powers of an attestation commission member and meet the integrity criterion. Each commission consists of 12 persons: six appointed by the ESBU Director and another six nominated by international organisations working in this field. Candidates for the commissions were recommended by the Delegation of the European Union to Ukraine, the Embassy of the Kingdom of the Netherlands, the Embassy of the United States of America, the Embassy of the Federal Republic of Germany and the EUAM Ukraine. Reserve lists of candidates to replace members of the personnel commissions in the event of early termination of their powers were also approved.[3056]

In December 2025, the Attestation Procedure[3057] was approved. It sets out the organisation, procedures, criteria and methodology for the attestation of ESBU staff, as well as the criteria and methodology for assessing their integrity and professional competence during attestation. It was determined that attestation would take place in three stages: 1) a test on knowledge of Ukrainian legislation; 2) a general abilities test; 3) an interview to assess compliance with the criteria of integrity and professional competence.[3058] The heads of units of the ESBU central office and their deputies undergo attestation first, followed by other Bureau staff.[3059]

As noted in the Shadow Report on Chapter 23 'Justice and fundamental rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's Progress under the 2024 EU Enlargement Package[3060] (Shadow Report 2025), the general attestation procedure partly took into account the shortcomings of attestation procedures previously applied to police officers and prosecutors. The Procedure for the Attestation of ESBU Staff specifies the substance of the integrity and professional competence criteria and requires the commission to issue a reasoned and substantiated decision if a staff member fails attestation. However, the risk of court appeals remains, as does the risk that judicial practice may develop in favour of dismissed ESBU staff, potentially leading to significant compensation payments from the state budget.

The ESBU was established in 2021, and staff selection before the adoption of Law No. 3840-IX[3061] was also conducted on a competitive basis. At that time, account was taken of candidates' ability to perform the relevant official duties effectively, based on

3055 On the Establishment of Attestation Commissions of the Economic Security Bureau of Ukraine: Order of the Economic Security Bureau of Ukraine No. 231 of 05.11.2025. ↗

3056 Attestation of ESBU Staff. Economic Security Bureau of Ukraine. ↗

3057 Procedure for Organising and Conducting the One-Time Attestation of Employees of the Economic Security Bureau of Ukraine, Criteria and Methodology for Assessing Integrity and Professional Competence of Employees during Attestation: Order of the Economic Security Bureau of Ukraine No. 274 of 30.12.2025. ↗

3058 Ibid, para. 2 Section II. ↗

3059 Ibid, para. 1 Section II. ↗

3060 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report within the European Union Enlargement Package 2024, 2025, p. 640. ↗

3061 On Amendments to Certain Legislative Acts of Ukraine to Improve the Work of the Economic Security Bureau of Ukraine: Law of Ukraine No. 3840-IX of 20.06.2024. ↗

their personal, professional and moral qualities, age, educational and professional level and state of health. Representatives of the ESBU Public Oversight Council[3062] were to be included in the competition commission. Thus, the integrity criterion assessed during attestation is a new professional requirement for employees appointed to the ESBU before Law No. 3840-IX entered into force, including in the context of attestation. According to experts,[3063] this does not comply with the principle of legal certainty, under which any restriction of a right must be based on criteria that enable a person to distinguish lawful conduct from unlawful conduct and foresee the legal consequences of their behaviour.

ILO Convention No. 158[3064] prohibits the termination of employment unless there are valid grounds for such termination connected with the capacity or conduct of the worker or based on the operational requirements of the undertaking, establishment or service. In national legislation,[3065] this provision is implemented through the definition of grounds for terminating an employment contract at the employer's initiative, which also serves as a guarantee of legal protection against unjustified refusal of employment and unlawful dismissal, as well as support in retaining employment.[3066] A similar right to protection in cases of dismissal is also contained in the European Social Charter.[3067]

Recommendation No. 166[3068] concerning Termination of Employment at the Initiative of the Employer states that employment should not be terminated for misconduct which, under national law or practice, would justify termination only if repeated on one or more occasions, unless the employer has given the worker an appropriate written warning.

Taken together, these provisions of national and international law mean that, when deciding whether to dismiss an employee, only circumstances connected with the period of their employment with the relevant employer should be taken into account. However, the Attestation Procedure provides that the attestation commission assesses ESBU staff against the integrity criteria based on information that is **not subject to any temporal or territorial limitations**.[3069] This is inconsistent with both national and international law.

3062 On the Economic Security Bureau of Ukraine: Law of Ukraine No. 1150-IX of 28.01.2021, Part 3 Article 19 (version in force on the date of adoption of the Law). ↗

3063 Comments of the Main Legal Department of the Secretariat of the Verkhovna Rada of Ukraine on the Draft Law of Ukraine on Amendments to Certain Legislative Acts of Ukraine to Improve the Work of the Economic Security Bureau of Ukraine of 20.06.2024, p. 9. ↗; Opinion of the Main Scientific and Expert Department of the Secretariat of the Verkhovna Rada of Ukraine on the Draft Law of Ukraine 'On Amendments to the Law of Ukraine "On the Economic Security Bureau of Ukraine" to Improve the Work of the Bureau' of 11.04.2024, p. 7. ↗

3064 International Labour Organization Convention No. 158 concerning Termination of Employment at the Initiative of the Employer, 1982, Article 4. ↗

3065 Labour Code of Ukraine No. 322-VIII of 10.12.1971, Articles 40, 41, 43. ↗

3066 Ibid, Article 5[1]. ↗

3067 European Social Charter (Revised) of 03.05.1996, Article 24. ↗

3068 Recommendation No. 166 of the General Conference of the International Labour Organization concerning Termination of Employment at the Initiative of the Employer, para. 7. ↗

3069 Procedure for Organising and Conducting the One-Time Attestation of Employees of the Economic Security Bureau of Ukraine, Criteria and Methodology for Assessing Integrity and Professional Competence of Employees during Attestation: Order of the Economic Security Bureau of Ukraine No. 274 of 30.12.2025, para. 3, Section IV. ↗

The legislation does not regulate whether ESBU staff may participate in competitions for vacant positions for the purpose of career advancement before undergoing attestation, or whether successful completion of competition procedures may be treated as equivalent to passing attestation, by analogy with the qualification assessment of judges.[3070] Such an approach would help accelerate the attestation of ESBU staff and partially reduce the workload of attestation commission members, taking into account the time constraints.

On 28 May 2026, the ESBU amended the Attestation Procedure to allow an attestation commission to recognise the results of tests taken by an attestation participant during competitive selection procedures.[3071] However, both the First and Second Attestation Commissions refused to recognise test results submitted by ESBU staff. As stated during meetings of the respective attestation commissions, the most common reason for refusal was differences in the assessment methodology[3072] and the testing procedure.[3073] At the same time, neither the First nor the Second Attestation Commission explained what exactly those differences were.

Another challenge for conducting attestation is ensuring the proper functioning of attestation commissions. Under the legislation, **all ESBU staff** are subject to attestation. For this reason, the Bureau cannot objectively assume responsibility for supporting the work of the attestation commissions, as this would create a conflict of interest and could potentially reduce trust in the procedure.

At a meeting of the Verkhovna Rada Committee on Anti-Corruption Policy, the ESBU Director stated that partners should take responsibility for supporting the work of the secretariats of the attestation commissions. However, after the official start of attestation, the secretariats of the attestation commissions had still not been established.[3074] As the review of meeting broadcasts shows,[3075] the work of the First Attestation Commission has been accompanied by technical problems, including those related to interpretation.[3076]

3070 Pursuant to para. 20-2, Section XII 'Final and Transitional Provisions' of the Law of Ukraine 'On Judiciary and the Status of Judges', a judge who, following qualification assessment within a competition for the position of judge of an appellate court, higher specialised court or judge of the Supreme Court within their specialisation, has confirmed their ability to administer justice in the relevant court, is deemed to have passed the assessment and confirmed their compliance with the position held. ↗

3071 On Amendment to the Procedure for Organising and Conducting the One-Off Attestation of Employees of the Economic Security Bureau of Ukraine and the Criteria and Methodology for Assessing Employees' Integrity and Professional Competence during Attestation: Order of the Economic Security Bureau of Ukraine No. 256 of 28.05.2026. ↗

3072 Meeting of the Second Attestation Commission of the Economic Security Bureau of Ukraine, 22.06.2026 / Economic Security Bureau of Ukraine. YouTube. 2026. ↗

3073 Meeting of the First Attestation Commission of the Economic Security Bureau of Ukraine, 19.06.2026 / Economic Security Bureau of Ukraine. YouTube. 2026. ↗

3074 Meeting of the Committee on Anti-Corruption Policy of 10.02.2026 at 15:00. YouTube Channel of the Committee on Anti-Corruption Policy, 17:18. ↗

3075 Official YouTube Channel of the Economic Security Bureau of Ukraine. ↗

3076 For example, the meeting of the First ESBU Attestation Commission held on 23.03.2026 lasted 12 minutes and was not provided with interpretation from English into Ukrainian because the time for which interpreters had been reserved had expired. ↗; At the beginning of the meeting on 24.07.2026, interpretation from Ukrainian into English was not provided. ↗

The one-time attestation procedure officially began on 29 January 2026[3077] and must be completed no later than 6 February 2027.[3078] Consent to undergo attestation was given by 1,145 ESBU staff members, or 96.4% of the total number of persons subject to attestation.[3079] Forty exercised their right not to submit applications in accordance with the legislation,[3080] while two formally refused to undergo the procedure.

According to the ESBU,[3081] at the start of the attestation, 29 heads of central office units, their deputies, heads of territorial offices and their deputies agreed to undergo attestation. In March, two heads of ESBU central office units resigned, one was transferred to a lower position, one was appointed Deputy Director of the ESBU,[3082] which exempted him from undergoing attestation,[3083] and was included in the composition of a personnel commission.[3084] Two further heads of ESBU territorial offices were dismissed following journalistic investigations.[3085]

In June 2026, the ESBU Director stated that, of the 50 senior managers subject to assessment during the first stage of attestation, only 18 reached the interview stage. Before the attestation procedures began, 21 employees left the ESBU, another seven resigned during the assessment, while four failed to achieve the required passing score and were dismissed on the basis of decisions of the attestation commissions.[3086]

As already noted, the attestation procedure provides for only one possible negative consequence — dismissal from the ESBU. The Law of Ukraine 'On the Economic Security Bureau of Ukraine'[3087] imposes restrictions on persons dismissed from the Bureau on the basis of an attestation commission's decision that they failed the attestation. Such persons may not apply for positions in the ESBU for 10 years following dismissal.

3077 ESBU Director Oleksandr Tsyvinskyi Announced the Start of Attestation of Bureau Staff. Economic Security Bureau of Ukraine, 2026. ↗

3078 Paragraph 4, para. 4, Section II 'Final and Transitional Provisions' of Law of Ukraine No. 3840-IX of 20.06.2024 'On Amendments to Certain Legislative Acts of Ukraine to Improve the Work of the Economic Security Bureau of Ukraine' provides that the attestation period may not exceed 18 months from the date of appointment of the ESBU Director, meaning that this period began on 6 August 2025.

3079 Over 96% of ESBU Staff Confirmed Their Readiness to Undergo Attestation. Economic Security Bureau of Ukraine, 2026. ↗

3080 Paragraph 5, para. 4, Section II 'Final and Transitional Provisions' of Law of Ukraine No. 3840-IX of 20.06.2024 'On Amendments to Certain Legislative Acts of Ukraine to Improve the Work of the Economic Security Bureau of Ukraine' provides that if ESBU staff who are subject to attestation are, during the attestation period, pregnant, on maternity leave, on childcare leave, undergoing basic military service, called up for military service as officers, called up for military service during mobilisation for a special period or accepted for military service under contract, they may, while these circumstances apply, undergo attestation at their own request or refuse to undergo it during that period.

3081 Letter of the Economic Security Bureau of Ukraine No. 11/15/9452-26 of 23.07.2026.

3082 Testing Schedule. First Stage of Attestation (updated on 22 March 2026). Economic Security Bureau of Ukraine, 2026. ↗

3083 Pursuant to Paragraph 2, para. 4, Section II 'Final and Transitional Provisions' of Law of Ukraine No. 3840-IX of 20.06.2024 'On Amendments to Certain Legislative Acts of Ukraine to Improve the Work of the Economic Security Bureau of Ukraine'.

3084 On the Establishment of Personnel Commissions of the Economic Security Bureau of Ukraine: Order of the Economic Security Bureau of Ukraine No. 232 of 05.11.2025. ↗

3085 Heads of Two ESBU Territorial Offices Resigned Following Bihus.Info Investigations. Bihus.Info, 2026. ↗

3086 'In Fact, in Less Than a Year, More Than 64% of Managers Have Left the ESBU', Oleksandr Tsyvinskyi. Economic Security Bureau of Ukraine. 15 June 2026. ↗

3087 On the Economic Security Bureau of Ukraine: Law of Ukraine No. 1150-IX of 28.01.2021, para. 12 Part 1 Article 20. ↗

According to the ESBU,[3088] seven heads of central office units, their deputies, heads of territorial offices and their deputies were dismissed after the tests on knowledge of legislation and general abilities. The minutes of the First Attestation Commission meetings and the test results obtained by these employees are not publicly available.

From 13 to 24 July 2026 inclusive, the First Attestation Commission interviewed 20 heads of central office units, their deputies, heads of territorial offices and their deputies. Six persons were found to have failed the attestation.[3089]

At the meeting of the Second Attestation Commission held on 26 June 2026,[3090] applications from several ESBU employees concerning their further participation in the attestation were considered. One applicant requested admission to the interview stage, arguing that their score in the general ability test was only one point below the established passing score. According to the applicant, this could have resulted from a statistical error in calculating the overall test score. The Attestation Commission rejected the request because such a possibility is not provided for by law. According to the ESBU, as on 20 July 2026, 18 employees who were not heads or deputy heads had been dismissed for failing the attestation.[3091]

Under the Law of Ukraine 'On the Economic Security Bureau of Ukraine', persons who receive an insufficient score in the tests conducted as part of the attestation are subject to dismissal from the ESBU and a 10-year ban on applying for any positions in the Bureau. This has extremely negative consequences both for the employees concerned and for the ESBU's institutional capacity.

Filling Vacant Positions and Establishing Territorial Units

Under the Law of Ukraine 'On the Economic Security Bureau of Ukraine',[3092] the **maximum number of ESBU staff is capped at 4,000**. However, in 2024 and 2025, the laws on the State Budget for the relevant year artificially lowered this number,[3093] which did not contribute either to filling vacancies in the central office or to the actual establishment and staffing of ESBU territorial units. **As of 31 December 2025, the ESBU employed 1,196 staff members**,[3094] including 483 in the central office and 713 in territorial offices, amounting to 29.9% of the maximum staffing level.

3088 Letter of the Economic Security Bureau of Ukraine No. 11/15/9452-26 of 23.07.2026.

3089 Results of Testing and Interviews. Economic Security Bureau of Ukraine. 2026.

3090 Meeting of the Second Attestation Commission of the Economic Security Bureau of Ukraine of 26.06.2026. YouTube channel 'ESBU Economic Security Bureau of Ukraine'. ↗

3091 Letter of the Economic Security Bureau of Ukraine No. 11/15/9452-26 of 23.07.2026.

3092 On the Economic Security Bureau of Ukraine: Law of Ukraine No. 1150-IX of 28.01.2021, Article 14. ↗

3093 In 2024, the maximum staffing level of the ESBU was set at 1,400 persons, or 35% of the maximum staffing level established by the Law of Ukraine 'On the Economic Security Bureau of Ukraine' (para. 24, Final Provisions of the Law of Ukraine 'On the State Budget of Ukraine for 2024'). In 2025, it was set at 2,000 persons, or 50% of the maximum staffing level established by the Law of Ukraine 'On the Economic Security Bureau of Ukraine' (para. 22, Final Provisions of the Law of Ukraine 'On the State Budget of Ukraine for 2025').

3094 Report on the Activities of the Economic Security Bureau of Ukraine for 2025 Pursuant to Article 35 of the Law of Ukraine 'On the Economic Security Bureau of Ukraine'. Economic Security Bureau of Ukraine, p. 75. ↗

At the same time, the Accounting Chamber's audit report on the ESBU's activities noted[3095] that, at the beginning of 2025, the ESBU central office was staffed at 76%, which significantly exceeded the corresponding figure for all nine territorial offices, where the average staffing level did not exceed 40%.

This situation was caused by several factors:

1) the inability to conduct competitive selections for ESBU positions since July 2024;

2) the absence of a procedure for assigning ESBU special ranks and a correlation scheme between ESBU special ranks and other special and military ranks;

3) the absence of mechanisms for reimbursing personal income tax to employees holding ESBU special ranks;

4) the calculation of salaries on the basis of the subsistence minimum for able-bodied persons reduced by the State Budget Law, namely UAH 2,102.

The possibility of holding competitions was restored on 5 November 2025 after two personnel commissions[3096] were established. On 23 February 2026, the first competitions were announced for the positions of senior detectives in internal security, analysts and detectives of the ESBU central office.[3097] As of 30 June 2026, a total of **108 competitions had been announced for vacant positions** carrying ESBU special ranks in the central office and territorial units.[3098] Thus, alongside the attestation of current staff, procedures for filling vacant ESBU positions have begun.

The artificial restrictions on the maximum staffing level of the ESBU have now been lifted.

At present, nine ESBU territorial offices are operational in Vinnytsia, Volyn, Zakarpattia, Kyiv, Lviv, Odesa, Poltava and Chernivtsi regions and the city of Kyiv. The Rule of Law Roadmap[3099] provides for the opening of a further 15 territorial offices no later than the fourth quarter of 2027.

The ESBU Action Plan in response to the Accounting Chamber's decision,[3100] particularly paragraph 9, provides for the phased establishment of these territorial offices, subject to adequate funding: eight territorial offices in 2026 and seven territorial offices

3095 Compliance Audit Report on 'Countering Offences that Undermine the Functioning of the State Economy': Decision of the Accounting Chamber No. 22-1 of 23.09.2025, p. 21. ↗

3096 On the Establishment of Personnel Commissions of the Economic Security Bureau of Ukraine: Order of the Economic Security Bureau of Ukraine No. 232 of 05.11.2025. ↗

3097 Competitive Selection for Vacant Positions of Detectives of the Main Detective Unit (20 positions): Order of the Economic Security Bureau of Ukraine No. 78 of 25.02.2026. ↗; Competitive Selection for Vacant Positions of Senior Detectives of the Internal Control Department (20 positions): Order of the Economic Security Bureau of Ukraine No. 75 of 24.02.2026. ↗; Competitive Selection for Vacant Positions of Analysts of the Department for Information Analysis and Risk Management (20 positions): Order of the Economic Security Bureau of Ukraine No. 71 of 23.02.2026. ↗

3098 Announced Competitions for the Central Office. Economic Security Bureau of Ukraine. 2026. ↗; Announced Competitions for ESBU Territorial Offices. Economic Security Bureau of Ukraine. 2026. ↗

3099 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

3100 ESBU Action Plan in Response to the Accounting Chamber's Decision No. 22-1 of 23 September 2025 'On Consideration of the Compliance Audit Report on "Countering Offences that Undermine the Functioning of the State Economy"'. Economic Security Bureau of Ukraine. ↗

in 2027, including offices whose jurisdiction will also extend to the temporarily occupied territories (TOT).[3101]

In addition, the State Budget for 2026[3102] provides funding only for the maintenance of the nine existing ESBU territorial offices, without considering the need to establish the other 15 such offices.[3103]

Pursuant to Resolution of the Cabinet of Ministers of Ukraine No. 1681 of 17 December 2025,[3104] the maximum staffing level of the ESBU central office was increased by 400 positions by reducing the maximum staffing level of territorial units. Thus, as at 31 July 2026, 38.1% of positions in the ESBU central office were filled.[3105]

In January 2026, the Government approved the Procedure for Assigning ESBU Special Ranks and the correlation schemes between ESBU special ranks and other special ranks, as well as military ranks.[3106] As a result, 231 employees of the central office and 275 employees of territorial offices were assigned special ranks corresponding to the ranks previously assigned to them at their former place of service.[3107] This made it possible to increase the overall level of remuneration received by these ESBU employees.

The conditions and mechanism for monthly monetary compensation of personal income tax (PIT) withheld from remuneration, monetary rewards and other payments received by service members, police officers, rank-and-file and commanding officers of the State Criminal Enforcement Service, the State Emergency Service of Ukraine, the **tax police**, the NABU, the SBI and employees of the Court Security Service are defined by the Procedure approved by Government Resolution No. 44.[3108]

Following the liquidation of the tax police and the establishment of the ESBU, the relevant amendments were not made to this legal act. This currently prevents ESBU staff from receiving **PIT compensation, which amounts to 18% of their remuneration**. The ESBU developed a draft of the necessary amendments to Government Resolution No. 44, but it was not supported by the MoJ, the Ministry of Economy, Environment and Agriculture of Ukraine and the Ministry of Finance of Ukraine (MoF). The MoF's position is that the Government Resolution is a secondary legal act, while the list of entities eligible for personal income tax compensation in the Tax Code of Ukraine does not inc-

3101 On the Establishment of Territorial Bodies of the Economic Security Bureau: Resolution of the Cabinet of Ministers of Ukraine No. 1135 of 03.11.2021. ↗

3102 On the State Budget of Ukraine for 2026: Law of Ukraine No. 4695-IX of 03.12.2025. ↗

3103 Action Plan of the Economic Security Bureau of Ukraine in Response to the Accounting Chamber Decision No. 22-1 of 23 September 2025 'On Consideration of the Report on the Results of the Compliance Audit "Countering Offences That Undermine the Functioning of the State Economy"'. Economic Security Bureau of Ukraine. ↗

3104 On Amendment to Annex 1 to Resolution of the Cabinet of Ministers of Ukraine No. 85 of 5 April 2014: Resolution of the Cabinet of Ministers of Ukraine No. 1681 of 17.12.2025. ↗

3105 ESBU Staffing Levels: Information on the Appointment and Dismissal of Employees and Vacancies in the ESBU Central Office in 2026. Economic Security Bureau of Ukraine. 2026. ↗

3106 Issues of Awarding Special Ranks of the Economic Security Bureau and Their Correlation with Other Special Ranks and Military Ranks: Resolution of the Cabinet of Ministers of Ukraine No. 66 of 21.01.2026. ↗

3107 Fairness in the Awarding of Special Ranks in the ESBU Restored. Economic Security Bureau of Ukraine. ↗

3108 On Approval of the Procedure for Paying Monthly Monetary Compensation for Amounts of Personal Income Tax Withheld from Monetary Allowance, Monetary Rewards and Other Payments Received by Service Members, Police Officers and Rank-and-File and Commanding Officers: Resolution of the Cabinet of Ministers of Ukraine No. 44 of 15.01.2004. ↗

lude the ESBU, but only the tax police, which has long ceased to exist. In other words, the comments are essentially that the Tax Code of Ukraine does not provide for compensation of personal income tax withheld from remuneration, monetary rewards and other payments received by persons holding ESBU special ranks. Therefore, the priority should be to amend tax legislation.[3109]

However, it should be noted that the provision of the Tax Code of Ukraine relied on by the ministries in their comments also contains no references,[3110] for example, to the NABU or the Court Security Service, which are mentioned in Government Resolution No. 44 and whose employees therefore receive PIT compensation.

Another factor affecting the filling of vacant ESBU positions is the understated base used to calculate official salaries. The sectoral laws regulating the activities of the ESBU, the NABU and the SBI set the official salaries of employees of these bodies in relation to the subsistence minimum for able-bodied persons established by the State Budget as of 1 January of the relevant year. For example, the following official salaries are established for detectives: 21 subsistence minimums for ESBU detectives,[3111] 19 subsistence minimums for NABU detectives[3112] and 20 subsistence minimums for SBI investigators and inquiry officers. However, due to the specific provisions of the State Budget laws for 2025 and 2026, the base for calculating the official salaries of NABU and SBI employees is set at UAH 3,028, while for ESBU employees it is set at UAH 2,102.[3113] This creates less attractive conditions for recruiting highly qualified specialists to the ESBU.

Strengthening Analytical Capacity

As stated in the ESBU activity report for 2025,[3114] the work of information and analytical units focuses on priority tasks related to identifying risks in the budgetary, tax, customs, monetary, credit and investment sectors of the economy that may lead, or are already leading, to the commission of offences. Work is ongoing to expand access to databases held by state bodies, and 19 proposals have been submitted to amend legal acts to eliminate the preconditions for creating schemes of unlawful activity in the economic sphere.

In its work, the ESBU is guided by the OECD's 'Ten Global Principles for Fighting Tax Crime'[3115] — a comprehensive guide setting out legal, institutional and operational measures for the effective detection, investigation and punishment of economic crimes.

3109 Action Plan of the Economic Security Bureau of Ukraine in Response to the Accounting Chamber Decision No. 22-1 of 23 September 2025 'On Consideration of the Report on the Results of the Compliance Audit "Countering Offences That Undermine the Functioning of the State Economy"', para. 2. Economic Security Bureau of Ukraine. ↗

3110 Tax Code of Ukraine No. 2755-VI of 02.12.2010, para. 168.5 Article 168. ↗

3111 On the Economic Security Bureau of Ukraine: Law of Ukraine No. 1150-IX of 28.01.2021, Part 3 Article 31. ↗

3112 On the National Anti-Corruption Bureau of Ukraine: Law of Ukraine No. 1698-VII of 14.10.2014, Part 4 Article 23. ↗

3113 As a result of multiplying the calculation base by the relevant coefficient, official salaries as of 1 July 2026 are: UAH 44,142 for ESBU detectives, UAH 75,878 for detectives of the NABU and UAH 60,560 for SBI investigators and inquiry officers.

3114 Report on the Activities of the Economic Security Bureau of Ukraine for 2025, p. 10. ↗

3115 Fighting Tax Crime: The Ten Global Principles — Second Edition. OECD Publishing, Paris, 2024. ↗

These principles focus on expanding powers, international cooperation, protecting taxpayers' rights and combating professionals who enable crime.

Improvements in the ESBU's analytical work are also evidenced by the results presented by the ESBU Director to the Verkhovna Rada Committee on Anti-Corruption Policy.[3116] These include, for example, analytically identifying the level of the shadow turnover of iPhones and its subsequent reduction, as well as introducing satellite monitoring of tobacco crops, which makes it possible to detect illegal cultivation.

Improving Procedural Mechanisms

In **June 2026, the ESBU established a working group to develop a new mechanism for the pre-trial settlement of tax-related criminal offences**.[3117] Its members include the Agency for Legislative Initiatives, as well as representatives of the ESBU, the Prosecutor General's Office, the Business Ombudsman Council, the American Chamber of Commerce in Ukraine, the European Business Association, the Ukrainian Bar Association, the Ukrainian National Committee of the International Chamber of Commerce (ICC Ukraine), the Serhiy Nyzhnyy Kyiv School of Public Administration and representatives of other expert organisations and institutions. The participants will develop amendments to the CC and CPC of Ukraine and other legislative acts to introduce a mechanism for settling such offences. The proposals developed will subsequently be submitted to the Government for consideration.

Strategic Development

The ESBU Development Strategy until 2027 was approved on 1 January 2024.[3118] It provides for strengthening the Bureau's analytical capacity to effectively identify risks in the budgetary, tax, customs, monetary, credit and investment sectors, as well as to provide professional support for pre-trial investigations in these areas; protecting the economic interests of the state and business, as well as the funds of international investors and donors; effectively combating economic crime; improving the internal management and control system; strengthening international partnerships in the field of economic security and other measures.

This Strategy is to be implemented through the development of a corresponding action plan, information on which is currently not publicly available. In addition, the document does not reflect the vision of the ESBU's new leadership regarding the Bureau's strategic development. In March–April 2026, the ESBU was due to publish an updated Institutional Development Strategy;[3119] however, as of 31 July, neither the document nor its draft had been published.

3116 Meeting of the Committee on Anti-Corruption Policy of 10.02.2026 at 15:00. YouTube Channel of the Committee on Anti-Corruption Policy, 17:18. ↗

3117 The relevant working group was established by ESBU Order No. 301 of 22.06.2026. For details, see: Pre-Trial Settlement of Tax Crimes: ALI Joined the Working Group. Agency for Legislative Initiatives, 2026. ↗

3118 On Approval of the Institutional Development Strategy of the Economic Security Bureau of Ukraine until 2027: Order of the Economic Security Bureau of Ukraine No. 1 of 01.01.2024. ↗

3119 'Relaunch' of the ESBU: Can the Institution Shed the Legacy of the Tax Police — and When? Dzerkalo Tyzhnia, 2026. ↗

The Rule of Law Roadmap and the OAS Action Plan[3120] also provide for measures relating to the ESBU's strategic development, strengthening the Bureau's analytical and staffing capacity and enhancing its international cooperation in combating economic crime.

Recommendations[3121]

1. Parliament should adopt Draft Law No. 14207-1 after it has been revised to take into account expert comments.

2. Amend the Law of Ukraine 'On the Economic Security Bureau of Ukraine' to remove the 10-year restriction on holding ESBU positions for persons who failed attestation, provided they meet the integrity criterion, and to allow persons who did not achieve the passing score in the general ability and knowledge-of-legislation tests but meet the integrity criterion to be transferred to lower-level positions.

3. Increase the transparency of attestation procedures by publishing the minutes of attestation commission meetings and summarised results of each stage of attestation.

4. Ensure that the secretariats of the attestation commissions have sufficient resources for effective interaction between members of the attestation commissions and ESBU staff undergoing attestation, including by eliminating the risk of technical failures during interviews and ensuring uninterrupted interpretation of all attestation commission meetings into Ukrainian;

5. After the completion of attestation, introduce an external and internal evaluation system for the ESBU and its staff, including key performance indicators unified with those of other law enforcement agencies, taking into account the Bureau's specialisation.

6. Ensure sufficient funding for the ESBU's activities, taking into account the plan for the phased establishment of 15 territorial units of the Bureau.

7. Mechanisms should be ensured for reimbursing personal income tax to employees holding ESBU special ranks, and discrepancies between the bases for calculating the official salaries of ESBU employees and employees of other law enforcement agencies should be eliminated.

8. The ESBU should update the ESBU Development Strategy until 2027, taking into account current challenges.

9. The ESBU should ensure the development of analytical approaches in its activities, by introducing profiles of detective-analysts, using criminal analysis tools and integrating with databases and data banks of European and other foreign countries.

10. Eliminate competition between the economic and financial elements of criminal offences under the investigative jurisdiction of the ESBU, the NPU and the NABU.

3120 On Approval of the Action Plan for the Implementation of the Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027: Order of the Cabinet of Ministers of Ukraine No. 792 of 23.08.2024. ↗

3121 Some of the recommendations were previously provided by civil society in the Shadow Report 2025, p. 643, and remain relevant.

11. Strengthen procedural supervision over the ESBU's activities within the prosecution service, primarily by establishing a Specialised Economic Prosecutor's Office, modelled on the Specialised Environmental Prosecutor's Office and the Specialised Prosecutor's Office in the Defence Sector.

12. Ensure the development of alternative measures for resolving criminal law conflicts, such as improving the 'tax compromise', to be applied at the pre-trial stage of criminal proceedings during the investigation of certain categories of criminal offences, primarily those of a financial nature.

Legislative and Institutional Challenges in the Field of Financial Investigations

Progress and issues

From September 2025 to July 2026, *limited progress* was observed in the fulfilment of European integration commitments concerning the investigation of financial crimes.

Institutional Capacity of Law Enforcement Agencies to Effectively Investigate Financial Crimes

The Rule of Law Roadmap provides for the development and approval by the Government of the *Financial Investigation Strategy and its Action Plan* in the second quarter of 2026. This document will be an important strategic step towards improving the effectiveness of pre-trial investigations and court proceedings in financial criminal offences. The Strategy should update approaches to financial investigations, improve information exchange among public authorities, strengthen law enforcement agencies' capacity to trace illicit assets and expand international cooperation. Particular emphasis should be placed on improving mechanisms for tracing, seizing and recovering illegally obtained funds and property.

According to the MoIA,[3122] the *Strategy for Financial Investigations in the Field of Combating Criminal Offences Related to the Acquisition of Proceeds until 2028* has already been developed and is currently undergoing approval by the Government. Since June 2026, the ESBU has been responsible for finalising this document.[3123]

In addition, methodological recommendations should be developed on an ongoing basis for investigating criminal proceedings in this category, using investigative tools and establishing financial investigation teams, while access to the necessary databases and relevant resources should also be ensured. Back in 2024, a joint Order of the PGO, the MoIA, the SSU, the SBI, the NABU and the ESBU approved the *Procedure for Organising and Conducting Pre-Trial Investigations of Crimes Resulting in the Acquisition of Property or Income*.[3124] The Procedure defines the framework for interagency coopera-

3122 Information presented within the work of the Coordination Council.

3123 ESBU Will Coordinate the Finalisation of the Draft Financial Investigations Strategy. Economic Security Bureau of Ukraine, 2025. ↗

3124 On Approval of the Procedure for Organising and Conducting Pre-Trial Investigations of Crimes Resulting in the Acquisition of Property or Income: Order of the Prosecutor General's Office, the Ministry of Internal Affairs of Ukraine, the Security Service of Ukraine, the State Bureau of Investigation, the National Anti-Corruption Bureau of Ukraine and the Economic Security Bureau of Ukraine No. 254/724/520/401/177/185 of 28.10.2024. ↗

tion in financial investigations, but it is not a methodological recommendation or investigative algorithm. It therefore only creates the precondition for implementing the relevant measure.

In 2025, the **NABU joined the General Secretariat of Interpol's pilot project 'Silver Notice'**,[3125] aimed at identifying and tracing criminal assets. This will make it possible to search for information on proceeds of crime and assets of criminal or otherwise unlawful origin, including fraud, corruption, money laundering and other serious crimes, with a view to their subsequent seizure and/or confiscation. **In early 2026, two Silver Notices were published at the request of the NABU.**[3126] This tool became operational in 2024 as a pilot project following the establishment of the Interpol Financial Crime and Anti-Corruption Centre and the launch of the Financial Crime Analysis File (FinCAF) analytical platform, based on a 2023 decision of the 91st General Assembly of Interpol member countries.[3127]

Under the new staffing table,[3128] **all ESBU detectives** conduct **financial analysis** when carrying out pre-trial investigations in criminal proceedings falling within their investigative jurisdiction. For the purposes of FATF Recommendation 30,[3129] this constitutes the conduct of financial investigations. In addition, a dedicated **Financial and Analytical Investigations Unit has been established within the ESBU Department for Information Analysis and Risk Management.**[3130]

Legislative Amendments

At the same time, at the legislative level, the issue of delineating the investigative jurisdiction of pre-trial investigation bodies in financial investigations, including predicate offences, remains relevant. The OAS Action Plan provides for a clear delineation of investigative jurisdiction among pre-trial investigation bodies and the consolidation of law enforcement powers to investigate offences that undermine the functioning of the state economy within a single body — the ESBU, with the exception of criminal offences under the investigative jurisdiction of the NABU.[3131] This step was to be taken in the fourth quarter of 2025.

According to the MoIA, the relevant **draft law 'On Amendments to the Criminal Procedure Code of Ukraine to Improve the Institution of Investigative Jurisdiction' was developed** by the PGO and sent to the Head of the Verkhovna Rada Committee

3125 'Silver Notice' is an instrument designed to identify and trace unlawful financial activity, focusing on suspicious transactions and financial flows that indicate money laundering.

3126 According to information from sources of the Agency for Legislative Initiatives within the work of the European integration working groups under the Ministry of Justice of Ukraine.

3127 Resolution GA-2023-91-RES-11. ↗

3128 The staffing table of the ESBU central office for 2026 was approved by Letter of the Ministry of Finance of Ukraine No. 10020-24-10/5071 of 19.02.2026. By ESBU Order No. 66 of 20.02.2026, the staffing table of the ESBU central office for 2026, approved by the ESBU Director, was put into effect. ↗

3129 Financial Action Task Force (FATF).

3130 On the Announcement of Competitive Selection for Vacant Positions in the Central Office of the Economic Security Bureau of Ukraine: Order of the Economic Security Bureau No. 71 of 23.02.2026. ↗

3131 Action Plan for the Implementation of the Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027: Order of the Cabinet of Ministers of Ukraine No. 792 of 23.08.2024, measure 3.2.1. ↗

to resolve the issue of submitting it to the Verkhovna Rada for consideration.[3132] However, this draft law has still not been submitted to Parliament, making it impossible to assess its content.

In terms of *improving criminal statistics*, it should be noted that, on 15 September 2025, Order of the Prosecutor General's Office No. 294[3133] amended the Regulation on the URPTI by **providing for the possibility of entering into the URPTI information on financial investigations conducted in completed criminal proceedings in which property or income was obtained as a result of the offence**. Based on the information entered into the URPTI by registrars of the information system, information on completed criminal proceedings in which a financial investigation was conducted is separately identified in the reporting on the work of all pre-trial investigation bodies.

In the new version of the Regulation, the *concept of financial investigation* is defined in procedural terms. It is a set of investigative/search actions, covert investigative/search actions (CISA) and other procedural actions carried out within the framework of a pre-trial investigation of a crime resulting in the acquisition of property or income, aimed at identifying such property, tracing its movement, change of form, concealment of origin, conversion, valuation and seizure, with a view to using the evidence collected in accordance with the procedure provided for by the CPC of Ukraine and applying confiscation or special confiscation. Thus, the measure under the Rule of Law Roadmap providing for the introduction of recording financial investigations conducted in the URPTI, with a deadline of the fourth quarter of 2025, was **implemented on time**.

There has been no progress on **Draft Law No. 12439 on business protection**,[3134] as it is still under consideration by the Verkhovna Rada. In the updated comparative table for the second reading, the key problems remain unresolved, namely: 1) granting executive authorities the possibility to determine, in certain cases, what constitutes a criminal offence and what does not, by issuing clarifications and 2) narrowing the ESBU's autonomy in relation to criminal offences under Article 191 of the Criminal Code of Ukraine (CC of Ukraine) that fall within its investigative jurisdiction. In the 2025 EU Enlargement Package Report,[3135] the European Commission notes that these amendments are 'controversial' and that, if adopted, they 'could undermine the effectiveness of financial and criminal investigations into economic crimes, as well as the independence of the ESBU in conducting investigations'. A full analysis of Draft Law No. 12439 was also published by representatives of the expert community in September 2025.[3136]

Recommendations

1. Approve the Strategy for Financial Investigations in the Field of Combating Criminal Offences Related to the Acquisition of Proceeds and its Action Plan.

3132 Information presented within the work of the Coordination Council.

3133 On Approval of Amendments to the Regulation on the Unified Register of Pre-Trial Investigations and the Procedure for Its Formation and Maintenance, Approved by Order of the Prosecutor General No. 298 of 30.06.2020 (as amended by Order No. 231 of 17.08.2023, as further amended): Order of the Prosecutor General's Office No. 294 of 15.09.2025. ↗

3134 On Amendments to the Criminal Procedure Code of Ukraine to Improve Guarantees for the Protection of Business Entities during Criminal Proceedings: Draft Law of Ukraine, registration No. 12439 of 24.01.2025. ↗

3135 Ukraine 2025 Report. Communication on EU Enlargement Policy, p. 49. ↗

3136 'Business Protection' and Pressure on the ESBU: Analysis of Draft Law No. 12439. Agency for Legislative Initiatives, 2025. ↗

2. Develop methodological guidelines, namely pre-trial investigation standards, on conducting financial investigations, which should serve as a basis for improving the qualifications of investigators and detectives who conduct financial investigations.

3. Consolidate law enforcement powers to investigate offences that undermine the functioning of the state economy within a single body — the ESBU — thereby implementing measure 3.2.1 of the OAS Action Plan.

4. Refrain from adopting legislative amendments that limit the procedural independence of the ESBU and jeopardise the effective investigation of financial criminal offences, primarily Draft Law No. 12439 in the version proposed for Parliament's second reading as of 11 March 2026.

Alignment of National Legislation with European Union Acts on the Prevention of Currency Counterfeiting

Progress and issues

Following a moderate increase in 2024, the **level of counterfeiting of foreign currency banknotes in Ukraine decreased by approximately a quarter in 2025**. Among counterfeit foreign currency banknotes withdrawn from circulation in 2025, euro banknotes accounted for only 7%, specifically EUR 200, EUR 100 and EUR 50 banknotes.[3137]

According to judicial statistics,[3138] during 2018–2025, local courts received an average of 63 criminal proceedings under Article 199 of the CC of Ukraine,[3139] which **does not exceed 7.7% of the total number of criminal proceedings concerning economic offences received by courts during this period**.

Under the CPC of Ukraine, powers to conduct pre-trial investigations in this category of proceedings are assigned to the ESBU.[3140] In 2025, ESBU detectives conducted pre-trial investigations in 356 proceedings under this Article of the CC of Ukraine,[3141] amounting to 5.7% of the total number of offences in the field of economic activity investigated by the ESBU. Overall, since 2016, there has been a significant decrease in registered criminal proceedings under Article 199 of the CC of Ukraine.[3142]

3137 The Level of Counterfeiting of National Currency Banknotes Decreased Threefold. National Bank of Ukraine, 2026. ↗

3138 Reporting on the State of Administration of Justice by Local and Appellate Courts. Judicial Statistics. ↗

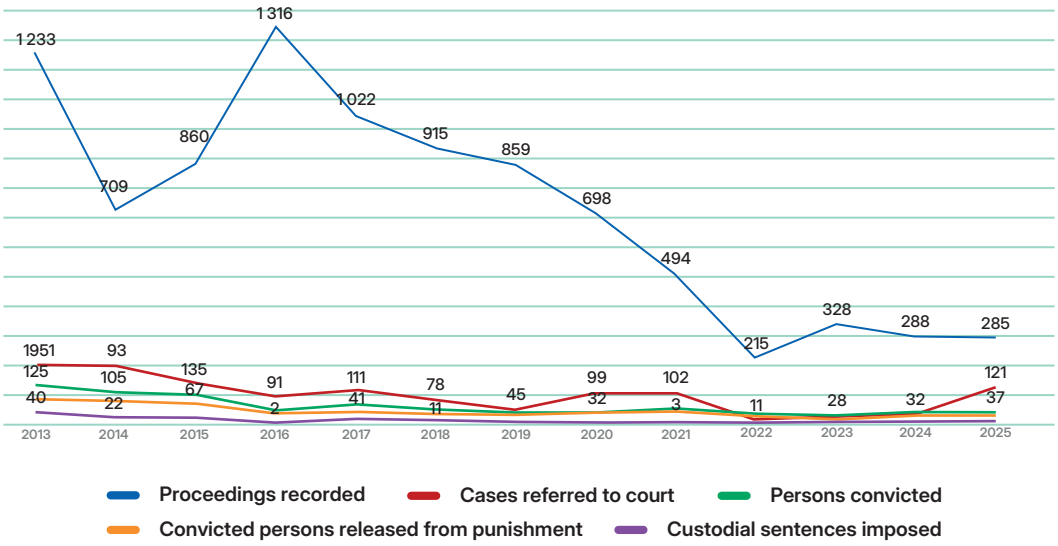
3139 Article 199 of the CC of Ukraine establishes liability for the manufacture, storage, acquisition, transportation, sending, import into Ukraine for the purpose of use in the sale of goods, passing of counterfeit money, state securities in paper form, state lottery tickets, excise tax stamps or holographic security elements. ↗

3140 Criminal Procedure Code of Ukraine No. 4651-VI of 13.04.2012, Part 3 Article 216. ↗

3141 Report on the Activities of the Economic Security Bureau of Ukraine for 2025. Economic Security Bureau, 2026, p. 30. ↗

3142 Article 199. Manufacture, storage, acquisition, transportation, sending, import into Ukraine for the purpose of use in the sale of goods, passing of counterfeit money, state securities existing in paper form, state lottery tickets, excise tax stamps or holographic security elements. CrimeDataLab. Crime Counteraction Statistics in Ukraine (2013–2025). ↗

Recorded, referred to court, convicted. Article 199. Manufacture, storage, acquisition, transportation, shipment or import into Ukraine for the purpose of use in the sale of goods, or sale, of counterfeit money, government securities in paper form, state lottery tickets, excise tax stamps or holographic security elements



There has been almost no progress in aligning national legislation with the EU acquis.

The Rule of Law Roadmap[3143] provides that, no later than the fourth quarter of 2026, Ukraine should develop and adopt laws aimed at ratifying the International Convention for the Suppression of Counterfeiting Currency,[3144] signed in Geneva on 20 April 1929, as well as implementing EU acquis acts in the field of combating currency counterfeiting.

It is also **necessary to amend criminal liability legislation to align the provisions on liability for the manufacture, passing and handling of counterfeit currency with Directive 2014/62/EU**.[3145]

Article 199 of the CC of Ukraine establishes liability for the manufacture, storage, acquisition, transportation, sending, import into Ukraine and passing of counterfeit currency in the form of imprisonment for a term of three to seven years. Under Directive 2014/62/EU, the minimum term of imprisonment for the manufacture or passing of currency must be eight years. In addition, Directive 2014/62/EU provides that the unlawful use of legal facilities or materials of authorised printing works or mints for producing unauthorised banknotes and coins for fraudulent purposes must be criminalised. It also provides for criminal liability of legal persons for offences related to currency counterfeiting.

During the period under analysis, the relevant draft laws were not submitted to the Verkhovna Rada. At the same time, in late 2025, the ESBU completed the development and approval with the relevant public authorities of a **draft law aimed at ratifying the International Convention for the Suppression of Counterfeiting Currency**.[3146]

3143 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

3144 International Convention for the Suppression of Counterfeiting Currency of 20.04.1929. ↗

3145 Directive 2014/62/EU of the European Parliament and of the Council of 15 May 2014 on the protection of the euro and other currencies against counterfeiting by criminal law and replacing Council Framework Decision 2000/383/JHA. ↗

3146 Report on the Activities of the Economic Security Bureau of Ukraine for 2025. Economic Security Bureau, 2026, p. 54. ↗

On 16 March 2026, the ESBU submitted proposals[3147] to the MFA on the ratification of the International Convention and its Protocol for their submission, in accordance with the established procedure, to the President of Ukraine. These proposals included the Draft Law of Ukraine 'On Ukraine's Accession to the International Convention for the Suppression of Counterfeiting Currency, signed in Geneva on 20 April 1929, and the Protocol thereto' and the Draft Law of Ukraine 'On Amendments to the Criminal Code and the Criminal Procedure Code of Ukraine in Connection with Ukraine's Accession to the International Convention for the Suppression of Counterfeiting Currency, signed in Geneva on 20 April 1929, and the Protocol thereto', as well as the relevant supporting documents to these draft laws required by the Law of Ukraine 'On International Treaties of Ukraine'. In May 2026, the relevant documents were submitted to the President for consideration.[3148]

Some progress has been observed in interagency cooperation. The ESBU concluded a memorandum with the National Bank of Ukraine (NBU) providing for cooperation in combating the counterfeiting of banknotes and coins and harmonising national procedures with the requirements of EU legislation.[3149]

Recommendations

1. Ratify the International Convention for the Suppression of Counterfeiting Currency and its Protocol.

2. Amend the CC of Ukraine to establish liability for the manufacture and use of materials or equipment intended for currency counterfeiting.

3. Establish criminal liability of legal persons for offences related to currency counterfeiting.

4. Harmonise national legal acts with Directive 2014/62/EU regarding the systematic analysis of currency counterfeits and the technical analysis of counterfeit banknotes at the early stages of investigation.

Anti-Money Laundering. Politically Exposed Persons

Progress and issues

In 2025, the fourth National Risk Assessment (NRA) was launched. The updated NRA Methodology was approved in December 2024,[3150] and the NRA plan was approved by

3147 Measure 2.1. Development and Adoption of a Law Aimed at Ratifying the International Convention for the Suppression of Counterfeiting Currency, signed in Geneva on 20 April 1929. Economic Security Bureau of Ukraine. ↗

3148 Ibid.

3149 Report on the Activities of the Economic Security Bureau of Ukraine for 2025. Economic Security Bureau, 2026, p. 48. ↗

3150 Methodology for the National Risk Assessment of Money Laundering, Terrorist Financing and Financing of the Proliferation of Weapons of Mass Destruction in Ukraine, approved by the Council on Preventing and Countering the Legalisation (Laundering) of Criminal Proceeds, Terrorist Financing and Financing of the Proliferation of Weapons of Mass Destruction (minutes of meeting No. 2 (18) of 26.12.2024). ↗

the Working Group on 28 February 2025.[3151] As of the end of July 2026, the NRA had not been published. The most recent published NRA dates back to 2019, while the 2022 NRA, pursuant to a decision of the Council on Preventing and Countering the Legalisation (Laundering) of Criminal Proceeds, Terrorist Financing and the Financing of the Proliferation of Weapons of Mass Destruction,[3152] will not be published until martial law is lifted.

The MoF provided substantial comments on the draft Fourth NRA Report, submitted by the SFMS for approval to the central executive authorities concerned, due to methodological incompleteness, in particular its non-compliance with the requirements of the NRA Methodology, the absence of mandatory components for identifying threats, vulnerabilities and consequences for all risks and the absence of a summary table describing the risks and determining their levels.[3153] At the same time, the sectoral risk assessments in the draft NRA prepared by regulators — the NBU, the National Securities and Stock Market Commission and others — were generally prepared in line with the established Methodology and were of sufficient quality. In particular, the NBU conducted a survey of the entire set of entities under its supervision.[3154] At the end of 2025, sectoral risk assessments were discussed at the relevant conference.[3155]

An analysis of the NRA subsection included in the draft Fourth NRA Report and devoted to assessing the risks of misuse of the non-profit sector revealed a number of methodological inconsistencies that the expert community had already highlighted in February 2026 and which remained unaddressed in the revised version. In particular, isolated indicators (less than 1% of organisations) are characterised as 'systemic'; the forced inactivity of non-profit organisations (NPOs) in temporarily occupied and frontline territories (51,632 organisations) is interpreted as a vulnerability of the sector to money laundering, terrorist financing and/or proliferation financing (AML/CTF), although it is caused by the Russian Federation's armed aggression rather than structural risks; conclusions regarding a high or medium threat level for charitable and civic organisations are inconsistent with the document's own evidence base (confirmed cases account for 0.03–0.44%) and contradict the conclusions of CEDEM's independent study[3156] that threats and vulnerabilities are low.

The vulnerabilities independently identified by CEDEM are predominantly structural or procedural in nature and do not indicate the systemic use of the sector for unlawful activities. In addition, the NRA does not fully correlate the 1,470 recorded discrepancies in information on UBOs with the overall size of the sector, does not analyse the number of final convictions and does not distinguish technical or methodological errors in the submission of information from intentional concealment of control — although the for-

3151 Indicative Plan for Conducting the National Risk Assessment, approved by the Working Group on Conducting the National Risk Assessment of 28.02.2025. ↗

3152 Information on the Publication of the Report on the Conduct of the National Risk Assessment (2022). State Financial Monitoring Service of Ukraine, 2024. ↗

3153 Information provided by a representative of the Ministry of Finance of Ukraine during an interview conducted on 25.03.2026.

3154 Ibid.

3155 International Financial Monitoring Forum Brings Together State Authorities and International Partners. Ministry of Finance of Ukraine, 2025. ↗

3156 Centre for Democracy and Rule of Law.

mer is the more likely explanation for most discrepancies. The level of risk assigned to public associations and charitable organisations also remains disproportionate: given that the NRA itself recognises NPOs as key implementers of humanitarian programmes under martial law, classifying the risk level for these organisations as 'medium' requires convincing analytical substantiation, which is absent from the draft.[3157]

A systemic methodological problem in the SFMS's coordination of the 2025 NRA is the use of flawed logic: the absence of data on risks in a particular area is automatically classified as an indicator of 'increased risk', which directly contradicts FATF standards.[3158] If a risk assessment is based on unverified and internally contradictory conclusions, it cannot serve as a reliable basis for regulatory decisions concerning NPOs.

The failure to complete the NRA within the prescribed deadlines poses not only a quality-related risk but also a direct financial threat, since completion of the fourth NRA is a condition for receiving funding under the Ukraine Facility.[3159] According to available information, the officials responsible for preparing the NRA learned of these financial implications not in advance but only at a public event — which indicates insufficient interagency coordination.[3160]

In 2025, the SFMS processed and recorded 1,953,807 reports of financial transactions subject to financial monitoring, including 1,627,524 reports of threshold transactions and 320,279 reports of suspicious financial transactions. Compared with 2024, when 1,750,940 reports were submitted, this represents an increase of 11.6%, indicating that the upward trend continued, although its pace slowed compared with the 22.5% increase recorded in 2023–2024. The structure of reports by type of primary financial monitoring entities (PFMEs) remains extremely uneven: banks submitted 1,923,619 reports, while all non-bank institutions together submitted around 30,000 reports.[3161] Ukraine's primary financial monitoring system therefore continues to be bank-centred: the low level of detection of suspicious transactions in non-bank segments remains an unresolved and systemic problem.

In February 2026, following another postponement, an order of the MoF[3162] entered into force introducing a new classification of reports. This order introduces reporting on cases involving suspicious customer activity instead of reporting on individual transactions, as well as new types of reports and an electronic cabinet for PFMEs. However, as it entered into force only after the end of the 2025 reporting year, it was

3157 Analytical Opinion on the Section Assessing the Risks of Misuse of the Non-Profit Sector in the Field of AML/CTF within the National Risk Assessment. NGO 'Centre for Democracy and Rule of Law', 2025. The Analytical Opinion was not published for the general public but was provided upon request to Transparency International Ukraine.

3158 Information provided by experts of the NGO 'Centre for Democracy and Rule of Law' during an interview conducted on 17.03.2026.

3159 European Financial Support at Risk: State Financial Monitoring Service Ignores the Ukraine Facility. Dzerkalo Tyzhnia. 2026. ↗

3160 Information provided by experts of the NGO 'Centre for Democracy and Rule of Law' during an interview conducted on 17.03.2026.

3161 Comprehensive Administrative Reporting in the Field of Preventing and Countering the Legalisation (Laundering) of Criminal Proceeds, Terrorist Financing and Financing of the Proliferation of Weapons of Mass Destruction for 2025. State Financial Monitoring Service of Ukraine. ↗

3162 On Amendments to Certain Orders of the Ministry of Finance of Ukraine: Order of the Ministry of Finance of Ukraine No. 667 of 30.12.2025. ↗

impossible to accumulate structured statistics by type of suspicion.[3163] Thus, during 2025, the SFMS did not maintain structured records of suspicious transactions by type, such as laundering or terrorist financing, which makes high-quality strategic analysis impossible.

In 2025, the SFMS prepared and transmitted 1,441 case files to law enforcement and intelligence agencies, including 1,051 generalised case files and 390 additional case files — a significant increase compared with 2024, when 1,053 case files were transmitted, or +36.8%. At the same time, the structure of recipient agencies changed substantially: while in 2024 the largest number of generalised case files was transmitted to the NABU (156), in 2025 they were transmitted mainly to the ESBU (513) and the NPU (314), whereas the NABU received only 30 generalised case files, a decrease of 80.8%.[3164]

At the same time, the effectiveness of law enforcement agencies' response to the transmitted case files remains critically low. According to the SFMS, the value of suspicious financial transactions identified in generalised case files and additional generalised case files prepared by the SFMS and transmitted to law enforcement and intelligence agencies amounts to UAH 272.745 billion, while the value of property (funds) seized in criminal proceedings referred to court, which were initiated on the basis of or made use of generalised case files/additional generalised case files, amounts to UAH 2,966.17 million, or 1%. Of this amount, the value seized for the purpose of special confiscation is zero.

The value of laundered proceeds (funds or other property) derived from crime is even lower, as established by a court judgment following the consideration of criminal proceedings initiated based on generalised case files or with their use: UAH 19.87 million. The value of confiscated property is UAH 64,970.[3165] At the same time, the SJA report indicates that the amount to which confiscation or special confiscation was applied is UAH 64.9 million,[3166] which points to discrepancies between the reports that require a separate explanation. Investigations into money laundering cases are dynamic, and the outcome of court proceedings does not appear in the same year in which the SFMS transmitted generalised case files/additional generalised case files to law enforcement and intelligence agencies. However, the overall trend is indicative.

In 2025, the SFMS sent 455 requests to foreign financial intelligence units,[3167] compared with 621 in 2024, a decrease of 26.7%. Given the need to trace assets moved abroad in connection with the full-scale war, such a decrease is a negative signal.

3163 Comprehensive Administrative Reporting in the Field of Preventing and Countering the Legalisation (Laundering) of Criminal Proceeds, Terrorist Financing and Financing of the Proliferation of Weapons of Mass Destruction for 2025. State Financial Monitoring Service of Ukraine. ↗

3164 Ibid.

3165 Ibid.

3166 No. 1-It Report of Courts on the Status of Consideration of Cases concerning Crimes Related to the Legalisation (Laundering) of Criminal Proceeds, Terrorist Financing and Financing of the Proliferation of Weapons of Mass Destruction for 2025. Judiciary of Ukraine. ↗

3167 Comprehensive Administrative Reporting in the Field of Preventing and Countering the Legalisation (Laundering) of Criminal Proceeds, Terrorist Financing and Financing of the Proliferation of Weapons of Mass Destruction for 2025. State Financial Monitoring Service of Ukraine. ↗

Statistics on the results of investigations into criminal proceedings concerning criminal offences related to the legalisation (laundering) of property derived from crime, terrorist financing and the proliferation of weapons of mass destruction remain almost unchanged compared with the previous year. In 2025, a total of 3,454 criminal proceedings under Article 209 of the CC of Ukraine were investigated, compared with 3,187 in 2024. A total of 594 indictments and motions for the application of compulsory medical or educational measures were submitted to court, compared with 496 in 2024. This accounted for 17% of the proceedings investigated, compared with 16% in 2024. In 2025, 274 criminal proceedings were closed, compared with 248 in 2024. This accounted for 8% of the proceedings investigated, the same as in 2024. At the same time, the number of criminal proceedings initiated based on SFMS materials decreased from 93 in 2024 to 87 in 2025.[3168]

Information on the criminal offences that preceded the legalisation (laundering) of property derived from crime, that is predicate offences under Article 209 of the CC of Ukraine, raises doubts about the quality of investigations. Of the 1,918 criminal offences investigated in 2025, the predicate offences were criminal offences against property, with fraud accounting for the largest share — 955; criminal offences in the field of economic activity — 376; and criminal offences involving narcotic drugs, psychotropic substances, their analogues or precursors and other criminal offences against public health — 240. By contrast, criminal offences in the sphere of official activity and professional activity related to the provision of public services were predicate offences in only 90 cases, or around 5%.[3169]

The results of court proceedings improved in quantitative terms. In 2025, a total of 311 criminal cases were examined, and 247 judgments were delivered under Article 209 of the CC of Ukraine, compared with 241 cases examined and 164 judgments delivered in 2024. This means that 79% of cases ended with a judgment, compared with 68% in 2024. Under the same article, in 2025 courts examined cases concerning 392 persons, of whom 271 were convicted and 188 were released from serving their sentence on probation. In 2024, courts examined cases concerning 297 persons, of whom 157 were convicted and 104 were released from serving their sentence on probation. This means that 69% of the persons whose cases were examined were convicted, and that 69% of convicted persons were released from serving their sentence on probation. In 2024, the corresponding figures were 53% and 66%.[3170]

The Deputy Head of the Analytical and Legal Department of the Office of the Supreme Court (SC) drew attention to the trends and challenges in the consideration of money laundering cases, noting that despite positive quantitative dynamics in this area, four

3168 Report on the Results of Investigations into Criminal Proceedings concerning Criminal Offences Related to the Legalisation (Laundering) of Property Derived from Crime, Terrorist Financing and Proliferation of Weapons of Mass Destruction for January–December 2024. ↗; Report on the Results of Investigations into Criminal Proceedings concerning Criminal Offences Related to the Legalisation (Laundering) of Property Derived from Crime, Terrorist Financing and Proliferation of Weapons of Mass Destruction for January–December 2025. ↗

3169 Report on the Results of Investigations into Criminal Proceedings concerning Criminal Offences Related to the Legalisation (Laundering) of Property Derived from Crime, Terrorist Financing and Proliferation of Weapons of Mass Destruction for January–December 2025. ↗

3170 No. 1-It Report of Courts on the Status of Consideration of Cases concerning Crimes Related to the Legalisation (Laundering) of Criminal Proceeds, Terrorist Financing and Financing of the Proliferation of Weapons of Mass Destruction for 2024. Judiciary of Ukraine. ↗; No. 1-It Report of Courts on the Status of Consideration of Cases concerning Crimes Related to the Legalisation (Laundering) of Criminal Proceeds, Terrorist Financing and Financing of the Proliferation of Weapons of Mass Destruction for 2025. Judiciary of Ukraine. ↗

systemic problems persist.[3171] First, alongside the increase in the number of proceedings examined, the backlog of pending cases is steadily growing: from 467 in 2021 to 1,079 in 2025. Second, the duration of court proceedings is increasing due to adjournments caused by both objective factors, such as martial law, and subjective factors, such as non-appearance of participants, changes in the composition of prosecutors and motions for recusal. Third, release from serving a sentence on probation under Article 75 of the CC of Ukraine remains widespread, including in judgments based on plea agreements. Fourth, in cases under Article 209 of the CC of Ukraine, the practice of not applying confiscation of property under Article 59 of the CC of Ukraine and special confiscation remains common, which directly contradicts the purpose of criminal prosecution for money laundering.

The last two points are particularly indicative in the context of assessing the effectiveness of criminal prosecution for money laundering, as they show that a significant proportion of cases end without real punishment and without the recovery of criminal assets. This directly contradicts the purpose of countering the legalisation of criminal proceeds and raises doubts as to the deterrent effect of such prosecution.

These problems are partly covered by the Action Plan based on the results of the third NRA. Paragraph 10 of the Plan provided for the preparation of an agreed position on the advisability of amending Articles 69 and 75 of the CC of Ukraine to restrict the possibility of imposing a more lenient sentence under Article 209 of the CC of Ukraine, with a deadline for implementation set for the fourth quarter of 2025.[3172] As of the end of July 2026, there was no publicly available information on the preparation and submission of the relevant draft law to the Verkhovna Rada. Similarly, paragraphs 16 and 17 of the Action Plan provided for the preparation of a summary of the case law of the HACC by the third quarter of 2025 and an overview of the case law of the SC by the fourth quarter of 2025 in money laundering cases. No information on the implementation of these measures is available.[3173] Overall, data on the implementation of this Action Plan is not publicly available, which is a shortcoming in the implementation of public policy in this area.

As regards training for prosecution service staff, the Prosecutors' Training Centre of Ukraine reported that several training activities in the field of anti-money laundering were held in 2025. 113 prosecutors completed the distance learning course 'Conducting Financial Investigations and Prosecutorial Counteraction to the Legalisation (Laundering) of Criminal Proceeds'; and 36 prosecutors completed the training 'Procedural Supervision of Pre-Trial Investigations into Criminal Offences Related to the Legalisation (Laundering) of Property Derived from Crime'.[3174] These data indicate a certain level of training activity in the relevant area, although coverage remains limited given the overall number of prosecutors.

3171 Case Law on the Consideration of Criminal Proceedings concerning the Legalisation (Laundering) of Property Derived from Crime: General Trends and Current Issues. Supreme Observer, 2026. ↗

3172 On Approval of the Action Plan Aimed at Preventing and/or Reducing the Negative Consequences of Risks Identified Following the Third National Risk Assessment in the Field of Preventing and Countering the Legalisation (Laundering) of Criminal Proceeds, Terrorist Financing and Financing of the Proliferation of Weapons of Mass Destruction for the Period until 2026: Order of the Cabinet of Ministers of Ukraine No. 1207 of 27.12.2023. ↗

3173 Letter of the Supreme Court of 06.03.2026 No. 42/0/18-26.

3174 Letter of the Prosecutors' Training Centre of Ukraine of 17.03.2026 No. 04-13/425.

For violations of AML/CTF legislation, in 2024–2025 the NBU applied the following enforcement measures to PFMEs: three decisions to revoke licences and/or other documents, including two in 2024 and one in 2025; 163 decisions to impose fines, including 77 in 2024, of which 25 were imposed on banks and 52 on institutions, and 86 in 2025, of which 37 were imposed on banks and 49 on institutions; one decision to restrict certain types of banking operations in 2024; and 91 decisions to issue written warnings, including 47 in 2024 and 44 in 2025.[3175] The increase in the number of fines in 2025, from 77 to 86, may indicate stronger supervisory activity by the NBU. However, without data on the amounts of the sanctions imposed, it is impossible to assess their proportionality.

In 2024–2025, the NBU also received and processed 51 applications from politically exposed persons (PEPs), mostly concerning relations with banks in the provision of services and explanations of AML/CTF legislation. This number of applications does not confirm the existence of systemic discrimination. All applications were considered promptly and objectively, and the facts identified were verified.[3176]

According to experts,[3177] the non-profit sector has not recorded a significant number of cases involving violations of PEPs' rights in NPOs. The civil society sector, which is particularly sensitive to any excessive restrictions, has not experienced an additional negative impact from the current PEP regulation — largely because the requirement to provide information on PEPs is feasible, unlike many other requirements imposed by banks.

The legislation on PEP status, particularly Law No. 3419-IX,[3178] adopted as an IMF structural benchmark and as part of the seven EU requirements for opening accession negotiations with Ukraine, complies with FATF Recommendations 12 and 22[3179] and EU Directive 2015/849.[3180]

At the same time, from the beginning of 2026 some experts and public officials have raised concerns about the effectiveness of enforcement of the legislation and the existing mechanism for appealing banks' PEP-related decisions. They note that the formal sequence — obtaining an explanation from the bank, submitting a complaint to the NBU and seeking judicial protection — does not ensure the prompt restoration of PEPs' rights or provide individuals with sufficient information to pursue a meaningful appeal. The absence of a specialised out-of-court body with a rights-protection mandate, such as a financial ombudsman with real powers, means that the NBU acts both as regulator and as the only pre-litigation body to which complaints may be addressed. However, its

3175 Letter of the National Bank of Ukraine of 10.03.2026 No. 25-0010/20762.

3176 Ibid.

3177 Information provided by experts of the NGO 'Centre for Democracy and Rule of Law' during an interview conducted on 17.03.2026.

3178 On Amendments to the Law of Ukraine 'On Preventing and Countering the Legalisation (Laundering) of Criminal Proceeds, Terrorist Financing and Financing of the Proliferation of Weapons of Mass Destruction' regarding Politically Exposed Persons: Law of Ukraine No. 3419-IX of 17.10.2023. ↗

3179 International Standards on Combating Money Laundering, the Financing of Terrorism and Proliferation. The FATF Recommendations. State Financial Monitoring Service of Ukraine, 2025. ↗

3180 Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC. ↗

toolkit is designed to impose enforcement measures on banks rather than to restore clients' rights.

As a result of the growing public debate, in June 2026 the Verkhovna Rada adopted a Law (Draft Law No. 15111-d[3181]), containing provisions that change the financial monitoring regime for PEPs: after 12 months from the cessation of public functions, enhanced monitoring may continue only where a high or unacceptably high level of risk has been documented. While the logic of an individualised approach is justified, this restricts banks' discretion more than required by FATF and EU standards, which do not establish a minimum risk threshold for continued monitoring. A separate concern is the requirement to notify the client in writing that enhanced monitoring measures are being continued, which directly contradicts the existing prohibition on disclosing such information under AML/CTF legislation.[3182]

An additional concern is that the Law classifies heads of structural units of the NBU and responsible financial monitoring officers of banks with a state shareholding of more than 50% as PEPs, creating a conflict of interest: these are the very individuals who will conduct individual PEP risk assessments, while the NBU, as their employer, will approve the relevant assessment procedure. The procedural aspect is equally important: amendments to systemic AML/CTF legislation were introduced through a draft law on the taxation of digital platforms, which was voted on under an accelerated procedure under pressure from IMF requirements — an approach that precludes full public consultation.[3183] The Law is currently awaiting the President's signature.

The asymmetry of sanctions also deserves separate attention. Under current legislation, fines for an unjustified refusal to provide services to a PEP are lower — up to UAH 1.7 million — than sanctions for breaches of enhanced due diligence requirements or improper monitoring of business relationships with high-risk clients, which may reach UAH 135 million.[3184] With this incentive structure, it may be more economically rational for banks to refuse to provide services to a PEP than to accept the person as a client and assume the regulatory risks associated with potential AML/CTF breaches.

A key misunderstanding in the public debate that led to further legislative amendments is the conflation of indefinite PEP status with permanent enhanced financial monitoring. However, enhanced monitoring applies only for 12 months after leaving office. After that period, in the absence of suspicious transactions, a financial institution is required to treat the PEP as an ordinary client. Cases of unjustified refusal to provide services or the imposition of enhanced monitoring without a reasoned risk assessment should be addressed by balancing financial penalties and by strengthening the NBU's supervisory powers to ensure that banks comply with risk-based approach standards when servicing PEPs.

3181 On Amendments to the Tax Code of Ukraine and Other Legislative Acts of Ukraine Regarding the Introduction of International Automatic Exchange of Information on Income Received through Digital Platforms and Taxation of Such Income: Draft Law, registration No. 15111-d of 06.04.2026. ↗

3182 On Prevention and Counteraction to Legalisation (Laundering) of Proceeds of Crime, Financing of Terrorism and Financing of Proliferation of Weapons of Mass Destruction: Law of Ukraine No. 361-IX of 06.12.2019. ↗

3183 On Amendments to the Tax Code of Ukraine and Other Legislative Acts of Ukraine Regarding the Introduction of International Automatic Exchange of Information on Income Received through Digital Platforms and Taxation of Such Income: Draft Law, registration No. 15111-d of 06.04.2026. ↗

3184 On Preventing and Countering the Legalisation (Laundering) of Criminal Proceeds, Terrorist Financing and Financing of the Proliferation of Weapons of Mass Destruction: Law of Ukraine No. 361-IX of 06.12.2019. ↗

The Memorandum of Economic and Financial Policies, agreed by Ukraine in February 2026,[3185] as does the subsequent Memorandum of July 2026,[3186] directly obliges the NBU to strengthen AML/CTF supervision to ensure that rules and guidance on enhanced due diligence for PEP clients are applied by banks in a risk-proportionate manner and do not result in the automatic disqualification of groups of persons from access to banking services, in line with the relevant FATF standards. In addition, the two Memoranda of Economic and Financial Policies provide for amendments to the legislation of Ukraine by March 2027 to ensure that sanctions for AML/CTF breaches are effective, dissuasive and proportionate. These amendments concern banks that commit violations, not any weakening of PEP status.

In December 2025, the Government registered three draft laws with the Verkhovna Rada aimed at aligning AML/CTF legislation with international FATF standards and fulfilling the conditions required for Ukraine to join the Single Euro Payments Area (SEPA). The draft laws provide for: the creation of a Register of Accounts and Individual Bank Safes of Natural Persons, administered by the MoF, with access only for authorised state bodies through secure communication channels and covering only IBAN numbers and data on the account holder and the bank; the creation of a Register of Ultimate Beneficial Owners of Trusts and Similar Legal Arrangements; stronger protection for whistleblowers in the field of financial monitoring; the introduction of effective and proportionate sanctions for breaches of PFME requirements; and improvement of UBO verification mechanisms in line with FATF standards.[3187]

At present, within the MoF's AML policy and in light of Ukraine's aspiration to join SEPA, the adoption of the relevant legislation remains a pressing issue. Among other things, this legislation provides for the introduction of the Register of Accounts and the Register of UBOs of Trusts, which is a direct condition under the World Bank programme, the Ukraine Facility, the IMF and the Rule of Law Roadmap. As at the end of July 2026, Draft Laws Nos. 14326, 14327 and 14328 had been withdrawn following the resignation of the Government. At the same time, Draft Law No. 14327-d, prepared by the Verkhovna Rada Committee on Finance, Tax and Customs Policy, following its consideration of Draft Laws Nos. 14327 and 14327-1, was recommended for adoption by Parliament as a basis at first reading.[3188] The package of draft laws submitted had been a step towards meeting the relevant European Commission requirements. However, their non-adoption, followed by the withdrawal of the Government draft laws by the end of July 2026, means that the earlier recommendation remains unfulfilled.

3185 Memorandum of Economic and Financial Policies (MEFP) of 13.02.2026. ↗

3186 Memorandum of Economic and Financial Policies (MEFP) of 02.07.2026. ↗

3187 On Amendments to the Civil Code of Ukraine to Ensure Compliance with European Union Legal Acts and the Relevant Criteria Established by the European Payments Council for the Purpose of Ukraine's Accession to the Single Euro Payments Area (SEPA): Draft Law of Ukraine, registration No. 14326 of 23.12.2025. ↗; On Amendments to Certain Legislative Acts of Ukraine to Ensure Compliance with European Union Legal Acts and the Relevant Criteria Established by the European Payments Council for the Purpose of Ukraine's Accession to the Single Euro Payments Area (SEPA): Draft Law of Ukraine, registration No. 14327 of 23.12.2025. ↗; On Amendments to the Code of Ukraine on Administrative Offences and the Criminal Code of Ukraine to Ensure Compliance with European Union Legal Acts and the Relevant Criteria Established by the European Payments Council for the Purpose of Ukraine's Accession to the Single Euro Payments Area (SEPA): Draft Law of Ukraine, registration No. 14328 of 23.12.2025. ↗

3188 On Amendments to Certain Legislative Acts of Ukraine to Ensure Compliance with European Union Law and the Relevant Criteria Established by the European Payments Council for the Purpose of Ukraine's Accession to the Single Euro Payments Area (SEPA): Draft Law of Ukraine, registration No. 14327-d of 06.04.2026. ↗

Some draft laws contained provisions that could directly affect the legal environment for civil society organisations (CSOs). Among the key problems identified by CEDEM experts is the inconsistency between the deadlines for submitting information on UBOs and the date of entry into force of the new Regulation on the Form and Content of the Ownership Structure,[3189] which will enter into force only 90 days after the cancellation or termination of martial law, whereas Draft Law No. 14327 required legal entities to submit updated information as early as 1 January 2027. At the same time, some of these provisions have been retained in the current version of Draft Law No. 14327-d. For CSOs, this creates the risk that they will have to submit UBO information twice within a short period of time, as well as the risk of disproportionate fines due to the lack of administrative capacity at the MoJ to process two waves of updates.

In addition, the MoF analysed the compliance of Ukrainian legislation with EU directives in the field of AML/CTF and plans to develop and submit to the Government a relevant draft law aimed at fully implementing the 4th[3190] and 5th[3191] EU AML Directives in the second quarter of 2026. Work has also begun on preparing proposals for the concept of a draft law on the implementation of the 6th EU AML Directive[3192] and ensuring the application of Regulation (EU) 2024/1624,[3193] with the relevant draft law planned for submission to the Government by the fourth quarter of 2027.[3194]

During the reporting period, the mechanism for disclosing information on UBOs underwent a number of changes.[3195] On 13 June 2025, amendments to the Procedure for Verifying Information on UBOs entered into force. The main changes provide for a 10-day deadline for a legal entity to respond to a request from a state registrar, automatic termination of verification if data are updated in the Unified State Register of Legal Entities, Individual Entrepreneurs and Public Formations (USREOU) and a prohibition on removing information on UBOs in cases where sanctions have been imposed or where a court has prohibited registration actions.[3196]

3189 On Amendments to Order of the Ministry of Finance of Ukraine No. 163 of 19 March 2021: Order of the Ministry of Finance of Ukraine No. 161 of 02.04.2024. ↗

3190 Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC. ↗

3191 Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018 amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing and amending Directives 2009/138/EC and 2013/36/EU. ↗

3192 Directive (EU) 2024/1640 of the European Parliament and of the Council of 31 May 2024 on the mechanisms to be put in place by Member States for the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Directive (EU) 2019/1937 and amending and repealing Directive (EU) 2015/849. ↗

3193 Regulation (EU) 2024/1624 of the European Parliament and of the Council of 31 May 2024 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing. ↗

3194 Information provided by a representative of the Ministry of Finance of Ukraine during an interview conducted on 25.03.2026.

3195 On Approval of Amendments to the Procedure for Verifying Information Provided by a Legal Entity in Explanations and Documents to Confirm Information on the Ultimate Beneficial Owner and/or Ownership Structure of a Legal Entity: Order of the Ministry of Justice of Ukraine No. 1173/5 of 30.04.2025. ↗

3196 Updated Procedure for Verifying Information on UBOs and the Ownership Structure of Legal Entities. EY, 2025. ↗

Some experts note[3197] that the change in regulation is a decisive step towards creating a regulatory environment of absolute transparency, and for legal entities this means a transition from a declarative to a verification-based compliance model. The mechanism for reporting discrepancies between information on UBOs in the register and information held by PFMEs is functioning, as in 2025 the SFMS received 11,523 such reports.[3198] At the same time, the capacity of the MoJ to process these reports in sufficient volume remains open to question — this problem was identified in the previous period and remains relevant. Separate attention should be paid to the practice of banks identifying NPO founders as UBOs: this approach is technically simplified but generates 'discrepancies' that are automatically transmitted to the SFMS and increase 'white noise' in the system.[3199]

In September 2025, Parliament adopted Draft Law No. 10225-d on virtual assets at first reading as a basis.[3200] According to CEDEM experts,[3201] the draft law requires substantial revision, as in its current version it not only fails to resolve legal uncertainty in this area but also creates new risks, including for CSOs, which actively use cryptocurrencies to raise donations and carry out their statutory activities under conditions of full-scale war. The central problem is the terminological inconsistency between the concept of 'electronic money tokens', borrowed from the EU MiCA Regulation,[3202] and the existing term 'electronic money'. The draft law does not cover crypto assets built on their own blockchains, such as Bitcoin and Ethereum, while the current wording of Article 12 of the draft law effectively makes the legal circulation of USDT impossible. For CSOs, risks also remain regarding the taxation of crypto donations as sales, the absence of a mechanism for valuing assets when transactions are carried out and the impossibility of placing stablecoins in deposit accounts. The draft law is currently being prepared for second reading in Parliament.

Recommendations[3203]

1. Parliament should adopt an improved legislative package introducing the Unified Register of Accounts of Individuals, the Register of UBOs of Trusts and stronger protection for whistleblowers in the field of AML/CTF, taking into account comments from the expert community and civil society organisations.

3197 Changing the Rules of the Game for Beneficiaries and Increasing Pressure on Nominee Ownership. Yurydychna Gazeta, 2025. ↗

3198 Comprehensive Administrative Reporting in the Field of Preventing and Countering the Legalisation (Laundering) of Criminal Proceeds, Terrorist Financing and Financing of the Proliferation of Weapons of Mass Destruction for 2025. State Financial Monitoring Service of Ukraine. ↗

3199 Information provided by a representative of the Ministry of Finance of Ukraine during an interview conducted on 25.03.2026.

3200 On Amendments to the Tax Code of Ukraine and Certain Other Legislative Acts of Ukraine on Regulating the Circulation of Virtual Assets in Ukraine: Draft Law of Ukraine, registration No. 10225-d of 24.04.2025. ↗

3201 Draft Law No. 10225-d: What the Third Vision of the Virtual Assets Market in Ukraine Means for the Civil Society Sector. NGO 'Centre for Democracy and Rule of Law', 2025. ↗

3202 Regulation (EU) 2023/1114 of the European Parliament and of the Council of 31 May 2023 on markets in crypto-assets and amending Regulations (EU) No 1093/2010 and (EU) No 1095/2010 and Directives 2013/36/EU and (EU) 2019/1937. ↗

3203 Most of the above recommendations had already been provided by civil society in the Shadow Report 2025 (pp. 740–741) and remain relevant. At the same time, some of the recommendations have been further clarified.

2. The Cabinet of Ministers of Ukraine should ensure strategic planning and adequate resourcing of the anti-money laundering system, including the introduction of modern technological solutions in the activities of the SFMS, and publish a public report on the implementation status of the Action Plan based on the results of the third NRA for the period until 2026.

3. The SFMS should ensure the methodological quality of the fourth NRA in line with FATF requirements by eliminating internal inconsistencies.

4. The NBU and other regulators should continue developing and implementing a balanced approach to regulating risks in the financial system, which ensures proper counteraction to money laundering without unjustified restrictions for law-abiding participants in the financial market.

5. Parliament and the Government should refrain from any legislative amendments that weaken PEP status. The current regulation complies with FATF requirements and EU Directive 2015/849 and is a condition under the IMF Extended Fund Facility programme (2026–2029) as well as a condition of Ukraine's European integration process; therefore, any amendments must be agreed with international partners.

6. Parliament should consider revising the structure of AML/CTF sanctions to eliminate the asymmetry between fines for unjustified refusal to provide services to PEPs and sanctions for breaches of enhanced due diligence requirements, which may create incentives for financial institutions to de-risk instead of properly applying a risk-based approach.

7. Law enforcement agencies and the prosecution service should improve the effectiveness of investigations into money laundering cases by introducing specialisation, strengthening knowledge and practical skills, improving investigation methodology and abandoning a formalistic approach to criminal prosecution, with an emphasis on the actual confiscation of criminal assets.

8. Judicial authorities should develop modern and consistent case law on the application of anti-money laundering legislation, ensuring a unified methodology for compiling judicial statistics and improving the qualifications of judges handling such cases.

Activities of the State Financial Monitoring Service. Assessment by the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL)

Progress and issues

As of the end of July 2026, Draft Law No. 13029, aimed at strengthening the institutional capacity and independence of the SFMS, was still under consideration by Verk-

hovna Rada committees.[3204] This means that, throughout the reporting period, the issue of mechanisms to ensure the political independence of the SFMS remained legislatively unregulated.

In December 2025, MPs registered Draft Law No. 14327-1, an alternative to the Government draft law, as part of the SEPA package. It provides for the introduction of a transparent competitive procedure for appointing the Head of the SFMS and the establishment of an independent audit of the agency's performance, which is a step in the right direction.[3205] In its opinion of 21 March 2025, the MoF stated that the draft law required substantial revision, pointing to a number of technical and legal problems, including: inconsistency between the requirements for candidates and the provisions of the Law of Ukraine 'On Civil Service';[3206] an incomplete list of grounds for dismissing the Head, which removes disciplinary levers available to the Cabinet of Ministers of Ukraine; a potential conflict between the audit commission's right of access to SFMS documents and the confidentiality regime for financial monitoring; terminological inconsistencies and procedural gaps.[3207]

The Verkhovna Rada Committee on Finance, Tax and Customs Policy, following its consideration of Government Draft Law No. 14327[3208] and the alternative Draft Law No. 14327-1, decided to remove them from consideration and prepare a revised draft law amending certain legislative acts of Ukraine to ensure compliance with European Union legal acts and the relevant criteria established by the European Payments Council for Ukraine's accession to SEPA.[3209] As of late July 2026, revised Draft Law No. 14327-d had received a positive opinion from the lead committee and was awaiting consideration by Parliament.[3210]

The current Head of the SFMS was appointed by a Government Order[3211] in 2024 without a competitive procedure, in accordance with the Law of Ukraine 'On the Legal

3204 On Amendments to Certain Legislative Acts of Ukraine on Establishing the Procedure for Selecting the Head of the Specially Authorised Body and the Procedure for Auditing the Effectiveness of the Specially Authorised Body: Draft Law of Ukraine, registration No. 13029 of 19.02.2025. ↗

3205 On Amendments to Certain Legislative Acts of Ukraine to Ensure Compliance with European Union Legal Acts and the Relevant Criteria Established by the European Payments Council for the Purpose of Ukraine's Accession to the Single Euro Payments Area (SEPA): Draft Law of Ukraine, registration No. 14327-1 of 09.01.2026. ↗

3206 On Civil Service: Law of Ukraine No. 889-VIII of 10.12.2015. ↗

3207 Opinion of the Ministry of Finance of Ukraine on the Draft Law of Ukraine 'On Amendments to Certain Legislative Acts of Ukraine on Establishing the Procedure for Selecting the Head of the Specially Authorised Body and the Procedure for Auditing the Effectiveness of the Specially Authorised Body' (registration No. 13029 of 19.02.2025) of 21.03.2025 No. 26110-02-3/8442. ↗

3208 On Amendments to Certain Legislative Acts of Ukraine to Ensure Compliance with European Union Legal Acts and the Relevant Criteria Established by the European Payments Council for the Purpose of Ukraine's Accession to the Single Euro Payments Area (SEPA): Draft Law of Ukraine, registration No. 14327 of 23.12.2025. ↗

3209 Minutes of the Meeting of the Verkhovna Rada Committee on Finance, Tax and Customs Policy No. 216 of 02.02.2026. ↗

3210 On Amendments to Certain Legislative Acts of Ukraine to Ensure Compliance with European Union Law and the Relevant Criteria Established by the European Payments Council for the Purpose of Ukraine's Accession to the Single Euro Payments Area (SEPA): Draft Law of Ukraine, registration No. 14327-d of 06.04.2026. ↗

3211 On the Appointment of F. Pronin as Head of the State Financial Monitoring Service of Ukraine: Order of the Cabinet of Ministers of Ukraine No. 1335 of 31.12.2024. ↗

Regime of Martial Law'.[3212] The sectoral law[3213] still does not set any term limit for the Head of the SFMS.[3214]

In March 2026, the media published material documenting a number of problems related to the activities of the current Head of the SFMS. The documented facts included a significant discrepancy between the SFMS's public reporting statements and actual statistical data; systematic disregard of NABU requests, with responses in 2025 provided to only 50 of 109 requests and one response taking 319 days; and the absence of any real contribution by the SFMS to the investigation of money laundering amounting to more than USD 100 million in the high-profile 'Midas' operation.[3215] In addition, during the fourth FATF Plenary, held in Paris on 22–24 October 2025, financial threats related to Russia were not discussed at all. In the outcome documents, Russia is mentioned only in the context that the suspension of the aggressor state's FATF membership, which Ukraine had sought as early as February 2023, remains in force.[3216] These facts, together with the absence of any public communication by the SFMS regarding this material, point to a deepening of institutional problems during the reporting period.

Both strategic documents that defined the development framework and areas of work of the SFMS — the 'Main Areas for the Development of the System for Preventing and Countering the Legalisation (Laundering) of Proceeds for the Period until 2023'[3217] and the 'Strategic Development Programme of the SFMS for the Period until 2024'[3218] — have expired. On 26 February 2026, the MoF approved the Priorities of the State Financial Monitoring Service for 2026, which define the strategic areas of the agency's work.[3219] Judging by the pace and nature of the work of the 2025 NRA working subgroup on NPOs, as well as the draft 2025 NRA Report on NPOs circulated among members of the working subgroup, there are no grounds to believe that its development is being carried out systematically. The agency's conduct during the reporting period is characterised more by reactivity than by proactive strategic planning, while crisis communication on the documented problems is effectively absent.[3220] At present, only the Action Plan aimed at preventing and/or reducing the negative consequences of risks

3212 On the Legal Regime of Martial Law: Law of Ukraine No. 389-VIII of 12.05.2015. ↗

3213 On Preventing and Countering the Legalisation (Laundering) of Criminal Proceeds, Terrorist Financing and Financing of the Proliferation of Weapons of Mass Destruction: Law of Ukraine No. 361-IX of 06.12.2019. ↗

3214 The problem described in the Shadow Report 2025 (p. 656) remains relevant.

3215 State Financial Monitoring Service: Records in Reports, Zero in Cases and Hundreds of Millions Taken Out of the Country. Dzerkalo Tyzhnia, 2026. ↗

3216 With Pronin's Arrival in Financial Monitoring Leadership, Ukraine Continues to Lose Initiative in FATF. Dzerkalo Tyzhnia, 2025. ↗

3217 On Approval of the Main Areas for the Development of the System for Preventing and Countering the Legalisation (Laundering) of Criminal Proceeds, Terrorist Financing and Financing of the Proliferation of Weapons of Mass Destruction in Ukraine for the Period until 2023 and the Action Plan for Their Implementation: Order of the Cabinet of Ministers of Ukraine No. 435 of 12.05.2021. ↗

3218 On Approval of the Strategic Development Programme of the State Financial Monitoring Service of Ukraine for the Period until 2024: Order of the Ministry of Finance of Ukraine No. 16 of 17.01.2022. ↗

3219 Letter of the State Financial Monitoring Service of Ukraine of 10.03.2026 No. 1062/8120-11.

3220 Information provided by experts of the NGO 'Centre for Democracy and Rule of Law' during an interview conducted on 17.03.2026.

identified following the third NRA for the period until 2026 remains in force.[3221] However, there is no public information on the status of its implementation, which makes independent monitoring impossible.

In addition, in implementation of the OAS Action Plan,[3222] the MoIA prepared the draft Financial Investigations Strategy for Countering Criminal Offences Related to the Generation of Proceeds for the period until 2028, as well as a draft operational action plan for its implementation. In March 2026, the MoIA processed proposals and comments on these drafts received from the state authorities concerned.[3223] On 1 June 2026, the MoIA and the ESBU agreed to jointly request the Cabinet of Ministers of Ukraine to designate the ESBU as coordinator for the further revision of the draft Financial Investigations Strategy, given the ESBU's competence in combating economic and financial offences.[3224] It is important that these developments be aligned with the OAS Action Plan and that they meaningfully strengthen the field of financial investigations.

A separate structural problem is staffing at the SFMS. According to available data, the agency lacks analysts with modern professional competencies in the field of AML/CTF, as some current specialists do not perceive the NRA as a functionally significant document and do not understand its impact on Ukraine's future mutual evaluation by the Council of Europe's MONEYVAL Committee. In summer 2025, staff previously responsible for coordinating the NRA moved to the MoF. Since then, attempts have been ongoing at Government level to change the distribution of powers between the MoF and the SFMS, through the latest Government Draft Law No. 14327 on Ukraine's accession to SEPA. In practice, this creates conflicts between the capacities and powers of the two bodies, resulting in delays in the preparation of the 2025 NRA Report. It appears that the entire system of bodies involved in the financial monitoring architecture requires a structural audit. At the same time, a full structural audit of the SFMS under martial law is practically unrealistic, given its cost, duration and the risk of destabilising the agency that performs the country's financial intelligence functions. However, a staffing audit of the SFMS and the MoF could serve as a starting point for overcoming the crisis: an analysis of vacant positions, the age profile and qualification level of analytical staff and their suitability for the positions they hold.[3225]

The SFMS typological studies are developed mainly based on reports submitted by PFMEs, primarily banks, while lacking proper analysis of the data collected by the agency itself. The quality of these materials remained consistently low throughout 2023–2025. The practical impact of the typological studies is direct, as PFMEs must take their fin-

3221 On Approval of the Action Plan Aimed at Preventing and/or Reducing the Negative Consequences of Risks Identified Following the Third National Risk Assessment in the Field of Preventing and Countering the Legalisation (Laundering) of Criminal Proceeds, Terrorist Financing and Financing of the Proliferation of Weapons of Mass Destruction for the Period until 2026: Order of the Cabinet of Ministers of Ukraine No. 1207 of 27.12.2023. ↗

3222 On Approval of the Action Plan for the Implementation of the Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027: Order of the Cabinet of Ministers of Ukraine No. 792 of 23.08.2024. ↗

3223 Letter of the Ministry of Internal Affairs of Ukraine No. 193/38-2026 of 16.03.2026.

3224 ESBU Will Coordinate the Finalisation of the Draft Financial Investigations Strategy. Economic Security Bureau of Ukraine. 2026. ↗

3225 Information provided by a representative of the Ministry of Finance of Ukraine during an interview conducted on 25.03.2026.

dings into account when determining risk criteria, just as they must take into account the results of the NRA, which the typological studies also influence.[3226]

The 2025 Enlargement Package Report noted the need to strengthen the operational independence of the SFMS, complete the NRA and improve the quality of financial investigations.[3227] It also underlined the need to ensure genuine feedback between the SFMS and law enforcement agencies on the results of using generalised case files. The quality of such feedback is confirmed by the statistics: in 2025, the number of criminal proceedings initiated directly on the basis of SFMS materials decreased from 93 to 87, while the overall increase in the number of transmitted case files was 36.8%.[3228] The SFMS should systematically analyse the problematic issues arising in cooperation with law enforcement agencies, including through the SFMS expert commission on the transfer of generalised case files, and ensure that Ukraine's financial intelligence unit is equipped with the necessary modern analytical tools. The issue of designating specialised units within law enforcement agencies to conduct parallel financial investigations into money laundering remains open. In this regard, focused prosecutorial supervision over the improper consideration by law enforcement agencies of generalised case files transmitted by the SFMS is also important.[3229]

An important component of the MoF's institutional development was the establishment in 2025 of the MoF Department of Anti-Money Laundering Policy. Previously, the relevant functions were performed by the MoF's coordination and monitoring unit. This Department is now responsible for shaping state policy in the field of AML/CTF, coordinating legislative initiatives, including the SEPA package and draft laws on the implementation of the 4th, 5th and 6th EU AML Directives, and engaging, within its competence, with international partners.[3230]

As in the previous reporting period, the SFMS Annual Report for 2025 does not contain an analysis of the challenges and problems in the agency's activities.[3231] In particular, the document does not reflect any of the key institutional problems. The strategic areas of work for 2026 included in the report are, in effect, a one-year list of standard operational functions, without targets, deadlines or success indicators, and do not fill the gap left by the expiry of the SFMS's previous strategic documents. The report records quantitative growth in operational indicators but does not answer the question of what prevents the agency from operating as effectively as possible.

3226 Information provided by experts of the NGO 'Centre for Democracy and Rule of Law' during an interview conducted on 17.03.2026.

3227 Ukraine 2025 Report. Communication on EU Enlargement Policy. ↗

3228 Report on the Results of Investigations into Criminal Proceedings concerning Criminal Offences Related to the Legalisation (Laundering) of Property Derived from Crime, Terrorist Financing and Proliferation of Weapons of Mass Destruction for January–December 2024. ↗; Report on the Results of Investigations into Criminal Proceedings concerning Criminal Offences Related to the Legalisation (Laundering) of Property Derived from Crime, Terrorist Financing and Proliferation of Weapons of Mass Destruction for January–December 2025. ↗

3229 Information provided by a representative of the Ministry of Finance of Ukraine during an interview conducted on 25.03.2026.

3230 Ibid.

3231 Annual Report of the State Financial Monitoring Service for 2025. State Financial Monitoring Service of Ukraine, 2026. ↗

In December 2025, the MoJ reported that representatives of its Department of State Registration and Department of Notariate took part in a study visit to ensure proper preparation for the next round of MONEYVAL mutual evaluation. Ukraine's MONEYVAL evaluation under the sixth round is planned for 2027.[3232] At the meeting of the Council on Preventing and Countering the Legalisation (Laundering) of Criminal Proceeds, Terrorist Financing and Financing of the Proliferation of Weapons of Mass Destruction held on 30 June 2026, the SFMS, jointly with the state authorities concerned, was tasked with developing and submitting to the Council's next meeting a detailed national action plan for preparing Ukraine for the sixth round of MONEYVAL mutual evaluation of Ukraine's AML/CTF system.[3233] The most recent evaluation of Ukraine by the MONEYVAL took place under the fifth round of mutual evaluation. Following the Second Enhanced Follow-up Report of June 2020, Recommendations 5 and 35 were upgraded from 'partially compliant' to 'largely compliant'. However, Ukraine remains under enhanced follow-up and is required to report to MONEYVAL annually.[3234]

Recommendations[3235]

1. The Verkhovna Rada should revise and adopt Draft Law No. 13029, which should ensure the high-quality selection of the Head of the SFMS and introduce periodic audits of its activities, taking into account the specific nature of the SFMS as a financial intelligence unit that works with information protected by banking secrecy.

2. The Cabinet of Ministers of Ukraine should develop a clear regulatory procedure for the formation, implementation and monitoring of the SFMS's strategic activities and update the relevant strategic documents, as the current strategic framework is fragmented and outdated.

3. The SFMS should strengthen the analytical component of its reporting documents by including an analysis of obstacles that hinder the agency's effective operation, as well as ensure effective capacity, including through the development of human resources.

4. The Cabinet of Ministers of Ukraine should ensure proper and timely preparation for the MONEYVAL evaluation.

3232 The Ministry of Justice Studies Latvia's Experience for Successful MONEYVAL Assessment. Ministry of Justice of Ukraine, 2025. ↗

3233 European Financial Support at Risk: State Financial Monitoring Service Ignores the Ukraine Facility. Dzerkalo Tyzhnia. 2026. ↗

3234 Follow-up report on Ukraine's progress in strengthening measures to tackle money laundering and terrorist financing MONEYVAL, 2020. ↗

3235 Most of the above recommendations had already been provided by civil society in the Shadow Report 2025 (p. 647) and remain relevant. At the same time, some of the recommendations have been further clarified.

Reform of the National Agency of Ukraine for Finding, Tracing and Management of Assets Derived from Corruption and Other Crimes. Implementation of the Action Plan for the Asset Recovery Strategy for 2024–2025

Progress and issues

Following the entry into force on 30 July 2025 of Law No. 4503-IX on the reform of ARMA,[3236] the following key changes were introduced: the competitive selection procedure for the Head of the Agency was improved, new rules for external audit were established, the model for managing seized assets was updated and changes were made to activity reporting rules.

The first competition for the position of Head of the ARMA under the updated rules, which ran from December 2025 through April 2026, did not result in the selection of a winner.[3237] Accordingly, on 10 June 2026 the Competition Commission established that the decision to submit the candidacy of Viktor Dubovyk (the only candidate to reach the interview stage) to the Cabinet of Ministers of Ukraine for appointment as Head of the ARMA had not been adopted because, of the four votes in favour, only one was cast by a Commission member appointed by the Cabinet of Ministers on the basis of proposals from development partners, whereas the law requires at least two such votes. Since no candidate was selected in the manner prescribed by law, the Competition Commission had no legal grounds to submit a proposal for appointment and decided to hold a repeat competitive selection for the position of Head of the ARMA pursuant to para. 9 Part 10 Article 5 of the Law of Ukraine 'On the National Agency of Ukraine for Finding, Tracing and Management of Assets Derived from Corruption and Other Crimes'.[3238] As of late July 2026, the date for announcing the repeat competition and its timetable and conditions had not been finally determined — the Commission stated that it was continuing preparatory work on organisational, technical, communication and expert matters.

Overall, the timely appointment of a permanent Head is important for ARMA's stability and operational capacity, while taking into account the shortcomings of the previous competitive selection will help make the new selection process more successful.

On 28 January 2026, the Cabinet of Ministers of Ukraine approved the composition of the Commission for the Independent External Assessment, or Audit, of ARMA's performance. All three members of the Commission were delegated by development part-

3236 On Amendments to the Law of Ukraine 'On the National Agency of Ukraine for Finding, Tracing and Management of Assets Derived from Corruption and Other Crimes' on Strengthening the Institutional Capacity of the National Agency of Ukraine for Finding, Tracing and Management of Assets Derived from Corruption and Other Crimes and Improving Asset Management Mechanisms: Law of Ukraine No. 4503-IX of 18.06.2025. ↗

3237 Dubovyk Did Not Receive the Support of International Experts in the ARMA Competition. Transparency International Ukraine. 2026. ↗

3238 Minutes No. 12 of the Meeting of the Selection Commission for the Position of Head of the National Agency of Ukraine for Finding, Tracing and Management of Assets Derived from Corruption and Other Crimes of 10.06.2026. ↗

ners, which should ensure their independence. A reserve member of the Commission was also appointed.[3239] In May 2026, the Commission approved and published the audit criteria and methodology.[3240] The document sets out the areas, criteria and indicators against which the Agency's performance will be assessed and what may constitute grounds for dismissing its Head. The same document states that the Commission aims to adopt its report by 31 August 2026.

On 28 January 2026, the Accounting Chamber published the results of its monitoring of the implementation of the recommendations from its audit of the ARMA, the report on which was published at the end of 2024. Of the 16 recommendations issued, seven have been implemented and nine are in the process of implementation. A significant part of the recommendations was implemented through the adoption of Law No. 4503-IX. However, its full implementation depends on the timely adoption of secondary legislation, where delays are currently observed. In particular, five recommendations were not implemented by the ARMA within the prescribed timeframe, namely: ensuring the full acceptance into management of assets provided for in court decisions; regulating ARMA's interaction with prosecution authorities and pre-trial investigation bodies; improving the system for monitoring the effectiveness of asset management; refining the Unified State Register of Assets Seized in Criminal Proceedings (USRAS) and the ARMA Asset Management System software product; ensuring the ARMA's access to the URPTI.[3241]

Under the transitional provisions of Law No. 4503-IX, the ARMA had six months to identify all assets previously transferred to it for management. According to public statements by the Acting Head of the ARMA, the identification process found a total of around 102,000 assets, of which approximately 22,000 are investment-attractive, while around 13% require procedural follow-up. The results of this inventory were criticised at a meeting of the Verkhovna Rada Committee on Anti-Corruption Policy in February 2026, as ARMA was unable to provide a single official document recording the results of the inventory and relied only on working materials and internal memoranda.[3242]

Following a comprehensive inventory of all court rulings on the transfer of assets for management received by the ARMA from 2017 to 31 December 2025, it was established that the total number of such rulings was 1,435, while the overall management records covered 102,569 asset units. As of 27 February 2026, 44,815 assets were recorded in the USRAS[3243] — after deducting assets in respect of which seizure had been lifted (5,403 units), assets withdrawn due to military necessity and transferred to the MoD (4,828

3239 On Approval of the Composition of the Commission for the Independent External Assessment (Audit) of the Performance of the National Agency of Ukraine for Finding, Tracing and Management of Assets Derived from Corruption and Other Crimes: Order of the Cabinet of Ministers of Ukraine No. 71 of 28 January 2026. ↗

3240 Criteria and Methodology for Assessing the Effectiveness of the National Agency of Ukraine for Finding, Tracing and Management of Assets Derived from Corruption and Other Crimes. Commission for the Independent External Assessment of the Effectiveness of the National Agency of Ukraine for Finding, Tracing and Management of Assets Derived from Corruption and Other Crimes. 2026. ↗

3241 ARMA Has Still Not Accepted All Seized Assets into Management: Monitoring the Implementation of the Accounting Chamber's Recommendations. Accounting Chamber, 2026. ↗

3242 Declining Indicators, Lack of Documents, Pin-Up, 'KAMparitet' and Dubnevych's TPP — What Is Happening with the ARMA Reform. Dzerkalo Tyzhnia, 2026. ↗

3243 Unified State Register of Assets Seized in Criminal Proceedings.

units), assets in respect of which their transfer to ARMA had been cancelled (2,975 units), assets recovered for the benefit of the state (1,719 units), assets in respect of which seizure had been lifted as regards use (512 units) and assets subject to special confiscation (25 units). In terms of asset structure, more than half are vehicles and equipment, including 19,307 units of railway transport. Real estate and land plots account for 15%, financial assets and rights for only 6%, while funds in accounts, in UAH equivalent, amounted to UAH 7.24 billion as of 5 March 2026.[3244]

Although completion of the inventory is a positive signal, it also revealed systemic problems from previous years. The ARMA officially acknowledged that, at the initial stage of the asset management system, records were kept using different approaches, without a single methodological standard or unified conceptual framework. This caused significant discrepancies between the data in the USRAS and the agency's management records: the difference between 60,277 entries in the register and 44,815 assets after reconciliation is, according to the ARMA, 'methodological' in nature. The ARMA is now introducing a unified approach, with each asset unit assigned a unique identification code. However, this work, which should have preceded any substantive management activity, has begun only now, almost ten years after the agency was established.

A separate problem remains the relationship between the ARMA and prosecution authorities concerning assets whose effective management is impossible or inappropriate. According to the Agency,[3245] during the reporting period, the ARMA prepared and sent 100 requests to prosecutors, notifying them that effective management of the assets was impossible. The grounds for these requests varied: 27 concerned assets located in temporarily occupied territory or in areas of hostilities, 19 concerned assets whose location could not be established or which were in fact absent, 10 concerned assets in unsatisfactory condition that had lost their investment appeal and a further 13 concerned cases involving the absence of a prohibition on using the asset or the need for an additional seizure order. The remaining 31 requests concerned the need to change the method of management or the procedure for storing material evidence. The outcome of these requests demonstrates a systemic 'limbo' for assets at the intersection between the ARMA and prosecution authorities: of the 100 requests sent, responses were received to only 32, of which only five were resolved positively.

In most cases, prosecutors stated that there were no legal grounds to change the method of management, as the assets concerned had been recognised as material evidence in criminal proceedings. As a result, a significant share of assets remains under the ARMA's management without any real possibility of taking effective management action — whether by selling them, changing storage conditions or transferring them to another manager. This situation is a direct consequence of the absence of a clearly regulated procedure for interaction between the ARMA and prosecution authorities at the stage when an asset continues to be material evidence but physically or legally loses its liquidity.

The ARMA also reported that, as of 24 March 2026, managers had been selected for 3,700 assets following competitive selection procedures conducted by the ARMA. No

3244 Letter of the National Agency of Ukraine for Finding, Tracing and Management of Assets Derived from Corruption and Other Crimes of 05.03.2026 No. 1411/1-32-26/6.4.

3245 Ibid.

manager was selected for 91 assets following the competitions. To enforce court decisions under which assets were transferred to the ARMA for sale, 5,071 assets were sold. At the same time, the ARMA took measures to sell 987 assets which, following auctions, have not yet been sold. Based on relevant Government decisions, pursuant to Article 21[1] of Law No. 772-VIII,[3246] concerning asset management in exceptional cases through state-owned entities, 518 assets were transferred to designated managers.[3247]

Overall, the reporting mechanisms introduced by Law No. 4503-IX make it possible to systematically assess the dynamics of the ARMA's work. In the third quarter of 2025, the agency concluded 19 asset management agreements,[3248] followed by another 12 agreements in the fourth quarter.[3249] This already exceeds the number of asset management agreements concluded by the ARMA in 2023 and 2024. However, the updated rules for selecting managers of seized assets were not launched on 30 January 2026, as required by law. The ARMA, together with the state enterprise Prozorro, launched the module in the electronic procurement system for selecting managers of complex assets several months late, while the module for simple assets had still not been launched as at July 2026, due, among other things, to insufficient funding.[3250]

Delays in launching the updated mechanisms for selecting managers occurred because certain secondary legislation required to implement the reform was not adopted on time, including the procedure for accepting assets into management, the procedure for storing seized assets, the methodology for determining whether an asset can be managed and model management agreements.[3251] At the same time, as of late July 2026, all necessary secondary legislation had been adopted. Moreover, the Procedure for the Sale of Seized Assets prohibits the purchase of assets by persons linked to the asset owner, suspect or accused in the relevant proceedings.[3252]

There remains a separate need to amend the CPC of Ukraine to properly regulate ARMA's interaction with prosecution authorities when working with seized assets. However, there has been no visible progress in this area, except that the issue has been reflected in the draft Anti-Corruption Strategy.[3253]

A high-profile example from the reporting period that continues to raise questions is ARMA's sale in January 2026 of 460 hectares of land and ski lift infrastructure on the

3246 On the National Agency of Ukraine for Finding, Tracing and Management of Assets Derived from Corruption and Other Crimes: Law of Ukraine No. 772-VIII of 10.11.2015. ↗

3247 Letter of the National Agency of Ukraine for Finding, Tracing and Management of Assets Derived from Corruption and Other Crimes of 24.03.2026 No. 1774/1-32-26/6. ↗

3248 Report of the National Agency of Ukraine for Finding, Tracing and Management of Assets Derived from Corruption and Other Crimes on Asset Management Indicators for the Third Quarter of 2025. ↗

3249 Report of the National Agency of Ukraine for Finding, Tracing and Management of Assets Derived from Corruption and Other Crimes on Asset Management Indicators for the Fourth Quarter of 2025. ↗

3250 Letter of the National Agency of Ukraine for Finding, Tracing and Management of Assets Derived from Corruption and Other Crimes No. 5226/1-33-26/8 of 19.06.2026.

3251 Secondary Legislation Implementing the ARMA Reform: A Legal Analysis. Transparency International Ukraine, 2026. ↗

3252 On Approval of the Procedure for the Sale of Seized Assets: Resolution of the Cabinet of Ministers of Ukraine No. 846 of 01.07.2026. ↗

3253 On Approval of the Anti-Corruption Strategy for 2026–2030: Draft Law of Ukraine, registration No. 15230-d of 27.07.2026. ↗

Borzhava polonyna for UAH 89.5 million. The buyers were linked to persons involved in the criminal proceedings in which these assets had been seized — precisely the scenario warned against in the FATF guidance[3254] and recital 40 of Directive 2024/1260.[3255] Although the key decisions in this process were taken before the reform and the change in the ARMA's leadership.

Overall, the ARMA reform is a significant step forward, but its practical implementation remains incomplete. Some of the difficulties stem from structural problems inherited from the previous leadership. At the same time, the current pace of adopting secondary legislation and institutional consolidation does not correspond to the scale of the reform.

According to the ARMA, the Asset Recovery Strategy for 2024–2025 has been implemented: of the 52 measures, only one remains at the implementation stage — the introduction of automatic information exchange between the USRAS and the information systems of pre-trial investigation bodies. According to the OAS,[3256] connecting the electronic criminal proceedings management system to the USRAS is planned for the fourth quarter of 2026. The reason for the delay is a technical limitation of the URPTI: its current functionality does not provide for the possibility of opening or selectively transferring part of criminal proceedings data to other information systems, which makes direct access for ARMA staff impossible.[3257]

An analysis of the report on the implementation of the Asset Recovery Strategy for 2023–2025, as well as of the draft Asset Recovery Strategy for 2026–2030[3258] submitted by the ARMA for analysis, shows that a significant part of the objectives of the new Strategy effectively duplicates measures that are marked in the implementation report on the previous Strategy as completed. In particular, the ARMA's access to state register and information systems has been regulated by Law No. 4503-IX and technically ensured through the 'Rozshuk' system; contracts with provider companies for asset tracing have been signed; a secure electronic system for information exchange between the ARMA and law enforcement agencies has been put into operation; 12 international interagency agreements have been signed and participation in 11 international networks[3259] has been established.

The quality of implementation of certain tasks declared as completed in the relevant report requires further analysis and indicates the need to strengthen the Agency's analytical capacity. For example, the task of developing a draft law on the recovery to the benefit of the state of assets belonging to persons evading criminal justice before

3254 FATF Releases Detailed Guidance to Help Practitioners Recover Criminal Assets. FATF. ↗

3255 Directive (EU) 2024/1260 of the European Parliament and of the Council of 24 April 2024 on asset recovery and confiscation. ↗; ARMA Did Not Sign Auction Result Reports for the Sale of Land in Zakarpattia. Transparency International Ukraine, 2026. ↗

3256 On the Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027: Decree of the President of Ukraine No. 273 of 11.05.2023. ↗

3257 Information provided by the National Agency of Ukraine for Finding, Tracing and Management of Assets Derived from Corruption and Other Crimes in the letter of 24.03.2026 No. 1774/1-32-26/6.

3258 Ibid.

3259 Report on the Implementation Status of the Asset Recovery Strategy for 2023–2025 in 2024–2025. National Agency of Ukraine for Finding, Tracing and Management of Assets Derived from Corruption and Other Crimes. ↗

a judgment is delivered is marked as completed with reference to paragraphs 4 and 5 of Section II of Law No. 4560-IX.[3260] However, these paragraphs are purely declarative instructions to state authorities to 'intensify work' and, where necessary, consider the possibility of preparing legislative amendments.

Another example concerns the task of developing a mechanism for returning seized assets to the requesting party in cases involving confiscation of equivalent value, which is marked as completed with reference to two laws — on the application of confiscation where a person is released from serving their sentence on probation and on the liability of legal persons for bribery of foreign public officials. Neither of these laws, by its subject matter, regulates the return of seized assets to the requesting party in the context of international cooperation. Referring to them as the basis for marking the task as completed has no substantive connection with the task itself. In other words, the task remained unfulfilled and the relevant draft law was not developed.

Thus, the report on the implementation of the Asset Recovery Strategy for 2023–2025 requires further revision in terms of substantiating the implementation of certain tasks.

The draft Asset Recovery Strategy for 2026–2030 submitted for analysis, compared with the previous Asset Recovery Strategy (2023–2025), is more ambitious and specific. It consistently implements the innovations introduced by Directive (EU) 2024/1260, including extended confiscation, non-conviction-based confiscation (NCBC), unexplained assets and assets held by third parties, and appropriately emphasises the management of seized assets, pre-transfer planning before assets are transferred to the ARMA, the social use of confiscated property and cross-border cooperation. Goal 4 on virtual assets is particularly noteworthy, as it goes beyond the Directive's minimum requirements. At the same time, the document requires further revision. Key concerns include the absence of the SAPO among the responsible implementers of the operational plan; implementation indicators that are primarily procedural rather than measurable, with no baseline values; insufficient reflection of the requirements of Articles 6–8 of the Directive concerning safeguards for access to registers, including logging of requests and restrictions on the persons authorised to access them; the absence of transparency and public reporting requirements for special funds to which confiscated proceeds will be directed; and duplication between the sections on monitoring and reporting (Sections IV and VI). A separate concern is the potential duplication between the operational plan, the development of which is required by the Rules of Procedure of the Cabinet of Ministers of Ukraine, and a future separate action plan, the development of which is provided for by the draft Order.

Recommendations

1. Parliament should develop, with the participation of the expert community, and adopt amendments to the CPC of Ukraine to ensure the full implementation of all provisions of Law No. 4503-IX.[3261]

3260 On Amendments to Certain Legislative Acts of Ukraine on Strengthening the Powers of the National Anti-Corruption Bureau of Ukraine and the Specialised Anti-Corruption Prosecutor's Office: Law of Ukraine No. 4560-IX of 31.07.2025. ↗

3261 The recommendation previously provided by civil society in the Shadow Report 2025 (p. 655) remains relevant.

2. The Government and the ARMA should ensure the high-quality revision of the draft Asset Recovery Strategy for 2026–2030 in accordance with the requirements of the Rules of Procedure of the Cabinet of Ministers of Ukraine and with a focus on qualitative changes in the relevant area, as well as avoid duplication between the operational plan and the action plan for implementing the Strategy.

3. The Selection Commission for the Head of the ARMA should properly conduct a repeat competition for the position of Head of the ARMA, taking into account best practices and shortcomings of the previous competition, and the Government should promptly appoint the competition winner.

4. The Government and the ARMA should launch the updated mechanisms for selecting managers of simple assets through the Prozorro system.

5. The ARMA and the PGO should develop and approve a clear procedure for interaction when working with assets whose effective management is impossible or inappropriate, including assets recognised as material evidence in criminal proceedings.

6. The ARMA Independent Audit Commission should be provided with proper support to complete the assessment within the statutory deadline, including through the timely and proper provision of responses to requests for information.

7. The ARMA should monitor the implementation status of the adopted secondary normative legal acts, taking into account the positions of key stakeholders, to identify problematic issues and determine the need to improve the processes handled by the Agency.

Cybersecurity

Progress and issues

During the reporting period, *limited progress* should be noted in the investigation of and response to cybercrime.

In 2025, the **number of cybercrimes decreased significantly — by 46%**, from 50,181 to 26,913.[3262] The largest decreases were recorded in online fraud — by 48%, from 34,970 to 18,247; offences in the banking sector — by 59%, from 8,195 to 3,328; offences in telecommunications and the dissemination of unlawful content — by 37%, from 2,295 to 1,456; and offences involving computer systems — by 18%, from 4,721 to 3,882. Although the number of online fraud offences committed was the lowest since 2023, it nevertheless remains substantial, accounting for 38% of all fraud cases. Despite the decrease in the number of cyber incidents, the financial consequences of such crimes remain significant. In 2025, material damage amounting to UAH 766.4 million was established, compared with UAH 539.9 million in 2024.[3263]

3262 Report on Performance Results. National Police of Ukraine, 2025, p. 49. ↗

3263 Ibid, p. 51.

According to the NPU's approach, cybercrimes include any fraudulent acts committed online, such as phishing,[3264] vishing,[3265] spoofing[3266] and other similar phenomena. The most common types of such fraud remain deception of buyers in the sale of goods online, phishing, calls made under the guise of bank employees to obtain personal payment data, requests for help sent from compromised social media accounts, calls from so-called call centres concerning non-existent payments, false information provided to victims about relatives, such as 'your son is in trouble' and similar schemes. Fraudulent schemes also remained relevant, including fake fundraising for the military, extortion of rewards for returning persons from captivity or for providing information about the whereabouts of missing persons, assistance in obtaining payments for relatives of fallen service members, phishing mailings with links to petitions to award service members the title of 'Hero of Ukraine' posthumously, evacuation transportation and housing rentals at favourable prices for IDPs.[3267]

According to the State Service of Special Communications and Information Protection of Ukraine (SSSCIP), for the first time since the beginning of the full-scale invasion, the total number of cyber incidents decreased by 4% compared with the previous six-month period.[3268] No critical incidents were recorded, while the number of high-severity incidents decreased. Despite a slight increase in malware mailings, the number of actual infections fell. This indicates greater user awareness and the effectiveness of cybersecurity measures.

Although the overall statistics indicate a decrease in the number of cyberattacks targeting the security and defence sector, this does not fully reflect the reality. A significant proportion of such cyber incidents are now successfully repelled and handled by the cybersecurity units of military formations themselves. Impact on this sector may directly affect the course of hostilities, which is why it remains under constant enemy targeting. **Thus, there has been a decrease not only in the level of cybercrime but also in the broader range of cyber threats. This is explained by several factors, including the fact that, over the years of the full-scale invasion, Ukraine has managed to protect its internet systems and databases, including critical infrastructure**.

In the 2025 EU Enlargement Package Report,[3269] the European Commission issued three recommendations concerning the fight against cybercrime: 1) ratify and implement the Second Additional Protocol to the Convention on Cybercrime (CETS No. 224);

3264 Phishing is a type of fraud in which offenders use fake emails, messages or websites to trick people into disclosing personal information, such as logins, passwords, bank card details or other confidential data. The purpose of phishing is to deceive a person into providing these data voluntarily, so that they can then be used to steal funds or commit other fraudulent acts.

3265 Vishing is a type of fraud in which offenders call the victim, pretending to be employees of a bank or another trusted institution, to obtain confidential information, such as bank card details or passwords. By using psychological pressure, for example 'your account has been blocked' or 'suspicious activity has been detected on your account', fraudsters induce the person to disclose private data or carry out financial transactions in favour of the offenders.

3266 Spoofing is a technique for disguising the sender's identity, whereby fraudsters mask a telephone number, email address or website to create the impression that a message or call comes from a real, trusted person or organisation. Spoofing is often used so that the victim does not suspect fraud and voluntarily transfers personal data or funds.

3267 Report on Performance Results. National Police of Ukraine, 2025, pp. 49–50. ↗

3268 Cyber Threats: Ukraine. Analysis for the Second Half of 2025. State Service of Special Communications and Information Protection of Ukraine, p. 9. ↗

3269 Ukraine 2025 Report. Communication on EU Enlargement Policy, p. 50. ↗

2) withdraw the reservations made by Ukraine when ratifying the Convention on Cybercrime (Budapest Convention); 3) by the end of 2025, introduce the Internet Organised Crime Threat Assessment (IOCTA) system into the work of law enforcement agencies and the prosecution service.

As regards the ratification and implementation of the Second Additional Protocol to the Convention on Cybercrime (CETS No. 224),[3270] the Rule of Law Roadmap provides for its ratification in the fourth quarter of 2027.[3271] The necessary documents are currently being prepared.

The concept of 'electronic (digital) evidence' has still not been introduced into the CPC of Ukraine, which is inconsistent with Article 14 of the Convention on Cybercrime (Budapest Convention).[3272] In practice, the absence of rules on the use of electronic evidence in legal instruments where such rules would be natural and necessary means that the factual existence of this legal institution does not correspond to its legal regulation. In practice, electronic evidence is used in any category of cases — from road traffic accidents to the protection of intellectual property. In 2023, the Supreme Court[3273] held that electronic evidence may be submitted in digital form with an electronic signature. At the same time, if a party to the proceedings questions the reliability of evidence, that party must substantiate its doubts and the court may request the original.[3274]

The Rule of Law Roadmap provides for the development and adoption, in the fourth quarter of 2026, of laws improving the procedure for using electronic (digital) evidence in criminal proceedings, the partial disclosure of traffic data and the application of expedited preservation of data, with a view to fully implementing the Convention on Cybercrime.

The Rule of Law Roadmap and the OAS Action Plan[3275] also envisaged, for the fourth quarter of 2025, the development and adoption, jointly with Europol's European Cybercrime Centre, of a regulatory framework for introducing the IOCTA system on a permanent basis into the work of Ukrainian law enforcement agencies and the prosecution service, with a view to strengthening their capacity to counter internal and external threats in the fight against cybercrime.

On 1 July 2026, the Cabinet of Ministers of Ukraine adopted Resolution No. 861,[3276] which determined the composition of the Interagency Working Group on the Internet

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3270 Second Additional Protocol to the Convention on Cybercrime on enhanced co-operation and disclosure of electronic evidence (CETS No. 224) of 12.05.2022. ↗

3271 Ukraine signed this Protocol as early as 30 November 2022. See: Chart of signatures and ratifications of Treaty 224. Council of Europe. ↗

3272 Convention on Cybercrime of 23.11.2001. ↗

3273 Resolution of the Supreme Court of 21.06.2023 in case No. 916/3027/21. ↗

3274 SC Judge Analysed the Criteria for Admissibility and Reliability of Electronic Evidence in Criminal Proceedings. Supreme Court, 2025. ↗

3275 Action Plan for the Implementation of the Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027: Order of the Cabinet of Ministers of Ukraine No. 792 of 23.08.2024, measure 1.3.2. ↗

3276 Certain Issues of the Internet Organised Crime Threat Assessment (IOCTA): Resolution of the Cabinet of Ministers of Ukraine No. 861 of 01.07.2026. ↗

Organised Crime Threat Assessment (IOCTA), approved the Regulation governing its work and the procedure for conducting the relevant threat assessment. It provides that Europol approaches and principles are to be used to analyse risks and collect data through dedicated questionnaires. The Working Group's core leadership is composed of representatives of the MoIA system. A Deputy Minister of Internal Affairs was appointed Head of the Interagency Working Group, while a Deputy Head of the NPU became their deputy in this body. The Group's findings are set out in reports, public versions of which must be published on the MoIA website.

The procedure for introducing criminal intelligence analysis data, IT system and cybersecurity capabilities, risk-based approaches, the SOCTA and IOCTA methodologies and similar tools into the activities of the National Coordinator as part of its interaction with authorised state bodies requires legislative regulation.[3277] The Law of Ukraine 'On Law Enforcement Agencies', the problems with the adoption of which have already been examined,[3278] should contain the relevant provisions. In any event, in addition to secondary regulation, the SOCTA and IOCTA systems should also be embedded at the legislative level.

There has been no progress in implementing **Directive (EU) 2019/713**[3279] on combating fraud and counterfeiting of non-cash means of payment, which lays down minimum rules concerning the definition of criminal offences and sanctions in the area of fraud and counterfeiting of non-cash means of payment. Current Ukrainian legislation is not sufficiently aligned with the provisions of Directive 2019/713.

Statistical data indicate that this problem is growing in Ukraine. According to NBU statistics,[3280] in 2025, 83% of all fraudulent payment card transactions were carried out online (using information and communication systems and social engineering methods). According to official studies of digital and AI literacy, as at late 2025 – early 2026, around 23% of Ukrainians had personally encountered cyberattacks and AI-enhanced fraud schemes, while 35% of the adult population had received AI-generated fake responses or content. Despite preventive measures and a slight decline in the number of fraudulent transactions (from 270,000 in 2024 to 256,000 in 2025), citizens' financial losses are rising rapidly. In 2025, total losses from payment card fraud increased by 24% to UAH 1.4 billion. This is linked to the increasing technological sophistication of attacks and a 30% rise in the average amount per fraudulent transaction — from UAH 4,247 to UAH 5,536.

At present, no liability is provided for transferring one's own payment card 'for rent' for use in criminal activity, while the scale of such offences is significant. From August to December 2025 inclusive, the SFMS analysed financial transactions across more than 29,000 accounts involving over 80,000 individuals. The review found that UAH

3277 Parliamentary Study on the Legislative and Institutional Framework for Combating Organised Crime in Ukraine. Research Service of the Verkhovna Rada of Ukraine, 2026, p. 19. ↗

3278 For details, see the subsection 'State of Implementation of Strategic Documents in the Field of Law Enforcement Reform'.

3279 Directive (EU) 2019/713 of the European Parliament and of the Council of 17.04.2019 on combating fraud and counterfeiting of non-cash means of payment and replacing Council Framework Decision 2001/413/JHA. ↗

3280 Payment Card Fraud in 2025: Number of Cases Decreased, Losses Increased. National Bank of Ukraine, 2026. ↗

30.81 billion was linked to the laundering of criminal proceeds.[3281] At the same time, according to banks' estimates, in 2025 drop activity may have involved 10–20% of new cards, while around 100,000 compromised cards were identified in the first three quarters of 2025.[3282]

It should also be noted that certain components of the Directive do not require implementation. For example, the existing offence of 'fraud'[3283] gives grounds to conclude that, on this point, Ukraine's national legislation fully complies with the requirements of Article 3 of the Directive.

According to the Rule of Law Roadmap, a law on optimising pre-trial investigation in criminal proceedings, aimed at implementing Directive 2019/713, was to be developed and adopted in the fourth quarter of 2025. **Draft Law No. 10190**,[3284] which criminalises electronic communications fraud, the creation and leadership of an electronic communications fraud organisation, as well as participation in and recruitment to such an organisation, has been under preparation for the second reading in the Parliament since May 2024. Its adoption would allow the provisions of the CC of Ukraine to be aligned with Directive 2019/713.

In July 2026, MPs registered a **draft law amending legislation to criminalise unlawful (fraudulent) acts committed using information and communication systems or artificial intelligence systems (Draft Law No. 15379)**.[3285] The draft law is aimed at improving legal instruments for protecting citizens' property rights against new-generation manipulative technologies and creating a legal basis for involving cybersecurity experts in verifying AI-generated content in criminal proceedings. To this end, **it proposes substantial amendments to Article 190 of the CC of Ukraine**, which establishes liability for fraud, including by adding fraud committed through unlawful operations using information and communication systems or artificial intelligence systems to the aggravated forms of the offence. It also proposes introducing **into criminal law the concept of 'artificial intelligence systems'**, defined as technological systems (software or software-hardware complexes) capable of generating content, predictions, recommendations or decisions exhibiting features of human intellectual activity and used to deceive a victim (including through technologies for replacing or modifying faces, voices or text data — deepfake technologies). **The draft law deserves Parliament's support, subject to revision taking into account the EU Artificial Intelligence Act.**[3286]

3281 Bank Card 'Rental': the SFMS Reveals the Scale of Drop Schemes. Money&Career, 2026. ↗

3282 Up to 20% of Cards Opened in 2025 May Be Involved in Drop Schemes — A. Dovhalska. Association of Ukrainian Banks, 2025. ↗

3283 Criminal Code of Ukraine No. 2341-III of 05.04.2001, Article 190. ↗

3284 On Amendments to the Criminal Code of Ukraine to Establish Liability for Electronic Communications Fraud: Draft Law of Ukraine, registration No. 10190 of 25.10.2023. ↗

3285 On Amendments to Article 190 of the Criminal Code of Ukraine Regarding the Criminalisation of Unlawful (Fraudulent) Acts Committed Using Information and Communication Systems or Artificial Intelligence Systems: Draft Law of Ukraine, registration No. 15379 of 03.07.2026. ↗

3286 Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1139 and (EU) 2019/2144 and Directives 2014/90/EU, (EU) 2016/797 and (EU) 2020/1828. It enters into force on 2 August 2026. ↗

Since 2026, cybercrime has been recorded in a separate criminal statistics form.[3287] Thus, **Form No. 1-CYB** 'On the Results of the Activities of Law Enforcement Agencies Regarding the State of Prevention of and Response to Offences Committed in the Field of Cybersecurity (Cybercrimes)' has been published monthly since 1 January 2026.[3288]

In 2025, 17,267 cybercrimes[3289] **were recorded**, meaning criminal proceedings were initiated, of which 16,889 were investigated by the NPU, 303 by the SBI, 66 by the SSU, 6 by the ESBU and 2 by the NABU. Most of them were classified under Article 190 of the CC of Ukraine — fraud, with 12,641 cases. Of these, 3,723 involved phishing. The share of online child sexual abuse material was also significant, with 465 cases. Cybercrimes related to interference with computer systems, including breaches of security systems, databases and similar systems,[3290] accounted for 1,398 cases. The list is not exhaustive and contains an 'other' category, the content of which is not disclosed. In 2025, this figure amounted to 3,193 recorded criminal offences, which is significant.

The problem is that the concept of 'cybercrime' may be understood in two ways: 1) cyber-dependent crimes, meaning offences that cannot be committed without the use of digital technologies, such as the creation of viruses, DDoS attacks or system breaches; 2) cyber-enabled crimes, meaning traditional acts that have become larger in scale or more effective through the use of information and communication technologies, such as fraud, money laundering or online child exploitation.[3291] The former may be described as 'criminal offences in the field of the use of information technologies', while the latter may be described as 'criminal offences committed using computers'.[3292] It is unclear which category the 'other' offences fall into. **However, in the subsequent interpretation of data and communication of cybercrime-related problems, law enforcement agencies and the prosecution service should pay attention to this issue, by focusing primarily on the first category of cybercrimes, as it poses the greatest public danger and causes significant harm, including to the state's critical infrastructure.**

In the fourth quarter of 2026, according to the Rule of Law Roadmap, unified statistical reporting by law enforcement agencies and prosecution authorities on countering criminal offences in the field of cybersecurity is to be established. Accordingly, statistical reporting will continue to be improved, considering the problems identified during the year in the recording of this category of criminal offences.

3287 On Approval of Reporting Form No. 1-CYB 'Report on the Results of the Activities of Law Enforcement Agencies Regarding the State of Prevention of and Response to Criminal Offences Committed in the Field of Cybersecurity (Cybercrimes)': Order of the Prosecutor General's Office No. 177 of 09.07.2025. ↗

3288 On the Results of the Activities of Law Enforcement Agencies Regarding the State of Prevention of and Response to Offences Committed in the Field of Cybersecurity (Cybercrimes). Prosecutor General's Office. ↗

3289 On the Results of the Activities of Law Enforcement Agencies Regarding the State of Prevention of and Response to Offences Committed in the Field of Cybersecurity (Cybercrimes), January-December 2025. Prosecutor General's Office. ↗

3290 Unauthorised actions involving information processed in electronic computing machines (computers), automated systems or computer networks, or stored on carriers of such information, committed by a person who has authorised access to it (Article 362 of the CC of Ukraine).

3291 McGuire M., Dowling S. Cyber crime: A review of the evidence / Home Office. October 2013. (Research Report 75). ↗

3292 M. Karchevskyi. Criminal Law in the Context of Digital Transformation. From Unauthorised Access to AI 'Jailbreak': monograph. King Danylo University; Institute of Information, Security and Law of the National Academy of Legal Sciences of Ukraine. Kharkiv: Pravo, 2025, p. 15.

Recommendations

1. Adopt legislative amendments to implement the Convention on Cybercrime in full, in particular by introducing the concept of electronic (digital) evidence into the CPC of Ukraine, by analogy with the Commercial Procedure Code of Ukraine, the Civil Procedure Code of Ukraine and the Code of Administrative Procedure of Ukraine, as well as other necessary amendments to fully implement the Convention in Ukrainian legislation.

2. Develop and adopt laws on the ratification of the Second Additional Protocol to the Convention on Cybercrime and on strengthening cooperation between providers of electronic communications services in Ukraine and the authorised bodies of the signatory states to that Convention.

3. Align the CC of Ukraine with Directive (EU) 2019/713, by introducing criminal liability for illegal actions involving payment cards or other payment instruments in the interests of third parties.

4. Prepare the first public report on the Internet Organised Crime Threat Assessment (IOCTA) and publish it on the MoIA website.

5. Improve unified statistical reporting by law enforcement agencies and prosecution bodies on countering criminal offences in the field of cybersecurity. Disclose the content of the category of 'other' cybercrimes, which accounts for a significant share of the total number of cybercrimes. In the interpretation and communication of cybercrime data, place emphasis on criminal offences in the field of the use of information technologies.

Combating Trafficking in Human Beings

During the reporting period, the field of combating trafficking in human beings has been characterised by a *lack of or only limited progress*, necessitating further systemic response.

The analysis of the implementation of recommendations and the resolution of problems identified in the Shadow Report 2025[3293] indicates that a significant number of key shortcomings remain unresolved. These include gaps in legislation, notably the lack of regulation of new forms of exploitation and the usage of information and communication technologies; the absence legal entities' liability for committing the crime of trafficking in human beings; the failure to implement the non-punishment principle for victims; the absence of an independent National Rapporteur; and the lack of effective assistance mechanisms for victims abroad. This indicates to a lack of progress in these areas.

At the same time, certain developments can be observed in areas such as criminal prosecution, victim identification, the development of assistance systems, strengthening institutional capacity and the implementation of awareness-raising measures. However, these remain fragmented and have not resulted in the resolution of key problems, which

3293 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's Progress under the European Union Enlargement Package 2024, 2025, pp. 683-697. ↗

allows them to be assessed as *limited progress*.[3294] Due to the full-scale war of the Russian Federation against Ukraine and large-scale migration processes, a significant proportion of Ukraine's population has found itself in conditions of heightened socio-economic vulnerability.[3295]

In particular, the war has increased the risks of trafficking in human beings and exploitation, further exacerbating the vulnerability of Ukrainian citizens. Key vulnerability factors include loss of employment and the risk of falling below the poverty line; internal displacement, which may be repeated for individuals or families, thereby increasing exposure to trafficking risks; departure abroad in search of temporary protection; residence in territories of Ukraine that are or have been temporarily occupied by the Russian Federation; the uninhabitability of housing at the place of permanent residence due to destruction caused by hostilities; and other social factors (such as retirement age, disability, single parenthood and large families).

According to law enforcement authorities,[3296] a decline in the number of officially registered cases of trafficking in human beings had been observed over several years. However, in 2025, this trend reversed, **with an increase recorded both in the number of criminal proceedings and in the number of persons granted victim status**.[3297] In 2024, 105 criminal proceedings were initiated under Article 149 of the CC of Ukraine, while 182 persons were granted victim status;[3298] in 2025, these figures increased to 155 proceedings and 485 persons recognised as victims. Between January and July 2026, 194 criminal offences related to trafficking in human beings were recorded, while as of July 2026, 563 persons had been granted victim of trafficking status.

The discrepancy in the statistical data on victims of trafficking in human beings is explained by differences in the procedures for their identification and recording. Within criminal proceedings, a victim is recognised following the submission of a complaint, whereas the status of a victim of trafficking in human beings is granted through a separate administrative procedure via local authorities. Additional factors contributing to these discrepancies include the possibility of receiving assistance without engaging law enforcement authorities; the reluctance of some victims to undergo formalised procedures in order to avoid re-traumatisation; and the specific features of data recording in the context of the war, where some victims are registered within criminal proceedings under Article 438 of the CC of Ukraine ('War Crimes') rather than as a distinct category of victims of trafficking in human beings, despite the presence of elements of exploitation.

A significant number of cases remain unreported in the TOT of Ukraine or among Ukrainian citizens residing abroad. The scale of the humanitarian crisis in Ukraine remains high, affecting 10.8 million people within the country and 1.7 million Ukrainians in other states, whose needs are becoming increasingly complex and multi-layered.

3294 This subsection focuses on updating information in areas where developments have occurred, as well as highlighting new or previously underreported challenges, in particular those related to trafficking in human beings in the online environment.

3295 World Migration Report 2024. International Organization for Migration, 2024. p. 384. ↗

3296 Statistics of the Prosecutor General's Office. ↗

3297 Number of Persons Granted the Status of a Victim of Trafficking in Human Beings by the National Social Service of Ukraine. National Social Service of Ukraine. ↗

3298 Ibid.

The highest levels of vulnerability are observed in hard-to-reach and front-line areas (approximately 3.1 million people), as well as among Ukrainians residing in EU countries, 40% of whom live below the poverty line.[3299]

Legislative Framework and Implementation of International Standards in Combating Trafficking in Human Beings, Including in Cyberspace, in Ukraine

Ukraine continues the gradual harmonisation of its national legislation with international and European standards in the field of combating trafficking in human beings, including taking into account the provisions of European Union directives, in particular Directives (EU) 2011/36,[3300] (EU) 2024/1712[3301] and (EU) 2024/1385,[3302] which set out contemporary approaches to criminalisation, prevention and victim protection. At the same time, the provisions of the Council of Europe and United Nations instruments (in particular the Council of Europe Convention on Action against Trafficking in Human Beings (2005)[3303] and the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol)[3304]) are generally reflected in national legislation; however, their implementation remains partial, particularly with regard to the liability of legal persons, the non-punishment principle for victims and the criminalisation of the use of services provided by victims.

These EU directives emphasise the need to address new forms of exploitation and the role of information and communication technologies in the commission of trafficking in human beings.

Directive (EU) 2024/1385 establishes enhanced approaches to the criminalisation of sexual violence, including its manifestations in the context of armed conflict and through the use of information and communication technologies. Ukrainian legislation generally criminalises such conduct through the provisions of the CC of Ukraine (namely Articles 149, 152 and 438). However, **the current legislation does not contain a comprehensive definition of trafficking in human beings that considers the use of digital technologies as a distinct means of committing the offence**.

Directive (EU) 2024/1712 expands the list of forms of exploitation, including forced marriage, illegal adoption and the exploitation of surrogacy. In Ukrainian national legislation, most of these forms are covered; however, the **exploitation of surrogacy is not explicitly defined as a separate form of exploitation, despite documented cases**.

The growing **role of digital technologies in the commission of trafficking in human beings** is recognised at the EU level as one of the key challenges. This includes the use

3299 IOM Ukraine and Regional Response: Annual Report 2025. International Organization for Migration, 2026. ↗

3300 Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims and replacing Council Framework Decision 2002/629/JHA. ↗

3301 Directive (EU) 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims. ↗

3302 Directive (EU) 2024/1385 of the European Parliament and of the Council of 14 May 2024 on combating violence against women and domestic violence. ↗

3303 Council of Europe Convention on Action against Trafficking in Human Beings of 16.05.2005. ↗

3304 Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime: United Nations 55/25 of 15.11.2000. ↗

of online platforms for recruitment, control and exploitation of victims, as well as for the dissemination of sexually explicit material. In Ukrainian legislation, such conduct is not currently integrated into the constituent elements of trafficking in human beings, and the use of information and communication technologies is not defined as an aggravating circumstance.

At the same time, Ukraine ensures the functioning of an **institutional framework for combating trafficking in human beings, including specialised units within the NPU** (the Migration Police Department and the Cyber Police Department), as well as mechanisms for inter-agency coordination. The regulatory framework provides for procedures for the identification of victims, the granting of victim status and access to social services in line with international standards.

State policy in this field is implemented by the Ministry of Social Policy, Family and Unity of Ukraine and the National Social Service of Ukraine. At the same time, the existing regulatory framework, including the State Targeted Social Programme for Combating Trafficking in Human Beings until 2025,[3305] does not fully consider challenges related to digitalisation.[3306] The Concept of the State Targeted Social Programme on Combating Trafficking in Human Beings until 2030, adopted in February 2026, partly takes into account challenges related to digitalisation and the use of information and communication technologies in trafficking in human beings.[3307] The document provides for the development of measures to prevent, detect and respond to trafficking in human beings committed using digital technologies and artificial intelligence, which reflects current trends in this crime. This indicates a shift towards a more comprehensive approach that takes account of new forms of exploitation and risks in the online environment.

In light of the consequences of the war of the Russian Federation against Ukraine and ongoing digitalisation processes, further implementation of European standards requires a comprehensive approach combining legal, institutional and technological instruments, as well as strengthened inter-agency and international cooperation.

Criminal Prosecution of Trafficking in Human Beings

According to the PGO,[3308] in 2025 law enforcement authorities of Ukraine registered 162 criminal offences related to trafficking in human beings (Article 149 of the CC of Ukraine). In these cases, 104 persons were notified of suspicion in relation to 119 criminal offences, 113 persons were recognised as victims and 46 indictments concerning 75 persons were referred to court. The statistics indicate an increase in the number of detected offences. In 2025, police recorded 153 cases of trafficking in human beings, which is 47.1% more than in 2024 (104 cases). The number of persons notified of suspicion also increased: in 2025, notices of suspicion were served in relation to 119 crimi-

3305 On Approval of the State Targeted Social Programme for Combating Trafficking in Human Beings until 2025: Order of the Cabinet of Ministers of Ukraine No. 496 of 02.06.2023. ↗

3306 Information provided by a representative of the Secretariat of the Government Commissioner for Gender Policy during an interview conducted on 20.03.2026.

3307 On Approval of the Concept of the State Targeted Social Programme for Combating Trafficking in Human Beings until 2030: Order of the Cabinet of Ministers of Ukraine No. 184 of 25.02.2026. ↗

3308 The Prosecutor General's Office Strengthens Efforts to Combat Trafficking in Human Beings. Prosecutor General's Office, 2026. ↗

nal offences, representing a 67.6% increase compared to the previous year. A total of 46 indictments were referred to court, which is 64.3% more than in 2024.

Data for the first half of 2026 indicate continued active work by law enforcement agencies and the prosecution service in combating trafficking in human beings. According to the PGO,[3309] between January and June 2026 prosecutors notified 64 persons of suspicion of committing 101 criminal offences related to trafficking in human beings. Thirty-three indictments against 57 persons were sent to court and nine persons were convicted. By comparison, during the whole of 2025, courts handed down convictions against 32 persons. Criminal proceedings in this category included cases of child trafficking, sexual and labour exploitation, forced begging and the use of vulnerable persons for illegal crossing of the state border.

In 2025, local courts were examining 197 criminal proceedings, of which 155 (78.7%) remained pending as of the end of the year. **During the year, courts examined 42 proceedings, resulting in 30 judgments and the conviction of 31 persons**.[3310] During the same period, appellate courts reviewed seven judgments under Article 149 of the CC of Ukraine, of which four were upheld, one was amended and two were quashed with new judgments delivered due to the need to impose a more severe sentence.[3311]

According to the NPU,[3312] in 2025 all victims involved in criminal proceedings were informed of their rights, the possibility of obtaining victim status and access to assistance. The NPU also actively participated in the implementation of EMPACT operational plans, including through joint international operations aimed at combating sexual and labour exploitation.

At the same time, despite intensified efforts by law enforcement authorities and the increase in detected cases, the effectiveness of criminal prosecution of trafficking in human beings remains limited. A significant proportion of criminal proceedings do not reach the trial stage or are discontinued at the pre-trial investigation stage. Even where cases are referred to court, **custodial sentences are imposed on only a limited number of convicted persons**.

One of the key reasons is the **low level of victim engagement in criminal proceedings**: victims often withdraw due to fear, distrust of law enforcement authorities or psychological pressure. An additional challenge is the proper legal qualification of offences related to sexual violence and exploitation in the context of the war. Some of these acts are investigated as war crimes, which complicates their qualification specifically as trafficking in human beings and affects both statistical recording and the practice of holding perpetrators accountable.

Overall, the data indicate both an intensification of state efforts in combating trafficking in human beings and the persistence of systemic challenges that require further improvement of criminal law and procedural mechanisms.

3309 Publication of the Prosecutor General's Office on Facebook, 2026. ↗

3310 Report of First Instance Courts on the Consideration of Criminal Proceedings for 2025. ↗

3311 Report of Courts of Appeal on Consideration of Appeals in Criminal Proceedings for 2025. Judiciary of Ukraine. ↗

3312 Information provided by the Migration Police Department of the National Police of Ukraine in a Letter of 19.03.2026 No. 3971/12026.

Assistance to Victims

According to the NSSU,[3313] 2024–2025 saw a **substantial increase in the number of persons officially recognised as victims of trafficking in human beings**, rising from 182 in 2024 to 485 in 2025. As of July 2026, 524 persons had already been granted victim of trafficking status, indicating that the rate of identification remains high and suggesting that the 2026 total may exceed the 2025 figure.

Significant shifts are also evident in the gender distribution of victims. In 2024, men accounted for 58% (105 individuals) and women for 37% (67 individuals), whereas in 2025 the proportion of men rose sharply to 89% (433 individuals), with the share of women decreasing to 9% (44 individuals). The number of child victims slightly declined from 10 to 8. Data for 2026 indicate that this trend is continuing to strengthen: as at July 2026, victim of trafficking status had been granted to 492 men (94%), 17 women (3%) and 15 children (2.5%).

The most prevalent form of exploitation remains combined exploitation, i.e. the use of two or more forms of exploitation in relation to one victim. The number of such cases increased significantly, from 123 in 2024 to 404 in 2025. This trend continued in 2026, with 504 such cases already recorded as of July 2026. The number of cases involving the use of persons in armed conflict remained relatively stable (19 in 2024, 17 in 2025 and 13 cases as of July 2026). At the same time, labour exploitation increased from 15 cases in 2024 to 42 in 2025. In less than seven months of 2026, 30 such cases had already been recorded.

Internal trafficking in human beings in 2025 (278 cases) exceeded cross-border trafficking (207 cases), continuing the trend observed in the previous year. At the same time, as at July 2026, the ratio had shifted: 358 cases of cross-border trafficking and 205 cases of internal trafficking were recorded. **Among foreign destination countries, the Russian Federation remains the primary destination**, with the number of identified cases of exploitation increasing from 70 in 2024 to 204 in 2025. As of July 2026, 349 cases were linked to the Russian Federation, confirming that it remains the main country of exploitation of Ukrainian citizens.

The highest number of victims was recorded in the city of Kyiv (37 persons in 2024 and 123 in 2025), Mykolaiv region (31 and 93 respectively) and Odesa region (25 and 64 respectively). As of July 2026, these areas remained the leaders in the number of persons granted victim of trafficking status: 134 persons in Kyiv, 105 in Mykolaiv region, 47 in Kyiv region and 53 in Odesa region.

Overall, the trends indicate an **increase in the scale of trafficking in human beings**, particularly in the forms of internal trafficking and combined exploitation, as well as a shift in the victim profile towards a predominance of men. A significant proportion of cases are linked to the Russian Federation, reflecting the impact of the ongoing armed aggression.

International organisations and civil society organisations continue to play an important role in supporting victims. In 2025–July 2026 the NGO ‘La Strada-Ukraine’ provided

3313 Number of persons granted the status of a victim of trafficking in human beings by the National Social Service of Ukraine. National Social Service of Ukraine. ↗

counselling through the National Hotline for the Prevention of Domestic Violence, Trafficking in Human Beings and Gender Discrimination (116 123 and 0800500335).[3314]

The total number of calls to the National Hotline in 2025 amounted to 48,442, of which 1,453 (3% of all calls) concerned the prevention of trafficking in human beings. In the first half of 2026, the hotline received 31,715 calls, of which 1,014 (3%) concerned the prevention of trafficking in human beings. In 2025, 80% of calls concerning the prevention of trafficking in human beings were from women and 20% from men. In the first half of 2026, however, the share of calls from men increased to 30%. National Hotline consultants provided psychological, legal and information assistance. In 2025, information support predominated (69%), while psychological and legal assistance accounted for 13% and 18%, respectively. In the first half of 2026, the shares of psychological and legal assistance increased to 25% and 21%, respectively, indicating a growing need for more comprehensive and specialised support.[3315]

At the same time, **access to assistance remains uneven**, particularly in remote communities and among citizens of Ukraine residing abroad. This is confirmed by the above analysis of statistical data for 2024–2025 and the first half of 2026, which reveals disparities in access to support for victims of trafficking in human beings in Ukraine: the concentration of officially recognised victim statuses in the city of Kyiv and certain other regions points not only to higher risks in urban areas but also to the limited capacity of the identification and support system in remote communities.

Significant gaps also affect Ukrainian citizens who have become victims of trafficking in human beings abroad. The increase in cases of exploitation, particularly on the territory of the Russian Federation, is accompanied by the practical absence of access to national assistance mechanisms until victims return to Ukraine.[3316] **Existing procedures for granting victim status do not adequately reflect the realities of mass displacement** and restrict access to support for persons who remain outside Ukraine.

In February 2026, the Government approved the Concept of the State Targeted Social Programme for Combating Trafficking in Human Beings until 2030,[3317] which focuses on the systemic adaptation of policy to the challenges of the war and the recovery period. The new strategy is based on the international '4P' model and provides for the integration of gender-sensitive approaches into the provision of assistance to victims. It also identifies the growing scale of risks associated with global digitalisation as a priority. In particular, the Concept provides for prevention, detection and response to trafficking in human beings involving the use of digital technologies and artificial intelligence.

3314 National Hotline for the Prevention of Domestic Violence, Trafficking in Human Beings and Gender Discrimination. NGO 'La Strada–Ukraine'. ↗

3315 Ibid.

3316 In accordance with the Procedure for Establishing the Status of a Person Who Has Suffered from Trafficking in Human Beings, approved by Resolution of the Cabinet of Ministers of Ukraine No. 417 of 23.05.2012, such status is granted on the basis of a personal application submitted to the competent authorities in Ukraine, which limits access to this mechanism for persons residing abroad.

3317 On Approval of the Concept of the State Targeted Social Programme for Combating Trafficking in Human Beings until 2030: Order of the Cabinet of Ministers of Ukraine of 25.02.2026 No. 184. ↗

Overall, access to assistance remains partially fragmented and dependent on the victim's location, indicating the need for a systemic review of approaches to identification, protection and support for victims.

Awareness-Raising and Prevention

According to the results of the execution of the Implementation Plan under the Framework Programme of Cooperation between the Government of Ukraine and the United Nations on the Prevention and Response to Conflict-Related Sexual Violence for 2025,[3318] large-scale awareness-raising and educational measures to combat trafficking in human beings were carried out in Ukraine. These initiatives reached millions of people through national campaigns, digital tools, online courses and public initiatives. Particular attention was paid to raising awareness among women and girls, informing citizens at border crossing points and engaging with vulnerable groups, including IDPs, the unemployed and young people. At the same time, training activities were conducted for professionals within the criminal justice system, public authorities and support services, contributing to strengthened institutional capacity in the areas of identification and response. Information resources[3319] were also developed to raise public awareness and facilitate the reporting of trafficking in human beings cases.

In 2025, training activities were further expanded to include specialised programmes, including training on the use of OSINT tools for investigating offences related to trafficking in human beings and the online sexual exploitation of children.[3320]

At the same time, despite the broad reach and diversity of tools, the effectiveness of these measures in terms of reducing vulnerability remains limited. Awareness-raising efforts alone cannot offset the complex socio-economic factors driven by the war, economic instability and mass migration. In addition, there is a disconnect between information activities and victims' actual access to assistance: the most vulnerable groups, in particular persons in remote communities or abroad, remain insufficiently covered by both preventive measures and support mechanisms.

In this context, further efforts should focus not only on expanding outreach but also on improving effectiveness, including through targeted measures for at-risk groups and enhanced coordination among relevant actors. It should be noted that the new Implementation Plan under the Framework Programme of Cooperation between the Government of Ukraine and the United Nations on the Prevention and Response to Conflict-Related Sexual Violence[3321] provides for a range of measures in combating trafficking in human beings. These include aligning legislation with EU standards, strengthening institutional capacity through specialised training, expanding awareness-raising cam-

3318 Results of the Implementation of the Implementation Plan under the Framework Programme of Cooperation between the Government of Ukraine and the United Nations on the Prevention and Response to Conflict-Related Sexual Violence: Report / La Strada-Ukraine [et al.]. 2026. 24 p. ↗

3319 Online quest 'Cybersecurity – Your Superpower Online'. NGO 'La Strada–Ukraine'. ↗; Online course 'The Risk of Online Exploitation of Women: Avoiding Risks'. Prometheus. ↗

3320 Results of the Implementation of the Implementation Plan under the Framework Programme of Cooperation between the Government of Ukraine and the United Nations on the Prevention and Response to Conflict-Related Sexual Violence: Report / La Strada-Ukraine [et al.]. 2026. 24 p. ↗

3321 Implementation Plan for the Framework Programme of Cooperation between the Government of Ukraine and the United Nations on the Prevention and Response to Conflict-Related Sexual Violence for 2026–2027. ↗

paigns for vulnerable groups and improving access to support services for victims, including Ukrainian citizens abroad. At the same time, the effectiveness of these measures will require continued monitoring in light of persistent systemic challenges.

Recommendations

1. Amend the CC of Ukraine to introduce criminal liability of legal persons for the offence of trafficking in human beings (Section XIV[1] of the CC of Ukraine); include Article 149 of the CC of Ukraine in the list of offences for which the limitation period is calculated from the moment the victim reaches the age of majority (Part 6 Article 49 of the CC of Ukraine); and establish criminal liability for the intentional use of services provided by victims of trafficking in human beings.[3322]

2. Amend the legislation of Ukraine to ensure alignment with the standards of Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting the victims, as well as the Council of Europe Convention on Action against Trafficking in Human Beings. Amend the Law of Ukraine 'On Combating Trafficking in Human Beings' to clearly define the 'recovery and reflection period', including the scope of guaranteed assistance and protection measures to be provided to victims during this period; and introduce provisions on the non-punishment principle for victims for their involvement in criminal activities where such involvement resulted from coercion.

3. Integrate the use of information and communication technologies into the legal definition of trafficking in human beings, either as a means of committing the offence and/or as an aggravating circumstance.

4. Regulate the legal protection of the rights and interests of participants in surrogacy programmes, in particular women who have agreed to act as surrogate mothers, as well as children born through such programmes.

5. Include the exploitation of surrogacy in the list of forms of exploitation under Article 149 of the CC of Ukraine.

6. Increase the effectiveness of criminal proceedings by ensuring that a greater number of cases reach the trial stage; by imposing custodial sentences on a larger number of convicted persons; and by improving victims' access to compensation.

7. Ensure proper differentiation in the legal qualification of offences, between trafficking in human beings, conflict-related sexual violence and war crimes.

8. Establish mechanisms to enhance victim participation in criminal proceedings, including through security guarantees, psychological support and the possibility of remote participation.

9. Amend Article 5 of the Law of Ukraine 'On Combating Trafficking in Human Beings' to include local self-government bodies among the entities responsible for implementing anti-trafficking measures; introduce the possibility of submitting applications for victim status online.

3322 Recommendations 1–2, 4–6, 9–14, 16–19 were already provided by civil society in the Shadow Report 2025 (pp. 711–713) and remain relevant. ↗

10. Improve the procedure for submitting applications and obtaining victim status in cases of trafficking in human beings. In particular, introduce the possibility of submitting applications to local self-government bodies and enable electronic submission of applications.

11. Assess barriers to access to support services and to the submission of applications for victim status among different categories of victims (including persons with disabilities, IDPs, foreigners, undocumented persons, men seeking to avoid mobilisation, persons living in rural areas and those displaced abroad) and develop targeted measures to address these barriers. Develop detailed guidelines on the identification of victims, as well as on the receipt and processing of applications for victim status (including examples of supporting documents, circumstances to be established and indicators of different forms of trafficking in human beings).

12. Improve the system for providing services to victims of trafficking in human beings, considering the challenges posed by Russia's full-scale invasion of Ukraine.

13. Develop a mechanism for cooperation between law enforcement authorities and Ukrainian diplomatic missions, with the involvement of foreign law enforcement authorities as well as civil society and international organisations, to ensure proper identification, registration and investigation of trafficking in human beings cases involving Ukrainian citizens abroad.

14. Explore the feasibility of establishing a state compensation fund for victims of violent crimes, including trafficking in human beings.

15. Strengthen preventive measures through socio-economic instruments, including by introducing targeted programmes for high-risk groups, considering the impact of the war and digitalisation.

16. Deliver specialised training, strengthen institutional capacity and enhance coordination skills among actors involved in combating trafficking in human beings.

17. Enhance cooperation and exchange of experience between Ukrainian law enforcement authorities and their European counterparts in combating trafficking in human beings, particularly in the context of Ukraine's EU integration and the need to ensure effective cross-border cooperation and coordination in line with EU requirements.

18. Establish the position of an independent National Rapporteur on trafficking in human beings.

19. Provide training on the implementation of victim-centred and trauma-informed approaches in work with victims of trafficking in human beings.

20. Strengthen the capacity of law enforcement authorities to detect and investigate trafficking in human beings in the online environment, including through advanced analytical tools and OSINT.

Circulation and Control of Firearms and Ammunition

Progress and issues

The issue of legislative regulation of civilian firearms remains unresolved, *but slight progress has been observed*.

One third of citizens believe that the uncontrolled carrying of weapons contributes to the spread of crime.[3323] Whereas in 2022, 44% of the population wanted to own firearms and 56% did not,[3324] in 2025, 42% of respondents had a very positive or rather positive attitude towards keeping weapons at home, while 53% viewed this prospect very negatively or rather negatively.[3325]

Media reports indicated[3326] that as at the end of June 2026, **21,867 firearms had been declared in Ukraine**. According to the Minister of Internal Affairs,[3327] during the three years of operation of the Unified Register of Weapons, **citizens submitted more than 1.255 million applications for various permits**. Positive decisions were issued in more than 97% of cases.

According to the Deputy Head of the NPU,[3328] almost 1,000 attempts to sell weapons illegally were stopped in 2025, while from January to mid-March 2026 the police recorded 282 cases of illicit arms trafficking. In addition, in 2025, 583 crimes involving the use of weapons, ammunition and explosives were registered, including 165 murders, excluding crimes committed by the aggressor state on the territory of Ukraine. During 2023–2025, there was a downward trend in the number of such offences.

At present, the circulation of firearms in Ukraine is partly regulated by Law No. 3899-IX[3329] and Order of the Ministry of Internal Affairs No. 662.[3330]

Law No. 3899-IX allows civilians to keep firearms they have received or found for the duration of martial law and to use them solely for military purposes. It partly contributes to establishing control over the circulation of firearms that were issued to civi-

3323 National Study 'Assessment of the Crime Rate, Evaluation of the Work of Law Enforcement Agencies and Public Trust in the Justice System in Ukraine'. Info Sapiens, October 2025, p. 24. ↗

3324 Eleventh Nationwide Survey: Personal Freedom, Security and Firearms Issues. Rating Sociological Group, 2022. ↗

3325 National Study 'Assessment of the Crime Rate, Evaluation of the Work of Law Enforcement Agencies and Public Trust in the Justice System in Ukraine'. Info Sapiens, October 2025, p. 26. ↗

3326 More Than 21,000 Firearms Declared in Ukraine. Ukrinform. 2026. ↗

3327 Three Years Ago, We Launched the Unified Weapons Register, Says Minister of Internal Affairs Ihor Klymenko. Ministry of Internal Affairs of Ukraine. 2026. ↗

3328 Andrii Niebytov. So That the Right to Defence Does Not Become the Right to Kill: Ukrainians Have Declared More Than 18,000 'Barrels'. Apostrophe, 2026. ↗

3329 On Amendments to the Law of Ukraine 'On Ensuring the Participation of Civilians in the Defence of Ukraine' to Improve the Procedure for Receiving, Declaring and Handling Firearms: Law of Ukraine No. 3899-IX of 20.08.2024. ↗

3330 On Approval of the Instruction on the Procedure for the Manufacture, Acquisition, Storage, Registration, Transportation and Use of Firearms, Pneumatic, Cold and Deactivated Weapons, Domestically Produced Devices for Firing Cartridges Equipped with Rubber or Similar Non-Lethal Projectiles and Cartridges for Them, as well as Ammunition for Weapons, Essential Components of Weapons and Explosive Materials: Order of the Ministry of Internal Affairs of Ukraine No. 622 of 21.08.1998. ↗

lians en masse at the beginning of the full-scale invasion or that may be found in areas of hostilities, since all received or found weapons and unused ammunition must be surrendered to the NPU no later than 90 days after the cancellation or termination of martial law.[3331]

MoIA Order No. 662 defines the conditions and procedure for issuing, extending and revoking permits for the operation of facilities subject to the permit system, including weapons storage facilities, enterprises manufacturing weapons, workshops, shops and other facilities, as well as for the acquisition, transportation, storage and carrying of weapons, ammunition for them, essential components of weapons, devices for firing rubber or similar non-lethal projectiles and other items, materials and substances covered by the permit system, together with their recording and use.

As noted earlier,[3332] Draft Law No. 5708[3333] on the regulation of civilian firearms, adopted by the Parliament at first reading on 23 February 2022, is still being revised. In the version of Draft Law No. 5708 prepared for the second reading in December 2023, certain provisions of the previous version were improved, in particular: the minimum age requirement was increased for each category of weapon; issues of inheritance of weapons were regulated; the carrying of short-barrelled firearms, long smoothbore firearms and rifled firearms is permitted only in places where weapons are stored, during shooting practice, hunting or sporting events within shooting galleries, shooting ranges or shooting stands; the carrying of traumatic and honorary weapons is restricted only in weapon-free zones defined by the Government; and the right to obtain short-barrelled rifled firearms will arise five years after the end or termination of martial law.

Despite improvements to many provisions, the draft law still contains shortcomings. In September 2025, the Main Legal Department of the Secretariat of the Verkhovna Rada provided comments on the version of Draft Law No. 5708 prepared for the second reading.[3334] In particular, it noted that the draft law contains a number of provisions that fail to take into account the Constitution of Ukraine and the international principles set out in the UN Protocol 'against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition', are inconsistent with existing laws and do not take into account the legal position of the CCU. In addition, the draft law contains corruption risks.

As stated in the draft law,[3335] the MoIA determines the list of requirements for specialists who provide the training required to obtain a firearms permit, the procedure for their periodic certification, the procedure for accrediting institutions authorised to provide such training and approves the standard training programme. Thus, all control over the activities of such institutions is concentrated within the MoIA, which sets the rules and ensures their implementation through NPU bodies. Given that high-quality training on the material structure of weapons, the rules for handling them and their use

3331 On Amendments to the Law of Ukraine 'On Ensuring the Participation of Civilians in the Defence of Ukraine' to Improve the Procedure for Receiving, Declaring and Handling Firearms: Law of Ukraine No. 3899-IX of 20.08.2024. ↗

3332 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's 2024 Ukraine Progress Report within the European Union Enlargement Package, 2025, p. 666. ↗

3333 On the Right to Civilian Firearms: Draft Law of Ukraine, registration No. 5708 of 25.06.2021. ↗

3334 Comments on the Draft Law of Ukraine on the Civilian Circulation of Firearms, registration No. 5708. ↗

3335 On the Right to Civilian Firearms: Draft Law of Ukraine, registration No. 5708 of 25.06.2021. ↗

will help foster a culture of responsible weapons handling and improve overall safety, risks in this area should be minimised.

From the perspective of overall safety, another risky provision of the draft law is the possibility of independently learning the rules for handling weapons and their use outside the relevant institution, which may result in insufficiently high-quality training for firearms owners.

In addition, Draft Law No. 5708 does not define the procedure for the circulation of cold weapons and pneumatic weapons, which will continue to be regulated by a secondary legal act, namely MoIA Order No. 662.

A related Draft Law No. 5709[3336] is also under consideration by the Parliament. It provides for amendments to the CC of Ukraine to clarify the limits of necessary defence and establish liability for illegal handling of weapons, ammunition or explosives, as well as amendments to the Code of Ukraine on Administrative Offences (CUAO) concerning liability for offences in weapons circulation. The MoIA supports the consideration of these draft laws.[3337]

The updated version of this draft law was prepared for the second reading in January 2024. It proposes strengthening administrative liability for offences related to shooting in unauthorised places, violation of the procedure for acquiring, storing and moving weapons and intentional display of firearms outside their place of storage without grounds for their application or use. It also amends the CC of Ukraine provisions on liability for illegal handling of weapons, ammunition, explosive devices or explosives, including carrying weapons outside designated places.

Establishing administrative liability for shooting in unauthorised places and criminal liability only for carrying weapons outside designated places is disproportionate and not commensurate with the nature of these offences. It is also disproportionate to establish administrative liability for carrying firearms in authorised places while under the influence of alcohol, narcotics or other intoxicants, given the nature of the harm caused compared with carrying weapons outside designated places.

Both draft laws are currently included on the agenda of the Verkhovna Rada.[3338] At the same time, the Office of the Deputy Prime Minister for European and Euro-Atlantic Integration of Ukraine previously informed the Verkhovna Rada Committee on Law Enforcement that transposition tables for Draft Laws No. 5708 and No. 5709[3339] are currently being prepared for submission to the European Commission for further assessment.

On 11 June 2026, the Minister of Internal Affairs announced the establishment of a working group tasked with preparing proposals to improve the provisions of this draft law

3336 On Amendments to the Code of Ukraine on Administrative Offences and the Criminal Code of Ukraine to Implement the Provisions of the Law of Ukraine 'On the Right to Civilian Firearms': Draft Law of Ukraine, registration No. 5709 of 25.06.2021. ↗

3337 Letter of the Ministry of Internal Affairs of Ukraine No. 11955/08/14-2026 of 19.03.2026.

3338 On the Agenda of the Fifteenth Session of the Verkhovna Rada of Ukraine of the Ninth Convocation: Resolution of the Verkhovna Rada of Ukraine No. 4775-IX of 10.02.2026. ↗

3339 See Opinion (Additional Expert Review) of the Cabinet of Ministers of Ukraine on the Draft Law of Ukraine 'On Amendments to the Code of Ukraine on Administrative Offences and the Criminal Code of Ukraine to Implement the Provisions of the Law of Ukraine "On the Right to Civilian Firearms"', registration No. 5709 of 25.06.2021. ↗

before second reading.[3340] Further work on the draft law is taking place with the participation of MPs, representatives of the MoIA, NPU, Office of the President, military and veterans' communities, civil society human rights organisations and the media community.[3341]

Draft Law No. 10179,[3342] which proposes strengthening criminal liability for the theft, misappropriation, extortion, carrying, storage, acquisition, transfer or sale of a component of a firearm, as well as for the theft, misappropriation or extortion of firearm components by a service member, has been under consideration by the Verkhovna Rada Committee on Law Enforcement since October 2023. At the same time, in early 2026, the Office of the Deputy Prime Minister for European and Euro-Atlantic Integration of Ukraine provided an information note on this draft law's compliance with the EU acquis.[3343]

On 26 June 2026, Draft Law No. 15351 was registered in the Verkhovna Rada,[3344] proposing amendments to the Laws of Ukraine 'On Ensuring the Participation of Civilians in the Defence of Ukraine' and 'On the National Police'. It proposes introducing a monetary reward for civilians who hand over to the NPU firearms and ammunition included by the MoIA in the list of armaments critically important for the needs of Ukraine's security and defence forces.

Introducing economic incentives for the voluntary surrender of weapons and ammunition that are not subject to declaration is generally a positive step. However, the draft law has several shortcomings. First, the list of armaments critically important for the needs of Ukraine's security and defence forces is to be drawn up by the MoIA. However, under the Law of Ukraine 'On National Security of Ukraine',[3345] the security and defence sector includes, in addition to the MoIA and the NPU, bodies and formations whose activities are coordinated, inter alia, by the Ministry of Defence,[3346] while Draft Law No. 15351 provides no mechanisms for interaction between the two ministries or for taking account of the interests and needs of the defence sector. Second, the procedure for paying monetary rewards for handing over firearms and ammunition to the NPU is to be determined by the MoIA, which is inconsistent with the Ministry's powers. Since this concerns potential expenditure from the state budget, the procedure and payment amounts should be established by a Government normative legal act.

3340 Working Group on Regulation of Civilian Firearms Circulation Established in Ukraine. Suspilne. News. 2026. ↗

3341 Representatives of the Verkhovna Rada Committee on Law Enforcement Took Part in an MoIA Meeting on Civilian Firearms Circulation. Verkhovna Rada of Ukraine. 2026. ↗

3342 On Amendments to the Criminal Code of Ukraine to Improve Liability for the Illegal Manufacture and Circulation of Weapons, Firearm Components, Ammunition and Explosives: Draft Law of Ukraine, registration No. 10179 of 23.10.2023. ↗

3343 Ibid.

3344 On Amendments to Certain Legislative Acts of Ukraine Regarding the Payment of Monetary Rewards for the Surrender of Weapons Critically Important for the Needs of the Security and Defence Forces of Ukraine: Draft Law of Ukraine, registration No. 15351 of 26.06.2026. ↗

3345 On National Security of Ukraine: Law of Ukraine No. 2469-VIII of 21.06.2018. ↗

3346 Pursuant to Part 2 Article 12 of the Law of Ukraine 'On National Security of Ukraine', the security and defence sector comprises the Ministry of Defence of Ukraine, the Armed Forces of Ukraine, the State Special Transport Service, the Ministry of Internal Affairs of Ukraine, the National Guard of Ukraine, the National Police of Ukraine, the State Border Guard Service of Ukraine, the State Migration Service of Ukraine, the State Emergency Service of Ukraine, the Security Service of Ukraine, the Anti-Terrorist Centre under the Security Service of Ukraine, the Court Security Service, the State Protection Department of Ukraine, the State Service of Special Communications and Information Protection of Ukraine, the Staff of the National Security and Defence Council of Ukraine, the intelligence agencies of Ukraine and the central executive authority responsible for formulating and implementing state military-industrial policy.

During the evaluation period, the activities of the Coordination Centre on Combating the Illicit Circulation of Firearms, Their Essential Parts and Components and Ammunition (Coordination Centre), which performs the functions of the **National Firearms Focal Point (NFFP) in Ukraine**, were dominated by exchanges of experience with EU countries and international organisations.

For example, in September 2025, a meeting was held with representatives of the **South-Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC)**, which supports the organisation of training for NPU officers on the analysis of criminal intelligence concerning firearms.[3347] In March 2026, a study visit to Finland was organised to familiarise participants with practical approaches to preventing the illicit circulation of firearms, ammunition and explosives.[3348]

The **MoIA** has developed a draft Roadmap for Combating the Illicit Circulation of Weapons, Their Essential Parts, Ammunition and Explosives until 2030,[3349] but it has not yet been approved.[3350] On 29 April 2026, the draft Roadmap was presented during the regional conference 'Law Enforcement Reform in the Context of Ukraine's European Integration: Implementation of the Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027 and the Regional Dimension'. The draft Roadmap has now been sent to the authorities concerned for approval.[3351] **Adoption of a strategic document in this area is an interim benchmark in the negotiation process under Chapter 31 'Foreign, Security and Defence Policy' within Cluster 6 'External Relations' of the EU acquis.**[3352]

Recommendations

1. Adopt Draft Law No. 5708 on firearms for the civilian population (civilian firearms) and Draft Law No. 5709 on amendments to the CUAO and the CC of Ukraine to implement the provisions of the Law of Ukraine 'On the Right to Civilian Firearms', after revising their provisions to incorporate expert comments.

2. Include provisions in Draft Law No. 5708 stipulating that the procedure for accrediting institutions, the requirements for specialists who provide training on the material structure of weapons, the rules for handling them and their use, the procedure for certifying such institutions and the standard training programme are to be approved by the Cabinet of Ministers of Ukraine.

3347 Combating the Illicit Circulation of Weapons: MoIA and SEESAC Agreed a Cooperation Plan. Ministry of Internal Affairs of Ukraine, 2025. ↗

3348 EUAM Ukraine Organised a Study Visit to Finland on Firearms Control. European Union Advisory Mission, 2026. ↗

3349 Letter of the Ministry of Internal Affairs of Ukraine No. 11955/08/14-2026 of 19.03.2026.

3350 Sixth Negotiating Cluster on Ukraine's Accession to the European Union Opened. Ministry of Internal Affairs of Ukraine. 2026. ↗; OSCE Provided the MoIA of Ukraine with Equipment to Strengthen the Investigation of Serious Crimes and Counter Illicit Arms Trafficking. Ministry of Internal Affairs of Ukraine. 2026. ↗

3351 Information provided within the activities of the Interagency Working Group on Ensuring the Negotiation Process on Ukraine's Accession to the European Union and the Adaptation of Ukrainian Legislation to European Union Law, established by Resolution of the Cabinet of Ministers of Ukraine No. 987 of 27.08.2024 'Certain Issues of Ensuring the Negotiation Process on Ukraine's Accession to the European Union'.

3352 European Union Common Position (following Ukraine's Negotiating Position AD 35/26 CONF-UA 9): Accession Document. Brussels, 10.07.2026, p. 11. ↗

3. The Coordination Centre and the bodies involved in its work should conduct regular threat assessments to prevent the illegal possession and circulation of firearms and other small arms and light weapons. It would be advisable to approve the developed Roadmap for Combating the Illicit Circulation of Weapons within the time limits defined by state policy documents.[3353]

4. Strengthen the institutional capacity of the Coordination Centre, which performs the functions of the National Firearms Focal Point (NFFP), by ensuring its connection to Europol's SIENA Platform for information exchange through this channel and by improving cooperation with military command bodies.

5. Improve criminal liability for the illicit circulation of weapons and ammunition, by adapting it to the conditions of the full-scale war and clarifying liability concerning firearm components and ammunition. The wording of the relevant articles in the draft new CC of Ukraine and the adoption of Draft Law No. 10179 could serve as a basis for such improvements.

Transformation of the Security Service of Ukraine into a Modern Strategic Special Service of European Model: Preconditions and Challenges

Progress and issues

The activities of the SSU during September 2025 – July 2026 were marked by *some progress*.

In September 2025, EUAM Ukraine and the Rating Sociological Group presented the results of their annual nationwide public opinion survey on Ukrainians' attitudes towards institutions, reforms and the challenges on Ukraine's path to EU membership. In this survey, the SSU ranked **second**, after the Armed Forces of Ukraine (AFU), **in terms of public trust, with a result of 78%**.[3354] From an expert perspective, this situation can be explained by the SSU's new role in the context of the full-scale war — combating collaborationism, high treason and international crimes, carrying out not only counterintelligence measures but also intelligence activities on enemy territory and other tasks. By comparison, before the full-scale invasion of Ukraine by the Russian Federation, trust in the SSU was twice as low — 29% as of December 2021.[3355]

Despite this high level of trust, since July 2025 public debate in the media, journalistic investigations[3356] and expert analysis[3357] has **repeatedly raised the need to inten-**

3353 The recommendation previously provided in the Shadow Report 2025 (p. 669) remains relevant.

3354 Trust, Reforms and EU Integration: What Ukrainians Think in 2025. Rating, 2025. ↗

3355 Trends in Trust in Social Institutions in 2021–2024. Kyiv International Institute of Sociology, 2025. ↗

3356 'They Will Come for Us Too'. Who Carried Out the Special Operation to Destroy the Independence of the NABU and SAPO, and How. Ukrainska Pravda, 2025. ↗

3357 The Security Service of Ukraine between War and Law and Order: Is Reform Timely? Ukrainska Pravda, 2025. ↗

sify further SSU reform in the context of the full-scale war. This debate has been prompted by allegations that the Service has become 'politicised', reflected in particular in criminal proceedings in which NABU[3358] detectives were served with notices of suspicion and subjected to preventive measures, as well as by other indications that the SSU may have acted beyond the limits of its competence.

On 13 January 2026, upon President's submission, the Verkhovna Rada dismissed Vasyl Maliuk[3359] from the post of Head of the SSU. The President was then expected to submit a candidate to the Verkhovna Rada for approval.[3360] However, this did not happen, as preliminary vote counts indicated that there were insufficient votes to support the appointment.[3361]

As early as **5 January 2026, the President appointed Yevhenii Khmara[3362] as Acting Head of the SSU**. He previously headed Special Operations Centre 'A'. Since the Verkhovna Rada Committee on National Security, Defence and Intelligence did not consider his candidacy, and the Parliament did not approve his appointment, this has further reinforced allegations that the President is concentrating the special service[3363] under his own control, creating risks of the SSU's political use.

Following similar problems after the change of Government, on 17 July 2026 the **President appointed a new Acting Head of the SSU — Oleksandr Poklad**, First Deputy Head of the SSU.[3364]

No significant progress was made during the reporting period in improving mechanisms of parliamentary oversight of the SSU's activities. At the same time, the Rule of Law Roadmap provides for two key measures in this regard: 1) adoption of a law aimed at establishing an independent Ombudsman/supervisory body to investigate individual complaints and other matters related to the SSU's activities (first quarter of 2027); 2) establishment of effective mechanisms for interaction with the Verkhovna Rada committee whose remit includes ensuring the Parliament's oversight functions over special-purpose bodies with law enforcement functions, special-purpose law enforcement agencies and intelligence agencies (fourth quarter of 2027). Given the public demand for SSU accountability under martial law, the implementation of these measures is important, and work on them should be carried out as soon as possible.

3358 The Security Service of Ukraine Provided the NABU with Additional Materials Concerning the Detained Detectives — Maliuk. Ukrinform, 2025. ↗; Why the Court Released from Pre-Trial Detention the Key NABU Detective Who Investigated the 'Mindich Tapes'. BBC Ukraine, 2025. ↗

3359 On the Dismissal of V. Maliuk from the Post of Head of the Security Service of Ukraine: Resolution of the Verkhovna Rada of Ukraine No. 4754-IX of 13.01.2026. ↗

3360 The powers of the Verkhovna Rada of Ukraine include the appointment and dismissal, upon submission by the President of Ukraine, of the Head of the Security Service of Ukraine (para. 121, Article 85 of the Constitution of Ukraine).

3361 Dual Power in the SSU: How the Service Works after Vasyl Maliuk. Suspilne News, 2026. ↗

3362 On the Temporary Performance of the Duties of Head of the Security Service of Ukraine: Decree of the President of Ukraine No. 19/2026 of 05.01.2026. ↗

3363 'Special service' is a general unofficial term for law enforcement services whose main purpose is connected with ensuring law and order and security measures, both domestically and outside the state. The status of the SSU is that of a 'state body of special purpose with law enforcement functions', while counterintelligence activity predominates among its mixed functions.

3364 On the Temporary Performance of the Duties of Head of the Security Service of Ukraine: Decree of the President of Ukraine No. 622/2026 of 17.07.2026. ↗

In the case of the second measure, this concerns the implementation of the current Article 33[2] of the Law of Ukraine 'On Committees of the Verkhovna Rada of Ukraine',[3365] which provides for the establishment of a Verkhovna Rada committee whose remit includes ensuring the Parliament's oversight functions over special-purpose bodies with law enforcement functions, special-purpose law enforcement agencies and intelligence agencies. At present, in the current ninth convocation of the Verkhovna Rada, these functions are performed by the Committee on National Security, Defence and Intelligence.

For its part, the **SSU** states that it **continues to study international experience and practices** concerning the establishment and operation of an ombudsman institution for special services. **On 30 April 2026, the Verkhovna Rada Committee on National Security, Defence and Intelligence established a working group to prepare for the establishment of a future** Verkhovna Rada committee whose remit will include parliamentary oversight of the activities of special-purpose bodies with law enforcement functions, special-purpose law enforcement agencies and intelligence agencies. Relevant experience is being studied.[3366]

In any event, despite the challenges of the full-scale invasion, the SSU continues to develop. However, against the backdrop of broader problems affecting parliamentarism, intensifying these processes and strengthening parliamentary oversight of the SSU's activities appears to be a difficult task. **Draft Law No. 3196-d**[3367] **has been awaiting the second reading in the Verkhovna Rada since October 2021. At the same time, the Government does not regard it as the main component of SSU reform**.

According to SSU representatives, the Service advocates a pluralistic approach — there should be several legislative initiatives in the field of SSU development, since Draft Law No. 3196-d requires too extensive a revision in light of current requirements.[3368] At the same time, as of now, the European Commission states in the 2025 EU Enlargement Package Report that *'there has been no progress in reforming the Security Service of Ukraine'*.[3369]

With the involvement of national and foreign experts, the SSU, together with the Verkhovna Rada, is consistently and comprehensively developing and implementing legislative amendments. According to SSU representatives, the purpose of the Service's reform is a 'systemic reorientation towards countering threats to state **security and the creation of a single national counterintelligence body'**.[3370]

3365 On Committees of the Verkhovna Rada of Ukraine: Law of Ukraine No. 116/95-VR of 04.04.1995. ↗

3366 Information provided within the activities of the Interagency Working Group on Ensuring the Negotiation Process on Ukraine's Accession to the European Union and the Adaptation of Ukrainian Legislation to European Union Law, established by Resolution of the Cabinet of Ministers of Ukraine No. 987 of 27.08.2024 'Certain Issues of Ensuring the Negotiation Process on Ukraine's Accession to the European Union'.

3367 On Amendments to the Law of Ukraine 'On the Security Service of Ukraine' to Improve the Organisational and Legal Framework for the Activities of the Security Service of Ukraine: Draft Law of Ukraine, registration No. 3196-d of 26.10.2020. ↗

3368 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's 2024 Ukraine Progress Report within the European Union Enlargement Package, 2025, p. 677. ↗

3369 Ukraine 2025 Report. Communication on EU Enlargement Policy, p. 50. ↗

3370 Information provided by representatives of the Security Service of Ukraine during an interview conducted on 17.03.2026.

Strategic Documents

In 2025, at the request of the SSU, international partners prepared an analytical document entitled 'Review of Ukrainian Legislation Defining the Powers of the Security Service of Ukraine', which was submitted to the European Commission. The SSU is currently cooperating with experts from the Geneva Centre for Security Sector Governance (DCAF) on ways to implement the recommendations set out in that document.[3371]

At the same time, these recommendations were considered when developing the *Strategy for the Development of the Security Service of Ukraine for 2025–2030*, approved by Order of the Head of the SSU No. 157 of 21 April 2025.[3372] The Strategy defines the main directions for transforming the SSU into a single national counterintelligence body. Achieving the key goals and objectives set out in the Strategy involves introducing modern approaches to human resources management and professional training, risk-based methods of responding to threats, the latest technological solutions in operational and combat activities, including the development of weapons and the introduction of military innovations, improvements to the information and analytical component, enhanced resource support, digital transformation and expanded international cooperation.

According to the Strategy, the SSU's mandate is focused exclusively on carrying out tasks in the following areas: 1) combat operations; 2) counterintelligence; 3) protection of national statehood; 4) counterterrorism; 5) ensuring information security and cybersecurity; 6) protection of critical infrastructure and supply chains; 7) protection of state secrets; 8) investigation of criminal offences that pose a threat to Ukraine's national security, including offences against the foundations of national security, terrorism, protection of state secrets and international crimes.

Legislative Amendments

In the first quarter of 2026, a measure under the Rule of Law Roadmap was to be implemented, providing for the **development and adoption by the Verkhovna Rada of the Law 'On the Security Service of Ukraine'**. Its purpose was to introduce a set of measures aimed at developing the SSU as a special-purpose state body with law enforcement functions that ensures Ukraine's state security, strengthening its capacities in counterintelligence, information security and cyber defence, counterterrorism and the protection of state secrets. The development of this draft law was also envisaged by the Verkhovna Rada Legislative Work Plan for 2025.[3373] Available information indicates that the relevant draft law has been developed and has undergone the SSU's internal approval procedure.[3374]

3371 Ibid.

3372 Strategy for the Development of the Security Service of Ukraine for 2025–2030. Security Service of Ukraine. ↗

3373 Legislative Work Plan of the Verkhovna Rada of Ukraine for 2025: Resolution of the Verkhovna Rada of Ukraine No. 4228-IX of 11.02.2025, para. 247. ↗

3374 Information provided within the activities of the Interagency Working Group on Ensuring the Negotiation Process on Ukraine's Accession to the European Union and the Adaptation of Ukrainian Legislation to European Union Law, established by Resolution of the Cabinet of Ministers of Ukraine No. 987 of 27.08.2024 'Certain Issues of Ensuring the Negotiation Process on Ukraine's Accession to the European Union'.

At the same time, on 9 October 2025, **Law No. 4633-IX**[3375] was adopted, clarifying the SSU's powers to develop and submit to the President and the Cabinet of Ministers of Ukraine draft legal acts on matters falling within its competence, for example in the areas of the protection of state secrets, counterterrorism and similar fields. The law is largely technical in nature, as these documents were previously submitted to the Cabinet of Ministers of Ukraine through the MoIA, whereas the SSU has now been empowered to submit draft legal acts directly to holders of the right of legislative initiative. This simplifies the procedure for preparing legislative amendments and removes unnecessary filters on the part of the MoIA, since both the President and the Government have specialised units that review the quality of such legislative initiatives before they are submitted to the Verkhovna Rada.

Since July 2024, **Draft Law No. 11228-1**,[3376] which is important for the protection of SSU staff and persons cooperating with the Service as part of counterintelligence measures, has been awaiting the second reading in the Parliament. The draft law proposes to expand the circumstances excluding the criminal wrongfulness of acts committed by persons involved in counterintelligence measures. This is not a matter of exemption from liability or punishment, but rather of recognising that such acts do not constitute a criminal offence. While the current rule applies to the performance of tasks as part of 'infiltration' into a criminal group or organisation under the current wording of Article 43 of the CC of Ukraine, the draft law proposes to extend it to the performance of tasks within counterintelligence activities as well. At the same time, the draft law **prohibits the collection, verification and assessment of evidence in criminal proceedings within the framework of counterintelligence activities**. The provision proposed by the draft law on excluding criminal liability for undercover officers of Ukrainian special services is aimed **exclusively at addressing the tasks of intelligence/counterintelligence activities and countering the enemy**.

Draft Law No. 11228-1 could resolve the practical problem of liability for counterintelligence officers, which would make it easier to identify agents to perform such tasks, especially in the occupied territories. Exemption from criminal liability would take place by court decision, meaning that it is the court that must ensure proper oversight of the substance of counterintelligence measures. Negative consequences, should this draft law be adopted, would be possible only in the event of improper organisation of work within counterintelligence bodies, which should be mitigated through effective internal control.

In addition, Draft Law No. 11228-1 **received a positive assessment from experts of the Geneva Centre for Security Sector Governance**.[3377] They emphasised that there are no specific standards, policies or recommended legislative models on this issue

3375 On Amendments to Certain Laws of Ukraine to Improve the Procedure for Submitting Draft Legal Acts on Matters Falling within the Competence of the Security Service of Ukraine for Consideration by the President of Ukraine and the Cabinet of Ministers of Ukraine: Law of Ukraine No. 4633-IX of 09.10.2025. ↗

3376 On Amendments to the Criminal Code of Ukraine, the Criminal Procedure Code of Ukraine and Other Legislative Acts of Ukraine to Regulate Issues of Countering Intelligence and Subversive Activities of Foreign States' Special Services: Draft Law of Ukraine, registration No. 11228-1 of 10.05.2024. ↗

3377 Information provided by representatives of the Security Service of Ukraine during an interview conducted on 17.03.2026.

among EU and NATO Member States. They also noted that the provisions proposed in this draft law are consistent and compatible with the standards of EU and NATO Member States.

Powers in the Area of Combating Criminal Offences

As regards the function of pre-trial investigation of criminal offences, the European Commission has noted that *'the SSU's mandate should focus on national security matters. Pre-trial investigation powers should be transferred to the appropriate law enforcement agency or strictly limited to offences against national security, while establishing effective safeguards against possible abuses'*.[3378]

As regards narrowing investigative jurisdiction, the **SSU's position remains unchanged: all criminal offences**,[3379] except smuggling offences,[3380] **assigned to the investigative jurisdiction of the SSU concern threats to national security and should therefore remain within its jurisdiction**. In response to criticism in previous years concerning the investigation of criminal proceedings falling outside the SSU's jurisdiction and the performance of non-core functions, the SSU states[3381] that it currently ensures compliance with the rules on investigative jurisdiction. As of March 2026, the SSU has no proceedings concerning offences that do not fall within the investigative jurisdiction of SSU investigators, including economic crimes, corruption-related criminal offences and offences related to 'classic' organised crime.

Together with the Verkhovna Rada Committee on Law Enforcement, the SSU is developing amendments to the CC of Ukraine aimed at **preventing staff of the SSU operational units from being involved in investigative/search actions in criminal proceedings investigated by investigators of other law enforcement agencies**, except where the criminal proceedings were initiated based on SSU materials.[3382]

The European Commission also noted that ***'the SSU's monopoly on interception of information from telecommunications channels should be abolished'***.[3383] This recommendation is to be implemented through the measure set out in the Rule of Law Roadmap for the fourth quarter of 2027, namely 'enabling law enforcement agencies, when conducting investigations and collecting evidence, to independently carry out electronic surveillance and interception'. At the same time, **the ways to address this issue require further analysis**.

3378 Ukraine 2025 Report. Communication on EU Enlargement Policy, p. 50. ↗

3379 Offences against the foundations of national security, terrorism, cybersecurity, smuggling and protection of critical infrastructure, protection of state secrets and international crimes.

3380 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's 2024 Ukraine Progress Report within the European Union Enlargement Package, 2025, p. 678. ↗

3381 Information provided by representatives of the Security Service of Ukraine during an interview conducted on 17.03.2026.

3382 Ibid.

3383 Ukraine 2025 Report. Communication on EU Enlargement Policy, p. 50. ↗

In Ukraine, at the state level, the function of lawful interception of information from the electronic communications networks of all service providers is implemented with due regard to the provisions of the Law of Ukraine 'On Electronic Communications'.[3384] Under these provisions, access to information about a consumer and the facts of provision of electronic communications services, including data processed for the purpose of transmitting such information in electronic communications networks, is carried out exclusively on the basis of a ruling of an investigating judge or court, upon a relevant motion by a prosecutor[3385] under Article 263 of the CPC of Ukraine.

Interception of information from the electronic communications networks of electronic communications service providers is **carried out through a unified system of technical means used by all bodies authorised by law**, based on autonomous access to information in accordance with the procedure established by legislation. These bodies include the NPU, the SBI, the Foreign Intelligence Service of Ukraine, the Main Intelligence Directorate of the Ministry of Defence of Ukraine, the SBGS, the Department of State Protection of Ukraine, the ESBU and the NABU, namely bodies authorised to conduct OSA.[3386]

The conditions under which the operational units of these law enforcement agencies obtain autonomous access to carry out electronic surveillance and interception are **established by regulatory legal acts adopted jointly with the SSU** and registered with the MoJ. According to the MoIA, the **procedure for the autonomous conduct of electronic surveillance and interception by certain law enforcement agencies is currently being finalised**.[3387]

In 2019, the NABU and the SBI obtained the right of autonomous access to communications channels.[3388] However, the NABU continues to complain about the difficulty of the technical implementation of this right and obstacles on the part of the SSU. **From a technical perspective, it is difficult to ensure access for all agencies to a telecommunications channel, since there is only one 'entry point', which is why the SSU retains a 'monopoly'**. In practice, this means that law enforcement agencies are granted autonomous access to communications channels. The information intercepted from those channels is not available to SSU officers who provide the access, but they do know which targets and telephone numbers are being intercepted. In the NABU's view, 'each time, this creates a potential risk of disclosing information about the targets in respect of which we are conducting a pre-trial investigation'.[3389]

The creation of alternative 'entry points', meaning connection to networks for the purpose of electronic surveillance and interception, would require substantial changes to

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3384 On Electronic Communications: Law of Ukraine No. 1089-IX of 16.12.2020, Article 121. ↗; Certain Issues Regarding Special Technical Means for Intercepting Information from Communication Channels and Other Technical Means for Covert Collection of Information: Resolution of the Cabinet of Ministers of Ukraine No. 669 of 22.09.2016. ↗

3385 At the same time, authorisation of these covert investigative/search actions is carried out by an investigating judge or a judge of an appellate court, which provides additional safeguards for the observance of human rights and freedoms when interfering with the secrecy of communications, namely the right to respect for private life.

3386 On Operational-Search Activities: Law of Ukraine No. 2135-XII of 18.02.1992, Article 5. ↗

3387 Information presented as part of the work of the Coordination Council.

3388 On Amendments to Certain Legislative Acts of Ukraine to Improve Certain Provisions of Criminal Procedure Legislation: Law of Ukraine No. 187-IX of 04.10.2019. ↗

3389 The NABU Is Unable to Conduct Autonomous Interception — Kryvonos. Ukrinform, 2026. ↗

the technical characteristics of the networks to which operators must provide physical access. Therefore, **this is not only a matter of improving the regulatory framework, but also of reviewing the system for ensuring access to communications channels, including the creation of a 'multi-channel entry' system**. The extent to which this is possible, and how it could be done, requires further analysis.

The issue of distinguishing between CISA, OSA and counterintelligence activities within the current legislation, which remains insufficiently clear, also remains relevant. In practice, the adoption of the CPC of Ukraine in 2012 did not resolve the problem of reforming the institution of OSA, since OSA falling outside criminal proceedings were retained alongside CISA conducted within criminal proceedings.[3390] This results in duplication of operational activity procedures and weakens the protection of human rights against covert state interference. The OAS Action Plan[3391] therefore provides for the phased transformation of OSA into criminal intelligence and the establishment of clear criteria for distinguishing it from criminal procedural, intelligence and counterintelligence activities.[3392] At the same time, the SSU's position should be taken into account, for example by extending to the Service the possibility of carrying out such CISA as monitoring bank accounts.[3393]

Other Issues

According to the SSU, in 2025 it continued developing a transparent human resources management system.[3394] Following an analysis of internal acts governing appointments to managerial positions, except for positions appointed by the President, several regulatory legal acts were amended to **improve the appointment procedure within the SSU. The current procedure for staffing and appointments to managerial positions is intended to ensure an impartial and transparent selection process**, considering the requirements of anti-corruption legislation and compliance with the principles of professional ethics and integrity. Accordingly, implementation of the relevant measure under the Rule of Law Roadmap has begun.

On 17 March 2026, the **Action Plan for the Implementation of the SSU Human Resources Policy**[3395] was approved. The document is intended to support the achievement of the objectives set out in the Concept of Human Resources Policy in the SSU until 2028 and the 'Human Capital' objective of the SSU Development Strategy for 2025–2030. In terms of joint implementation, it also takes into account the approved Human Resources Management Strategy for Law Enforcement Agencies and the Prosecution

3390 Why Ukraine Does Not Need a New Law on Operational-Search Activities. Dzerkalo Tyzhnia, 2017. ↗

3391 Action Plan for the Implementation of the Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027: Order of the Cabinet of Ministers of Ukraine No. 792 of 23.08.2024, measure 1.7.1. ↗

3392 For details, see the subsection 'Implementation of Strategic Documents in the Field of Law Enforcement Reform'.

3393 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's 2024 Ukraine Progress Report within the European Union Enlargement Package, 2025, p. 679. ↗

3394 Information provided by representatives of the Security Service of Ukraine during an interview conducted on 17.03.2026.

3395 Ibid.

Service until 2030,[3396] as well as the Strategy for Attracting, Developing and Retaining Human Capital in Ukraine's Defence Forces until 2032.

As regards the implementation of **Law No. 4560-IX**,[3397] adopted by the Verkhovna Rada on 31 July 2025, which introduced polygraph examinations as an internal control tool in the NABU, the ESBU, the SBI, the NPU, the PGO and SAPO, it should be noted that **this issue has become less acute**. Under this Law, law enforcement agencies and the prosecution service must conduct regular polygraph examinations, at least once every two years, using a methodology agreed with the SSU. These examinations apply only to employees who have access to state secrets and are intended to verify whether they have acted in favour of a state recognised by the Parliament as an aggressor state. **The relevant methodologies have been developed and agreed with the SSU, and polygraph examinations are already being conducted.**[3398] At present, no public complaints have been recorded regarding abuse of these powers or other problems of 'excessive control by the SSU', which were raised at the time of the adoption of Law No. 4560-IX.

Recommendations

1. Adopt legislative amendments detailing the forms and procedure for parliamentary oversight in Ukraine's security and defence sector. It would be advisable to consider establishing a separate Verkhovna Rada Committee on Special Services to organise parliamentary oversight of the activities of special services, thereby implementing Article 33^2 of the Law of Ukraine 'On Committees of the Verkhovna Rada of Ukraine'.

2. Adopt a set of legislative decisions on SSU reform, under which it should be transformed into a classic special service whose core function is counterintelligence. At the same time, other functions, primarily pre-trial investigation, may remain within the SSU, but only in respect of specific categories of criminal proceedings where the SSU has unique expertise and relevant resources, namely terrorism, cybersecurity and protection of state secrets. The appropriateness of retaining the relevant powers in relation to offences against the foundations of national security, international crimes and smuggling should be examined separately.

3. Examine the technical feasibility of enabling law enforcement agencies to independently carry out electronic surveillance and interception during investigations and evidence gathering without the involvement of the SSU. Minimise the risks of information leaks and the SSU's role in the current model of autonomous interception, which it technically ensures.

4. Ensure the implementation of the planned measures under the Rule of Law Roadmap, the OAS and its Action Plan to improve the SSU's activities, including work on

3396 On Approval of the Human Resources Management Strategy for Law Enforcement Agencies and the Prosecution Service until 2030: Order of the Ministry of Internal Affairs of Ukraine, the Prosecutor General's Office, the Security Service of Ukraine, the State Bureau of Investigation, the Economic Security Bureau of Ukraine and the Ministry of Finance of Ukraine No. 22/3/4/3/1/5 of 05.01.2026. ↗

3397 On Amendments to Certain Legislative Acts of Ukraine to Strengthen the Powers of the National Anti-Corruption Bureau of Ukraine and the Specialised Anti-Corruption Prosecutor's Office: Law of Ukraine No. 4560-IX of 31.07.2025. ↗

3398 For example, according to information provided by sources of the Agency for Legislative Initiatives within the prosecution service, polygraph examinations were actively conducted at the PGO in January–February 2026.

the evaluation and attestation of SSU staff and improvement of appointment procedures, while maintaining a balance between alignment with EU and NATO standards and the risks to the SSU's institutional resilience under wartime conditions.

5. Develop the comprehensive draft law envisaged by the OAS Action Plan[3399] on clearly distinguishing counterintelligence activities, OSA and CISA.

Combating Corruption in the Criminal Justice System. Selection for Senior Positions in the National Police of Ukraine and the State Bureau of Investigation. Reform of the State Bureau of Investigation

Progress and issues

Combating Corruption in the Criminal Justice System

The results of recent sociological studies show that the need to establish an effective system for preventing corruption in the criminal justice system remains relevant.

According to the First Nationwide Study on the Crime Rate in Ukraine and Public Opinion on Offences, the Activities of Law Enforcement Agencies and the Justice System, conducted by Info Sapiens in autumn 2025,[3400] the average level of trust in law enforcement agencies stands at 31.8%, while the average level of distrust is 40.8%.[3401] Among the bodies mentioned in the study, only the NPU has a positive trust/distrust balance, at 44% and 34% respectively. By contrast, perceptions of the NPU's effectiveness have declined slightly over the past three years, within the margin of statistical error.[3402]

According to the Sectoral Corruption Risk Index (SCRI) for 2025, the activities of law enforcement agencies in ensuring legality and public order and conducting pre-trial investigations, excluding the Patrol Police and MoIA service centres, received the highest score — 8.14 out of 10.[3403]

The results of the seventh national sociological survey 'Corruption in Ukraine 2025: Understanding, Perception, Prevalence' show that the level of personal corruption experience in interaction with the sphere of law enforcement and crime prevention decreased slightly among both the public and businesses compared with 2024: 26% in 2025 com-

3399 Action Plan for the Implementation of the Overarching Strategic Plan for Reforming Law Enforcement Agencies as Part of the Security and Defence Sector of Ukraine for 2023–2027: Order of the Cabinet of Ministers of Ukraine No. 792 of 23.08.2024, measure 1.7.1. ↗

3400 Crime in Wartime: Results of the Largest Survey on the Crime Situation in Ukraine. Info Sapiens, 2025. ↗

3401 The survey concerned the activities of the NABU, the SAPO, the SBI, the NPU and prosecution service.

3402 Key Components of the Resilience of Ukrainian Society during a Prolonged War (Dynamics of Indicators for 2026, 2025 and 2024) / InfoSapiens. 2026, p. 15. ↗

3403 Analytical Report 'Corruption-Proneness Index of Public Life Spheres – 2025: An Analytical Reference Point for Anti-Corruption Policy-Making and Financial Control'. Results of the Pilot Study (July 2025), p. 5. ↗

pared with 28.5% in 2024 among the public, and 26.8% in 2025 compared with 28.6% in 2024 among business representatives.[3404]

The State Anti-Corruption Programme for 2023–2025 (SAP) provides for 28 measures aimed at improving the work of criminal justice bodies.[3405] According to the Information System for Monitoring the Implementation of State Anti-Corruption Policy (ISM SAP), as of 30 June 2026,[3406] 11 measures had been implemented or partially implemented, 2 had not been implemented and implementation of the remaining measures had not begun. Measure 2.1.7.2.1 remains unimplemented. It concerns the development of a draft law under which law enforcement officers may be dismissed if a court decision enters into force holding them administratively or criminally liable for committing a corruption or corruption-related offence, where the sanction or punishment imposed on the officer includes deprivation of the right to hold positions or engage in activities related to the performance of state or local self-government functions. The latest information provided in the ISM SAP in this regard states that the draft law is being prepared.[3407]

Among the measures whose implementation has not yet begun is measure 2.1.7.3.3 on conducting an external independent evaluation, or audit, of the effectiveness of SAPO's activities and publishing the resulting report. Amendments to the Law of Ukraine 'On the Public Prosecutor's Office', which regulate the conduct of such an audit every two years, entered into force on 1 January 2024,[3408] while SAPO began operating as a separate structural unit on 21 March of the same year.[3409]

The PGO reported that this SAP measure would be carried out within two years from the start of SAPO's operation as a separate legal entity, and that the audit report, in accordance with the Law of Ukraine 'On the Public Prosecutor's Office', would be published on the PGO website.[3410] This deadline expired on 21 March 2026, yet the PGO website still contains no information on the launch of the SAPO audit or the establishment of the relevant commission.

Thus, the establishment of an effective system for preventing and combating corruption within criminal justice bodies, as well as the assessment of existing mechanisms, remain relevant.

3404 Analytical Report Based on the Results of the Population and Business Survey 'Corruption in Ukraine 2025: Understanding, Perception, Prevalence', pp. 66, 116. ↗

3405 Four measures are aimed at increasing the transparency and efficiency of internal management processes in prosecution bodies (problem 2.1.5 of the SAP); 23 measures are aimed at addressing the problem related to the absence of an effective model for appointment to positions, remuneration, promotion and consideration of disciplinary complaints within the NPU system (problem 2.1.6 of the SAP); one measure concerns the regulation of grounds for dismissing heads of law enforcement agencies where they are held administratively liable for an administrative offence related to corruption (expected strategic result 2.1.7.2 of the SAP).

3406 Progress in the Implementation of Measures Provided for in Section 2.1 of the SAP: Fair Trial, Prosecution Service and Law Enforcement Agencies. ↗

3407 Measure 2.1.7.2.1. ISM SAP. ↗

3408 On Amendments to the Criminal Procedure Code of Ukraine and Other Legislative Acts of Ukraine to Strengthen the Autonomy of the Specialised Anti-Corruption Prosecutor's Office: Law of Ukraine No. 3509-IX of 08.12.2023. ↗

3409 Measure 2.1.7.3.3. ISM SAP. ↗

3410 Ibid.

The OAS Action Plan provides for several measures which, if properly implemented, would also have an anti-corruption effect. These include developing and adopting a law on law enforcement agencies, which should define criteria for delineating their competences, enshrine the principles of integrity, gender equality and non-discrimination, ensure institutional independence and establish guarantees of social and legal protection for staff.[3411] The Action Plan also envisages introducing, at the legislative level, an integrity framework for vetting staff of all law enforcement agencies and the prosecution service, including integrity criteria and a unified verification mechanism.[3412] **None of these measures has been implemented to date**.

According to the MoIA,[3413] in July 2025 the PGO sent a draft law on law enforcement agencies to the Verkhovna Rada Committee on Law Enforcement. As of July 2026, it had not been registered in the Parliament. At the same time, in November 2024, the Research Service of the Verkhovna Rada published the Scientific Concept for Legislative Support for the Activities of Law Enforcement Agencies of Ukraine,[3414] which covers the need to enshrine in legislation the conceptual foundations, definition, tasks, functions and list of law enforcement agencies of Ukraine, as well as the criteria for their classification as such.

In June 2026, the expert-level working group of the Coordination Council met to discuss concepts for the draft Law 'On Law Enforcement Agencies' presented by the PGO, the Research Service of the Verkhovna Rada, the Interagency Research Centre for Combating Organised Crime under the NSDC, the Agency for Legislative Initiatives and the National University of Kyiv-Mohyla Academy.[3415]

Work is currently ongoing on an agreed concept and text of the draft Law 'On Law Enforcement Agencies'. However, there is a risk that the change in the composition of the Government and, in particular, the Minister of Internal Affairs,[3416] which took place on 16 July 2026, will slow further work in this area, even though the deadline set by the Rule of Law Roadmap (Q2 2026) has already passed.

Under its European integration commitments, Ukraine must strengthen the institutional framework of law enforcement agencies, including by clarifying their powers, strengthening independence, integrity, analytical and operational capacities, interagency cooperation and staff training.[3417]

3411 The deadline for implementing the measure is the second quarter of 2025. A similar measure is provided for in the Rule of Law Roadmap, with an implementation deadline in the second quarter of 2026.

3412 The deadline for implementing the measure is the fourth quarter of 2025. A similar measure is provided for in the Rule of Law Roadmap, with an implementation deadline in the fourth quarter of 2026.

3413 Letter of the Ministry of Internal Affairs of Ukraine No. 11955/08/14-2026 of 19.03.2026.

3414 Scientific Concept for Legislative Support for the Activities of Law Enforcement Agencies of Ukraine. Research Service of the Verkhovna Rada of Ukraine, 2024. ↗

3415 Law Enforcement Reform: Experts Identified Next Steps for Preparing the Framework Draft Law. Ministry of Internal Affairs of Ukraine. 2026. ↗

3416 On Forming the Cabinet of Ministers of Ukraine and Dismissing Members of the Cabinet of Ministers of Ukraine That Is in Resignation: Resolution of the Verkhovna Rada of Ukraine No. 4942-IX of 16.07.2026. ↗

3417 European Union Common Position (following Ukraine's Negotiating Position AD 35/26 CONF-UA 9): Accession Document. Brussels, 10.07.2026, p. 32. ↗

Anti-Corruption Programmes of Law Enforcement Agencies and the Prosecution Service

As of July 2026, anti-corruption programmes had been approved in law enforcement agencies and the PGO. However, as before, a formalistic approach remains evident in the assessment of corruption risks, the identification of measures to address them and the implementation of those measures.

The **NPU** Anti-Corruption Programme was approved for 2025–2027. An analysis of the content of the corruption risk register indicates a formalistic approach to their assessment and a failure to consider the requirements of the Corruption Risk Management Methodology (Methodology):[3418] the level of corruption risks is often understated,[3419] while the response measures do not correspond to the substance of the risk itself.[3420]

In August 2025, the **SBI** began preparing a new anti-corruption programme for 2026–2028 under the procedures defined by the Methodology. The working group on corruption risk assessment included representatives of the SBI central office and territorial units, as well as EUAM Ukraine representatives.[3421] However, it did not include representatives of the Public Oversight Council under the SBI or experts recommended by it, who could have ensured greater inclusiveness in the process of assessing corruption risks in the SBI's activities. The SBI Anti-Corruption Programme was approved in February 2026.[3422]

An analysis of the corruption risk register[3423] attached to the anti-corruption programme indicates a somewhat formalistic approach to the preparation of the document and the risk assessment procedure: the wording, level of corruption risks and measures to minimise them remained unchanged or underwent only editorial changes compared with the anti-corruption programme for 2023–2025;[3424] the identified sources of cor-

3418 On Improving the Process of Corruption Risk Management: Order of the National Agency on Corruption Prevention No. 830/21 of 28.12.2021. ↗

3419 For example, the risk register contains such a corruption risk as the possible violation by police officers of Article 25 of the Law of Ukraine 'On Prevention of Corruption' after joining the police service (restrictions on combining service with other activities), which was assessed as having a low likelihood of occurrence. According to the Corruption Risk Management Methodology, a corruption risk with a low likelihood of occurrence is a corruption risk that has not occurred before and whose likelihood of occurring in the future is extremely low. However, an analysis of the USRCD shows that, during the year preceding the approval of the NPU Anti-Corruption Programme (2024) alone, at least five police officers were held administratively liable for this violation. Accordingly, the likelihood of this corruption risk occurring should have been assessed as high or very high.

3420 For example, the source of a corruption risk related to the possible pursuit by police officers of their own private interests or those of third parties when drawing up reports on administrative offences concerning persons on a wanted list was identified as insufficient technical equipment of police officers. The measure to address this risk was defined as the development of an algorithm (memo) for police officers' actions when checking information on persons on a wanted list, including when such a check is carried out, which electronic devices are used and safety measures during the apprehension of a person if they are on a wanted list. This measure is clearly not proportionate to the described source of the corruption risk.

3421 On the Working Group for Assessing Corruption Risks in the State Bureau of Investigation: Order of the State Bureau of Investigation No. 419 of 25.08.2025. ↗

3422 On Approval of the Anti-Corruption Programme of the State Bureau of Investigation for 2026–2028: Order of the State Bureau of Investigation No. 91 of 17.02.2026. ↗

3423 Ibid.

3424 On Approval of the Anti-Corruption Programme of the State Bureau of Investigation for 2023–2025: Order of the State Bureau of Investigation No. 101 of 14.02.2023. ↗

ruption risks do not match the substance of those risks;[3425] and the priority level of corruption risks does not exceed 3 points out of the 9 maximum points defined by the Methodology.

The **ESBU** Anti-Corruption Programme was approved for 2025–2027.[3426] In terms of structure and content, it generally complies with the Methodology. However, an analysis of the corruption risk register indicates a somewhat formalistic approach to their identification and assessment. For example, the register does not include risks related to staff selection procedures or the promotion of ESBU employees. The insufficient level of the ESBU's work on corruption risks was also established following a scheduled inspection conducted by the National Agency on Corruption Prevention (NACP).[3427]

The **NABU** Anti-Corruption Programme for 2026–2028 was approved on 10 April 2026.[3428] Like the anti-corruption programmes of other law enforcement agencies, it generally complies with the Methodology but shows signs of a formalistic approach and of compiling a register of corruption risks without genuinely assessing or analysing them. Some identified risks are not corruption-related, while others are not described clearly.

For example, Annex 2 to the Anti-Corruption Programme, 'Risk Register', identifies the following corruption risk: 'The existing level of salaries and social guarantees for National Bureau employees is uncompetitive and insufficient, creating significant corruption risks'. The stated source of this risk is: 'The level of salaries and the range of state-guaranteed social benefits require review in light of current socio-economic conditions'.[3429] However, first, the document does not specify what corruption risks are created by the current level of salaries and social guarantees for NABU employees. Second, the claim that salaries and social guarantees for NABU staff are uncompetitive and insufficient appears questionable in view of both the overall socio-economic situation in Ukraine and the remuneration levels of employees of other law enforcement agencies.

For example, as at 1 January 2026, the official salary of a NABU detective was UAH 69,038,[3430] that of an SBI investigator was UAH 60,560,[3431] that of an ESBU central office

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3425 For example, the risk register of the draft SBI Anti-Corruption Programme for 2026–2028 identifies the risk of 'possible intentional violation by an SBI investigator of the time limits for ordering/conducting an expert examination, committed in their own interests or in the interests of third parties'. Its content is defined as follows: 'The absence of independent expert institutions within the SBI structure requires investigators to order expert examinations from expert services that operate within the systems of other state and law enforcement bodies. The categories of persons involved in criminal offences falling within the SBI's investigative jurisdiction and the absence of an expert service within the SBI system may contribute to indirect influence by interested persons in criminal proceedings on the results of expert examinations'. One of the sources of the corruption risk is 'an insufficient level of practical training of investigators in preparing requests for expert examination'. Thus, the description of the corruption risk does not make its nature and substance clear, while the source of the risk has no logical connection with the identified risk.

3426 On Approval of the Anti-Corruption Programme of the Economic Security Bureau of Ukraine for 2025–2027: Order of the Economic Security Bureau of Ukraine No. 223 of 27.12.2024. ↗

3427 Scheduled Inspection Report on the Organisation of Work to Prevent and Detect Corruption in the Economic Security Bureau of Ukraine of 13.03.2026. National Agency on Corruption Prevention. ↗

3428 On Approval of the Anti-Corruption Programme of the National Anti-Corruption Bureau of Ukraine: Order of the National Anti-Corruption Bureau of Ukraine No. 88 of 10.04.2026. ↗; Anti-Corruption Programme of the National Anti-Corruption Bureau of Ukraine. National Anti-Corruption Bureau of Ukraine. 2026. ↗

3429 Risk Register. Annex 2 to the Anti-Corruption Programme of the National Anti-Corruption Bureau of Ukraine for 2026–2028. National Anti-Corruption Bureau of Ukraine. 2026, p. 6, para. 23. ↗

3430 On the National Anti-Corruption Bureau of Ukraine: Law of Ukraine No. 1698-VII of 14.10.2014, Article 23. ↗; On the State Budget of Ukraine for 2026: Law of Ukraine No. 4695-IX of 03.12.2025, Article 7. ↗

3431 On the State Bureau of Investigation: Law of Ukraine No. 794-VIII of 12.11.2015, Article 20. ↗; On the State Budget of Ukraine for 2026: Law of Ukraine No. 4695-IX of 03.12.2025, Article 7. ↗

detective was UAH 44,142,[3432] and that of an NPU central office investigator was UAH 2,700.[3433] According to the State Statistics Service of Ukraine,[3434] the average salary in Kyiv in January 2026 was UAH 43,865. Since the official salaries listed above are supplemented by statutory allowances, NABU employees have the highest remuneration in the pre-trial investigation system and significantly exceed general socio-economic indicators. Thus, the identified corruption risk is not adequately substantiated, indicating a formalistic approach to the preparation of the NABU Anti-Corruption Programme for 2026–2028.

The **SSU** has an approved anti-corruption programme for 2025–2027,[3435] together with annexes. The risk register contains certain risks related to human resources management, public procurement, material resource management and corruption prevention. However, their analysis indicates a somewhat formalistic approach to the corruption risk assessment procedure.[3436]

The **PGO** Anti-Corruption Programme for 2026–2028 was approved on 15 June 2026.[3437] Analysis of the corruption risk register (Annex 1 to the Anti-Corruption Programme) indicates a formalistic approach to identifying and describing corruption risks.[3438] Like the Anti-Corruption Programme for the previous period, this document does not include risks related to prosecutors' social, material and welfare support or the possibility of obtaining fictitious disability status to receive additional payments.[3439]

Overall, an analysis of the corruption risk registers of the above-mentioned bodies shows that their activities involve typical risks related to the functions of pre-trial investigation and the conduct of OSA. Given that the OAS and its Action Plan include measures aimed at unifying the activities of criminal justice bodies, it appears advisable to develop a register of typical corruption risks associated with these functions and publish it on the NACP website.

Rules of Ethical Conduct

Standards of ethical conduct for law enforcement officers are an important component of the internal system for preventing corruption and managing conflicts of interest.

3432 Certain Issues of Organising the Activities of the Economic Security Bureau of Ukraine: Resolution of the Cabinet of Ministers of Ukraine No. 1068 of 06.10.2021. ↗; On the State Budget of Ukraine for 2026: Law of Ukraine No. 4695-IX of 03.12.2025, Article 7. ↗

3433 On Monetary Allowances for Officers of the National Police: Resolution of the Cabinet of Ministers of Ukraine No. 988 of 11.11.2015. ↗

3434 Survey of Enterprises on Labour Statistics: Dataset. State Statistics Service of Ukraine. 2026. ↗

3435 Anti-Corruption Programme of the Security Service of Ukraine for 2025–2027. ↗

3436 For example, the level of consequences of corruption risks related to the receipt of an undue advantage is defined as low, although such conduct entails criminal liability. Therefore, under the Methodology, the level of consequences of such risks should be assessed as high or very high.

3437 On Approval of the Anti-Corruption Programme of the Prosecutor General's Office for 2026–2028: Order of the Acting Prosecutor General No. 164 of 15.06.2026. ↗

3438 For example, 'Information contained in information and communication systems, registers and databases administered by other bodies, institutions and enterprises' was identified as the source of a corruption risk related to potential abuse when granting or restricting PGO employees' access to registers and databases administered by other bodies, institutions and enterprises. However, information itself, by its nature, cannot create corruption risks.

3439 For details, see the section 'Prosecution Service Reform' of this report; 49 Prosecutors in Khmelnytskyi Region Obtained Disability Status from MSEC Head Krupa and Covered for Her — Butusov. Ukrainska Pravda. 2024. ↗

They provide the basis for developing a general culture of conduct, affect the level of trust in public authorities and help ensure their openness and accountability to society.

The SSU has Rules of Professional Ethics and Integrity for Service Members,[3440] which define the moral, professional and ethical principles, rules and requirements governing the conduct of SSU service members in the performance of their official duties. In addition to general principles of conduct, the Rules define the powers of managers to ensure and encourage ethical conduct among their subordinates, as well as the obligation of service members to report violations of these Rules by other SSU officials. A positive feature of the Rules is that one of the components of the principle of the rule of law and legality is an indication of the need to take into account, in professional activities, the Principles on Effective Interviewing for Investigations and Information Gathering, the Méndez Principles.[3441] Nevertheless, the Rules of Professional Ethics and Integrity for SSU Service Members are largely general and declarative in nature and do not contain general principles of liability for violations, which complicates their practical application.

Other criminal justice bodies have approved codes of ethical conduct. However, these are largely formal and general in nature and do not fully consider the law enforcement function of these bodies. Given that their core activities are criminal procedural in nature, the provisions of the European Code of Police Ethics[3442] may be applied to them. This Code provides a framework for transparent and impartial law enforcement activity based on the principles of equality and the rule of law, while also considering the specific nature of investigative functions. In the context of European integration, the codes of ethical conduct of criminal justice bodies should be aligned with the European Code of Police Ethics, as regards measures to prevent and combat corruption within these bodies, as well as guidelines for investigations and the treatment of detained persons.

The Rules of Ethical Conduct for **Police Officers**[3443] contain the foundations of ethical conduct, including the treatment of detained persons. However, they do not provide for anti-corruption measures, principles of conduct during investigations or liability for violations of these Rules. In addition, these Rules require further anti-discrimination review to remove provisions that may contain signs of discrimination on certain protected grounds. [3444]

The Rules of Professional Ethics for **SBI** Employees[3445] apply to all employees of the body, who, under Law No. 794-VIII,[3446] include rank-and-file and commanding officers,

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3440 On Approval of the Rules of Professional Ethics and Integrity of Service Members of the Security Service of Ukraine: Order of the Central Directorate of the Security Service of Ukraine No. 474 of 27.11.2023, as amended. ↗

3441 Principles on Effective Interviewing for Investigations and Information Gathering. ↗

3442 Recommendation Rec(2001)10 adopted by the Committee of Ministers of the Council of Europe on 19 September 2001 and explanatory memorandum. ↗

3443 On Approval of the Rules of Ethical Conduct of Police Officers: Order of the Ministry of Internal Affairs of Ukraine No. 1179 of 09.11.2016, as amended. ↗

3444 Para. 3 Section II of the Rules of Ethical Conduct of Police Officers requires respectful treatment only of persons older in age, which is discriminatory towards other age groups.

3445 On the Enactment of the Rules of Professional Ethics for Employees of the State Bureau of Investigation: Order of the State Bureau of Investigation No. 30 of 16.01.2021, as amended. ↗

3446 On the State Bureau of Investigation: Law of Ukraine No. 794-VIII of 12.11.2015. ↗

civil servants and persons employed under employment contracts. The Rules consist of three sections: general provisions, principles of professional ethics and liability for violations of the Rules. The principles of professional ethics include legality, refusal to comply with unlawful orders and instructions, professionalism, impartiality, integrity, political neutrality, transparency, responsibility, independence, confidentiality, prevention of conflicts of interest, prevention of corruption, discipline and non-discrimination.[3447] Certain aspects of the conduct of SBI employees are partly elaborated in the provision on the principle of impartiality,[3448] although they too remain somewhat general in nature.

The Rules of Professional Ethics of the **ESBU**[3449] duplicate, in terms of structure and content, the Rules of Professional Ethics and Integrity for SSU Service Members, including both their positive provisions and shortcomings.

The **NABU** has a Code of Professional Ethics for Employees,[3450] accompanied by commentary.[3451] Overall, these documents are aligned with international and European standards of professional ethics for law enforcement officers and could serve as a basis for developing unified rules of professional ethics for all criminal justice bodies.

The Code of Professional Ethics and Conduct for **Prosecutors**[3452] defines the key principles, moral standards and rules of prosecutorial ethics that prosecutors must follow both in the performance of their official duties and outside work. It also sets out general requirements for prosecutors' conduct in their relations with other public authorities, participants in judicial proceedings, media representatives and citizens.

Since 2023, the PGO has published quarterly summaries of disciplinary practice concerning the application of the Code,[3453] which makes it possible to assess its effectiveness. However, the content of these reports does not fully reflect trends in holding prosecutors accountable for violations of the rules of professional ethics.[3454]

Internal Oversight

Given the specific organisational structure of law enforcement agencies and the prosecution service, effective internal oversight mechanisms, the development of a whistleblowing culture and effective protection of whistleblowers who are employees of these bodies are important elements of preventing corruption within them.

3447 The principle was added pursuant to Order of the State Bureau of Investigation No. 43 of 30.01.2024 'On the Enactment of Amendments to the Rules of Professional Ethics for Employees of the State Bureau of Investigation'. ↗

3448 The amendments were introduced by Order of the State Bureau of Investigation No. 535 of 31.12.2024 'On the Enactment of Amendments to the Rules of Professional Ethics for Employees of the State Bureau of Investigation'. ↗

3449 On Approval of the Rules of Professional Ethics for Employees of the Economic Security Bureau of Ukraine: Order of the Economic Security Bureau of Ukraine No. 129 of 30.06.2022. ↗

3450 On Approval of the Code of Ethical Conduct for Employees of the National Anti-Corruption Bureau of Ukraine: Order of the National Anti-Corruption Bureau of Ukraine No. 242 of 01.09.2016, as amended. ↗

3451 Code of Professional Ethics for Employees of the National Anti-Corruption Bureau of Ukraine. ↗

3452 Code of Professional Ethics and Conduct for Prosecutors, approved by the All-Ukrainian Conference of Prosecutors on 27.04.2017, as amended. ↗

3453 Practice of Applying the Code of Professional Ethics and Conduct for Prosecutors. Prosecutor General's Office. ↗

3454 For details, see the section 'Prosecution Reform' of this report.

Under the relevant sectoral laws,[3455] persons holding special ranks in the **SBI** and the **ESBU** are subject to the provisions of the **NPU** Disciplinary Statute,[3456] with certain specific features. This Statute defines the substance of service discipline, the powers of police officers and their managers in ensuring compliance with it, the types of incentives and disciplinary sanctions, as well as the procedure for applying and appealing them. The Statute also establishes the general procedure for conducting internal investigations, including the formation of disciplinary commissions and the procedure for conducting such investigations during martial law.

Under the **NPU** Disciplinary Statute, the powers to conduct internal investigations in respect of police officers are vested in disciplinary commissions, the procedure for establishing which is determined by the Minister of Internal Affairs. It is also possible to include public representatives in such commissions. However, the Regulation on NPU Disciplinary Commissions[3457] provides that this is possible only where an internal investigation is conducted based on information concerning a police officer's violation of the constitutional rights and freedoms of a person and citizen.

The NPU's internal control functions are assigned to the Department of Internal Security, which forms part of the NPU criminal police. The main tasks of the Department of Internal Security include measures relating to internal security within the NPU and the protection of police officers, civil servants and other police employees from obstruction in the performance of their official duties, as well as the prevention, detection and suppression of criminal, corruption and corruption-related offences being prepared or committed by police officers, civil servants and other police employees.[3458]

During 2025, units of the Department of Internal Security drew up 436 administrative offence reports concerning violations by NPU employees of financial control requirements. Criminal proceedings under Article 366^3 of the CC of Ukraine, concerning failure to submit a declaration by a person authorised to perform state or local self-government functions, were initiated in respect of two persons. A total of 910 corruption-related criminal offences were registered, including 183 offences involving police employees, and 436 criminal offences in this category were referred to court, including 74 criminal proceedings involving police employees.[3459]

The powers of the **SBI** internal control units and the procedure for establishing disciplinary commissions are defined by the relevant sectoral law.[3460] The disciplinary commission, which consists of five persons, three of whom are nominated by the Public Oversight Council under the SBI, is authorised to consider the application of disciplinary sanctions to employees of the body, while internal investigations are conducted by internal oversight units.

3455 Laws of Ukraine 'On the State Bureau of Investigation' and 'On the Economic Security Bureau of Ukraine'.

3456 On the Disciplinary Statute of the National Police of Ukraine: Law of Ukraine No. 2337-VIII of 15.03.2018. ↗

3457 Regulation on Disciplinary Commissions in the National Police of Ukraine: Order of the Ministry of Internal Affairs of Ukraine No. 893 of 07.11.2018. ↗

3458 Regulation on the Internal Security Department of the National Police of Ukraine: Order of the National Police of Ukraine No. 83 of 09.11.2015, as amended. ↗

3459 Statistical Information on the Results of the Work of Specially Authorised Anti-Corruption Entities and Other State Bodies. ↗

3460 On the State Bureau of Investigation: Law of Ukraine No. 794-VIII of 12.11.2015. ↗

At the same time, the Accounting Chamber drew attention[3461] to the fact that the procedure for appointing heads of internal control units of the SBI central office and territorial offices is complex and does not ensure that vacancies are filled promptly, which adversely affects the capacity of these units. Under Part 1 Article 24 of Law No. 794-VIII, heads of SBI internal control units are appointed on the recommendation of the selection commission established to conduct the competition for the position of SBI Director. The commission consists of: 1) three persons appointed by the President; 2) three persons appointed by the Verkhovna Rada on the recommendation of the Verkhovna Rada committee whose remit includes the organisation and activities of pre-trial investigation bodies; and 3) three persons appointed by the Cabinet of Ministers of Ukraine on the basis of proposals from international organisations with which Ukraine cooperates in preventing and combating corruption pursuant to Ukraine's international treaties.[3462]

Once the SBI Director is appointed, the commission's powers terminate, while the next commission may be formed no later than two months before the end of the Director's term of office or within 14 days of early termination of their powers.[3463] Thus, filling vacant positions of heads of SBI internal control units between competitions for the position of Bureau Director is effectively blocked.

The powers of **ESBU** disciplinary commissions and the procedure for their establishment are similar to the model introduced in the SBI.[3464] The difference lies in the number and composition of the disciplinary commission, which must include three representatives of the body, three representatives of the Public Oversight Council and one person nominated by the Business Ombudsman Council.

The provisions of the Disciplinary Regulations for Bodies of Internal Affairs of Ukraine[3465] apply to **NABU** employees. This Statute is outdated, as it was approved back in 2006. It does not contain provisions on collegial consideration of disciplinary proceedings materials and does not provide for the right of defence of a person subject to disciplinary liability.

The relevant sectoral law[3466] defines the principles governing the activities of **NABU's** internal oversight units and disciplinary commission, which must include two representatives of the Public Oversight Council under the institution. In 2025, on the recommendation of the disciplinary commission, 18 NABU employees were brought to disciplinary liability, while pre-trial investigations were conducted in 21 criminal proceedings.[3467]

The Disciplinary Statute of the Armed Forces of Ukraine[3468] applies to **SSU** service members. Internal oversight functions are assigned to the Main Department of Internal Secu-

3461 Report on the Results of the Compliance Audit 'Institutional Support of the State Bureau of Investigation': Decision of the Accounting Chamber No. 18-1 of 09.06.2026, p. 51. ↗

3462 On the State Bureau of Investigation: Law of Ukraine No. 794-VIII of 12.11.2015, Article 11. ↗

3463 Ibid.

3464 On the Economic Security Bureau of Ukraine: Law of Ukraine No. 1150-IX of 28.01.2021. ↗

3465 On the Disciplinary Regulations for Bodies of Internal Affairs of Ukraine: Law of Ukraine No. 3460-IV of 22.02.2006. ↗

3466 On the National Anti-Corruption Bureau of Ukraine: Law of Ukraine No. 1698-VII of 14.10.2014, Articles 27, 28. ↗

3467 Statistical Information on the Results of the Work of Specially Authorised Anti-Corruption Entities and Other State Bodies. ↗

3468 On the Disciplinary Statute of the Armed Forces of Ukraine: Law of Ukraine No. 551-XIV of 24.03.1999. ↗

rity of the SSU. For example, in March 2026, it was reported that the internal security unit had detained two deputy heads of regional SSU departments who had attempted to set up an unlawful scheme in Rivne region.[3469]

According to statistics from the State Judicial Administration of Ukraine,[3470] in 2025, 584 persons were held administratively liable for corruption-related offences, including police officers and employees of the State Criminal-Executive Service, the State Emergency Service of Ukraine, the SBI, the NABU, the ESBU, the SSU, the diplomatic service, the state forest guard, the state protection service for the nature reserve fund, the State Tax Service of Ukraine and the SCS. Due to the specific provisions of anti-corruption legislation, it is not possible to distinguish employees of criminal justice bodies separately. However, a cursory analysis of court decisions suggests that those held liable are primarily employees of the state forest guard and the state protection service for the nature reserve fund.

Protection of Whistleblowers

The NPU, the SBI, the SSU, the NABU, the ESBU and the PGO are connected to the Unified Whistleblower Reporting Portal. According to the NACP,[3471] in 2025 whistleblower reports were received concerning the possible commission of corruption offences, corruption-related offences and other violations of anti-corruption legislation: the NPU — 38 reports, with criminal proceedings opened in 9 cases; the SBI — 3 reports, with criminal proceedings opened in all cases; and the ESBU — 12 reports, with no criminal proceedings opened. The NABU and the SSU did not receive any such reports.

Employees of the NPU, the SBI, the ESBU, the NABU and the SSU are covered by anti-corruption legislation[3472] on ensuring the rights and guarantees of whistleblowers. In addition, the Law of Ukraine 'On the Security Service of Ukraine'[3473] and the Disciplinary Regulations for Bodies of Internal Affairs of Ukraine,[3474] which applies to the NABU, prohibit dismissal from service or coercion to resign, as well as disciplinary liability, in connection with reporting possible corruption or corruption-related offences or other violations of the Law of Ukraine 'On Prevention of Corruption'. These provisions further strengthen whistleblower protection. The laws regulating the activities of the NPU, the SBI and the ESBU do not contain such safeguards.

However, most of these bodies lack mechanisms for protecting whistleblowers who report non-criminal corruption and corruption-related offences. Combined with the above-mentioned shortcomings in the regulatory framework, this creates additional

3469 Self-Cleansing of the SSU: Internal Security of the Service Detained Two Senior Officials of the SSU Regional Departments. Security Service of Ukraine, 2026. ↗

3470 Form No. 1-PC Report of Courts on the State of Consideration of Cases in the Field of Countering Corruption. Judiciary of Ukraine, 2025. ↗

3471 Statistical Information on the Results of the Work of Specially Authorised Anti-Corruption Entities and Other State Bodies. ↗

3472 On Prevention of Corruption: Law of Ukraine No. 1700-VII of 14.10.2014, Section VIII. ↗

3473 On the Security Service of Ukraine: Law of Ukraine No. 2229-XII of 25.03.1992, Article 19. ↗

3474 On the Disciplinary Regulations for Bodies of Internal Affairs of Ukraine: Law of Ukraine No. 3460-IV of 22.02.2006, Article 14. ↗

risks for whistleblowers and does not contribute to the development of a proper whistle-blowing culture within these bodies.

In 2025, the **PGO** received 34 reports concerning corruption and corruption-related offences, which were examined on the merits. Of these, 8 were considered, 21 were considered as citizens' appeals, 3 were rejected, consideration of 1 was terminated and 1 was considered in accordance with the CPC of Ukraine.[3475] The Law of Ukraine 'On the Public Prosecutor's Office'[3476] contains no special safeguards for whistleblower protection. At the same time, since July 2025 it has retained a provision under which a prosecutor may be dismissed if they do not consent to appointment to a vacant or temporarily vacant position, or to transfer to such positions in another prosecution body, in cases of liquidation, reorganisation, changes to the structure or staffing levels of the prosecution body in which the prosecutor holds office. This may be used as a tool of pressure against whistleblower prosecutors.

Selection for Senior Positions in the NPU and the SBI

During the reporting period, there was no notable progress on these issues. The SAP provided for the introduction of a mandatory competition for appointment to a higher position in the police involving managerial functions.[3477] According to the ISM SAP, this measure has been partially implemented.[3478]

On 29 August 2025, Draft Law No. 13716[3479] was registered in the Verkhovna Rada. It did not differ from the similar draft submitted by the previous Government and contained the shortcomings noted in the Shadow Report 2025.[3480] In its opinion, the Main Scientific and Expert Department of the Verkhovna Rada[3481] noted that the amendments proposed by the draft law to Part 3 Article 52 of the Law of Ukraine 'On the National Police', which defines the competitive principles for appointment to a police officer position, would have no effect on the procedure for appointing the Head of the NPU and their deputies, which is defined in Article 21 of that Law. At the same time, following the change in the composition of the Government in July 2026, Draft Law No. 13716 was withdrawn.

As noted earlier,[3482] the competition for senior positions in the SBI was criticised for non-transparent procedures. The five-year term of office of the Head of the SBI expires

3475 Statistical Information on the Work of Specially Authorised Anti-Corruption Entities and Other State Bodies. ↗

3476 On the Public Prosecutor's Office: Law of Ukraine No. 1697-VII of 14.10.2014, para. 9[1] Part 1 Article 51. ↗

3477 State Anti-Corruption Programme for 2023–2025: Resolution of the Cabinet of Ministers of Ukraine No. 220 of 04.03.2023, measure 2.1.6.1.3 of expected strategic result 2.1.6. ↗

3478 Measure 2.1.6.1.3. ISM SAP. ↗

3479 On Amendments to the Law of Ukraine 'On the National Police' to Improve the Effectiveness of Police Service: Draft Law of Ukraine, registration No. 13716 of 29.08.2025. ↗

3480 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report within the European Union Enlargement Package 2024, 2025, pp. 689–690. ↗

3481 Opinion of the Main Scientific and Expert Department of the Secretariat of the Verkhovna Rada of Ukraine on the Draft Law of Ukraine 'On Amendments to the Law of Ukraine "On the National Police" to Improve the Effectiveness of Police Service' (registration No. 13716 of 29.08.2025). ↗

3482 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report within the European Union Enlargement Package 2024, 2025, pp. 689–690. ↗

on 31 December 2026.[3483] Under the law,[3484] the competition commission for selecting a new candidate must be formed by 31 October 2026.

The European Commission noted in its 2024 and 2025 EU Enlargement Package Reports the need to introduce transparent procedures for selecting the SBI leadership with the involvement of independent experts.[3485]

Reform of the State Bureau of Investigation

The **SBI** is a state law enforcement agency tasked with preventing, detecting, stopping, solving and investigating criminal offences committed by officials holding particularly responsible positions,[3486] except where such offences fall within the investigative jurisdiction of the NABU, as well as by judges, law enforcement officers, including NABU officers, the Head and prosecutors of SAPO, except where such offences fall within the investigative jurisdiction of the NABU internal control detectives, and military criminal offences, namely offences against the procedure for military service.[3487]

The SBI was established at the end of February 2016[3488] as part of the reform of the prosecution service and the removal of non-core pre-trial investigation functions from it. The SBI's main task is to investigate official criminal offences committed by law enforcement officers and related to human rights violations, falsification or destruction of evidence and similar offences.

In practice, the SBI only began operating in November 2018.[3489] The stage of establishing the body and the first year of its work were accompanied by scandals.[3490] Within a year, amendments to the Law of Ukraine 'On the State Bureau of Investigation'[3491] were adopted with a view to strengthening the institution.[3492] However, no real relaunch of the body took place even after legislative amendments, the early dismissal of its leadership and the selection of a new Director. The SBI has not become an effective

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3483 On the Appointment of O. Sukhachov as Director of the State Bureau of Investigation: Decree of the President of Ukraine No. 691/2021 of 31.12.2021. ↗

3484 On the State Bureau of Investigation: Law of Ukraine No. 794-VIII of 12.11.2015, Part 10 Article 11. ↗

3485 Ukraine 2025 Report. Communication on EU Enlargement Policy, p. 8. ↗

3486 For example, the President, the Prime Minister of Ukraine, members of the Cabinet of Ministers of Ukraine, Members of Parliament, the Ukrainian Parliament Commissioner for Human Rights, the Director of the NABU, the Director of the ESBU, the Prosecutor General, their first deputies and deputies, the President of the Constitutional Court of Ukraine, their deputies and judges of the Constitutional Court of Ukraine, the President of the Supreme Court, their deputies and judges of the SC, presidents of higher specialised courts, their deputies and judges of higher specialised courts, the Governor of the National Bank of Ukraine, their first deputy and deputies, the Secretary of the NSDC, their first deputy and deputies and others.

3487 On the State Bureau of Investigation: Law of Ukraine No. 794-VIII of 12.11.2015, Articles 1, 5. ↗; Criminal Procedure Code of Ukraine No. 4651-VI of 13.04.2012, Part 4 Article 216. ↗

3488 On the Establishment of the State Bureau of Investigation: Resolution of the Cabinet of Ministers of Ukraine No. 127 of 29.02.2016. ↗

3489 History. State Bureau of Investigation. ↗

3490 SBI — Doomed? New Body at the Centre of a Scandal Even before Its Launch. Deutsche Welle, 2018. ↗; Cases Are Going Down the Tube: Journalists of 'Pryamyi' Obtained Irrefutable Evidence of the Authenticity of the Voice of the Former SBI Director on the Scandalous Recordings. Pryamyi, 2020. ↗

3491 On the State Bureau of Investigation: Law of Ukraine No. 794-VIII of 12.11.2015. ↗

3492 On Amendments to Certain Laws of Ukraine to Improve the Activities of the State Bureau of Investigation: Law of Ukraine No. 305-IX of 03.12.2019. ↗

pre-trial investigation body for crimes committed by law enforcement officers involving violations of fundamental human rights. One illustrative example was the SBI's searches of the official premises of the High Qualification Commission of Judges of Ukraine and the homes of some of its members, which the judicial governance body regarded as interference with the performance of its statutory functions.[3493]

At the same time, according to sociological surveys,[3494] the level of trust in the SBI increased by 16% between September 2024 and November 2025 inclusive, while the trust-distrust balance narrowed from -29.5% to -2.4%. It should be borne in mind, however, that 37% of the population are completely unaware of the SBI's activities,[3495] compared with 42.6% in 2024.[3496]

The SBI is the only body whose investigative jurisdiction under criminal procedural legislation[3497] is defined by a subject-based rather than subject-matter criterion, except for military criminal offences. In other words, jurisdiction is determined by the person who committed the criminal offence. This leads to duplication of the functions of other pre-trial investigation bodies and makes it possible to use the institution as an instrument of political pressure.[3498]

A significant share of proceedings now concerns military offences, namely offences against the procedure for military service, which is understandable in wartime. Although current criminal statistics are restricted, given the scale of unauthorised abandonment of a military unit or place of service,[3499] older reporting forms show that in recent years such offences accounted for around 80–90% of the SBI's entire investigative jurisdiction. In 2024, for example, they accounted for 89,000 out of 98,000 proceedings. However, when the body was established, this jurisdiction was treated as residual rather than as its core mandate.[3500] At the same time, another part of the SBI's resources is directed towards investigating mid-level corruption offences, which by their nature were also not the main reason for establishing this body.

As a result, the SBI is both overloaded and deprived of a clear priority. It is no coincidence that investigative jurisdiction over military offences is regularly proposed to be transferred to a new specialised body, as the SBI is objectively unable to cope with this volume of work. This concerns not only more than 200,000 proceedings related to unauthorised abandonment of a military unit or place of service, but also military offences more broadly, including corruption which, in terms of public danger, often does not reach the threshold for NABU jurisdiction.

3493 On Compliance with Guarantees of Independence of the High Qualification Commission of Judges of Ukraine: Decision of the High Qualification Commission of Judges of Ukraine No. 51/zp-25 of 17.03.2025. ↗

3494 Level of Public Trust in State and Public Institutions of Ukraine (2018–2025). National Agency on Corruption Prevention. ↗

3495 Corruption in Ukraine 2025: Understanding, Perception, Prevalence, p. 18. ↗

3496 Corruption in Ukraine 2024: Understanding, Perception, Prevalence, p. 18. ↗

3497 Criminal Procedure Code of Ukraine No. 4651-VI of 13.04.2012, Part 4 Article 216. ↗

3498 Reforming the SBI: Will Zelenskyy Succeed on the Second Attempt? Deutsche Welle, 2026. ↗

3499 Criminal Code of Ukraine No. 2341-III of 05.04.2001, Article 407. ↗

3500 SBI Reform: Not a Change of Director, but a Change in the Logic of the Body. Dzerkalo Tyzhnia, 2026. ↗

For some time, the idea of transferring investigations of offences against national security to the SBI was also discussed as part of SSU reform, with a view to removing the SSU's pre-trial investigation function. Today, however, this proposal tends to provoke irony among experts and open irritation in society.[3501]

As experts note,[3502] the current lack of clear delineation of investigative jurisdiction leads to a shift in priorities and the inefficient use of the SBI's resources.

The Rule of Law Roadmap provides that, by the end of 2027, amendments to the CPC of Ukraine should be adopted and implemented, including on the clear delineation of investigative jurisdiction among pre-trial investigation bodies.[3503] A similar measure is envisaged by the OAS Action Plan. Implementation of these measures would make it possible to review the SBI's investigative jurisdiction.

One of the interim benchmarks in the negotiation process under Chapter 24 'Justice, Freedom and Security' is the achievement of tangible progress in reforming the SBI with the participation of international experts.[3504]

Improving the Activities of the State Bureau of Investigation

In the Screening Report (2025), the European Commission for the first time pointed to the need to reform the SBI by analogy with the ESBU.[3505]

The Rule of Law Roadmap provides that, in the fourth quarter of 2026, an **independent comprehensive review of the SBI's institutional structure, integrity mechanisms and oversight functions should be conducted to assess the need for and appropriateness of further reforms, followed by the adoption and implementation of a law reflecting the necessary recommendations**. During the informal meeting of Ministers for European Affairs held in December 2025,[3506] this measure was identified as one of the ten priorities for implementation during 2026.

On 9 June 2026, the **Accounting Chamber approved a report on the results of the compliance audit of the SBI's institutional support**,[3507] which stated that the institution's overall organisational framework enables it to perform its assigned functions. However, certain shortcomings were identified that complicate the SBI's work. Article 5 of Law No. 794-VIII[3508] is inconsistent with Article 216 of the CPC of Ukraine regarding the SBI's subject-matter investigative jurisdiction. The procedure for approving the Bureau's organisational structure established by Law No. 794-VIII is not sufficiently

3501 Ibid.

3502 Ibid.

3503 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

3504 European Union Common Position (following Ukraine's Negotiating Position AD 35/26 CONF-UA 9): Accession Document. Brussels, 10.07.2026. p. 32. ↗

3505 Publication by MP Y. Zhelezniak in the Telegram messenger, 2025. ↗

3506 Joint Statement by Commissioner for Enlargement M. Kos and Deputy Prime Minister for European and Euro-Atlantic Integration of Ukraine T. Kachka. Delegation of the European Union to Ukraine, 2025. ↗

3507 Report on the Results of the Compliance Audit 'Institutional Support of the State Bureau of Investigation': Decision of the Accounting Chamber No. 18-1 of 09.06.2026. ↗

3508 On the State Bureau of Investigation: Law of Ukraine No. 794-VIII of 12.11.2015. ↗

flexible.[3509] As a result, the current organisational structure, approved before the COVID-19 pandemic and the start of the Russian Federation's full-scale invasion of Ukraine, does not fully reflect the SBI's current needs and challenges. In addition, in the SBI central office, the internal audit unit operates within another independent structural unit, which is inconsistent with the Budget Code of Ukraine and the Procedure for Conducting Internal Audits and Establishing Internal Audit Units.[3510]

The Accounting Chamber also noted that the legislation does not establish a clear procedure or mechanism for appointing and dismissing the First Deputy Director and Deputy Directors of the SBI and that certain rules on setting official salaries for SBI employees are not properly regulated.[3511]

In addition, attention should be paid to Part 1 Article 11 of Law No. 794-VIII, under which the SBI Director is appointed by the President on the recommendation of the commission conducting the competition for the position of SBI Director. Until 2021, a similar procedure applied to the appointment of the NABU Director, but the Constitutional Court of Ukraine found that this exceeded the President's constitutional powers and was inconsistent with the Constitution of Ukraine.[3512] To implement this decision, the appointing authority for the NABU Director was changed and these powers are now exercised by the Cabinet of Ministers of Ukraine. The SBI remains the only pre-trial investigation body whose Head is appointed by the President.

In August 2025, several draft laws aimed at improving the SBI's activities were registered in the Verkhovna Rada. Draft Law No. 13602,[3513] submitted by a group of MPs, provides for changing the SBI's status and defining it as a central executive authority, as well as relaunching the body based on the ESBU reform model. This includes updating the procedure for selecting the Director and conducting a one-time re-attestation of all staff. At the same time, the draft law retains both the advantages and shortcomings of the procedures currently being implemented in the ESBU and therefore contains all the risks associated with the reform of the body, including those related to staff attestation.

Draft Law No. 13602-1,[3514] authored by MP L. Buimister, proposes a more radical way of addressing the problems in the SBI's activities — liquidating the body while transferring its powers to other law enforcement agencies and the SSU. Another draft law providing

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3509 Pursuant to Part 1 Article 9 of the Law of Ukraine 'On the State Bureau of Investigation', the organisational structure of the SBI is approved by the President. The current organisational structure of the SBI was approved by Presidential Decree No. 41/2020 of 05.02.2020.

3510 Pursuant to Article 26 of the Budget Code of Ukraine and para. 3 of the Procedure for Conducting Internal Audit and Establishing Internal Audit Units, approved by Resolution of the Cabinet of Ministers of Ukraine No. 1001 of 28.09.2011, internal audit must be performed by an independent structural internal audit unit directly subordinate and accountable to the head of the body.

3511 Report on the Results of the Compliance Audit 'Institutional Support of the State Bureau of Investigation': Decision of the Accounting Chamber No. 18-1 of 09.06.2026, p. 51. ↗

3512 Decision of the Constitutional Court of Ukraine No. 9-r/2020 of 28.08.2020 in Case No. 1-9/2020(197/20), on the constitutional petition of 51 MPs concerning the compliance with the Constitution of Ukraine (constitutionality) of the Decree of the President of Ukraine 'On the Appointment of A. Sytnyk as Director of the National Anti-Corruption Bureau of Ukraine'. ↗

3513 On Amendments to Certain Legislative Acts of Ukraine to Improve the Work of the State Bureau of Investigation: Draft Law of Ukraine, registration No. 13602 of 06.08.2025. ↗

3514 On Amendments to Certain Legislative Acts of Ukraine on Priority Measures for the Reform of Law Enforcement Agencies: Draft Law of Ukraine, registration No. 13602-1 of 13.08.2025. ↗

for the de facto liquidation of the SBI and the transfer of criminal proceedings under its investigative jurisdiction to the NABU was submitted by a group of MPs in September 2022.[3515] However, this approach would aggravate other problems related to the work of pre-trial investigation bodies and lead to an excessive burden on those bodies.

Draft Law No. 13602-2,[3516] submitted by MP O. Danutsa, partly duplicates the provisions of the main draft law but does not include procedures for one-time attestation of SBI staff.

All these draft laws currently remain stalled. At the same time, they lack a comprehensive vision for reforming the SBI that would take into account previous experience of reforming law enforcement agencies and the prosecution service. **They could therefore serve as a basis for the Verkhovna Rada Committee on Law Enforcement when preparing the final version of the draft law, provided that the European Commission's position is taken into account**. In addition, the legislative process could address the shortcomings identified by the Accounting Chamber and align the procedure for appointing the SBI Director with the Constitution of Ukraine, taking into account the decision of the Constitutional Court of Ukraine.

In early January 2026, the President announced that he planned to submit to the Parliament his own draft law on renewing the SBI's work.[3517] **However, as of 31 July, no such draft law had been registered in the Verkhovna Rada**. At the same time, such a draft law had been developed and submitted to the European Commission for preliminary assessment.[3518]

At the same time, the restoration of the practice of involving the public in the body's activities is a positive development. The Public Oversight Council under the SBI, whose composition was renewed in December 2024, became somewhat more active during 2025. It approved reports on the SBI's work for the previous year, conducted training for SBI employees, delegated its representatives to the SBI Disciplinary Commission and exercised public oversight over the investigation of high-profile crimes.[3519] The practice of involving the public in oversight of the SBI's activities creates preconditions for improving its work.

Recommendations

1. Continue developing the draft Law of Ukraine 'On Law Enforcement Agencies', taking into account Ukraine's European integration commitments.

2. Strengthen the institutional capacity of the authorised units of law enforcement agencies and the prosecution service responsible for preventing and detecting cor-

3515 On the Relaunch of the State Bureau of Investigation: Draft Law of Ukraine, registration No. 8059 of 19.09.2022. ↗

3516 On Amendments to the Law of Ukraine 'On the State Bureau of Investigation' to Ensure the Independence of the State Bureau of Investigation: Draft Law of Ukraine, registration No. 13602-2 of 14.08.2025. ↗

3517 Zelenskyy Announced the Renewal of the SBI. Suspilne Novyny, 2026. ↗

3518 Information presented during a working meeting on current issues related to the fulfilment of European integration commitments in the areas of the rule of law and the fight against corruption between civil society representatives and the Deputy Prime Minister for European and Euro-Atlantic Integration of Ukraine, held on 20 February 2026.

3519 Report on the Activities of the Public Control Council under the State Bureau of Investigation in 2025. ↗

ruption and grant them powers to effectively monitor and support the implementation of anti-corruption programmes.

3. Transform the framework for vetting prosecutors' integrity, including covert integrity checks, and strengthen the role of the PGO General Inspectorate. Prosecutorial self-governance bodies should approve unified criteria for prosecutorial integrity, drawing on the experience of the judiciary.[3520]

4. Approve unified standards of integrity and ethical conduct for employees of the NPU, the SBI, the NABU and the ESBU, and unify the mechanisms for their disciplinary liability.

5. Develop and publish on the NACP website a register of typical corruption risks in the activities of law enforcement agencies, considering the pre-trial investigation function.

6. Ensure the generation of separate statistical data on employees of the SSU, the NPU, the SBI, the NABU, the ESBU and prosecutors being held criminally and administratively liable for corruption and corruption-related offences, taking into account the special status of criminal justice bodies and the high level of corruption risks in their area of activity.

7. Amend the laws regulating the activities of the NPU, the ESBU, the SBI and the prosecution service to prohibit dismissal from service in connection with reporting corruption offences, corruption-related offences or other violations of anti-corruption legislation.

8. Introduce mandatory competitive selection of candidates for the post of Head of the Police (Head of the NPU), senior leadership positions and certain middle-management positions in police bodies. As regards the competitive selection of the Head of the NPU, including the formation of the competition commission, it would be advisable to use the relevant ESBU practice as a basis.

9. Consider reducing the influence of the Minister of Internal Affairs in NPU staffing matters, including the appointment and dismissal of the First Deputy Head and Deputy Heads of the Police, as well as approval of the appointment and dismissal of heads of territorial police bodies.[3521]

10. Improve the procedure for selecting the SBI Director, considering the recommendations provided by the European Commission and simplify procedures for selecting heads of SBI internal control units.

11. Adopt a law on comprehensive SBI reform, covering not only personnel 'relaunch', but also further steps to strengthen the SBI's institutional capacity to perform its assigned tasks, including clarification of investigative jurisdiction, improvement of internal control mechanisms and strengthening of analytical capacity.

3520 The recommendation previously provided in the Shadow Report 2025 (p. 676) remains relevant.

3521 The recommendation previously provided in the Shadow Report 2025 (p. 676) remains relevant.

International Cooperation of the Law Enforcement Agencies and Prosecutorial Authorities with European Institutions. Information Exchange through Europol's SIENA and SIENA-CT Platforms

Progress and issues

During the reporting period, law enforcement and prosecutorial authorities continued to cooperate with European institutions and the institutions of EU Member States within the framework of multilateral and bilateral agreements, participate in joint operations and exchange information. At the same time, it is difficult to assess the level of fulfilment of European integration commitments in this area, as this currently concerns purely operational activity.

The European Commission noted the positive results of cooperation with Europol and the European Union Agency for Law Enforcement Training (CEPOL), the involvement of Ukrainian law enforcement officers in international investigation teams, information exchange through the SIENA and SIENA-CT platforms, as well as Ukraine's participation in activities under the European Multidisciplinary Platform Against Criminal Threats (EMPACT).[3522]

In 2025, the **NPU** processed 685 requests for international legal assistance in criminal cases (proceedings). A total of 465 such requests were received from the PGO for execution, and 451 requests were completed, including 249 received during 2025 and 202 received in previous years.[3523] In 2025, there was a significant increase in the volume of correspondence using SIENA, including 20,500 incoming documents processed and 15,900 outgoing documents prepared.[3524]

The **SBI** processed 122 requests for international legal assistance, of which 74 were endorsed by the PGO and forwarded to foreign jurisdictions. As a result of this cooperation, 65 requests were executed.[3525] The SBI also continues to cooperate through SIENA: 178 information requests were sent to the competent authorities of foreign states in 92 criminal proceedings, while 522 communications were received from foreign partners. Through the Camden Asset Recovery Inter-Agency Network (CARIN), 144 requests were sent in criminal proceedings, covert operational-search cases and cases concerning unexplained assets and 95 responses were received. In 2025, SBI staff received training on international cooperation, the use of SIENA, CARIN, Interpol and Europol platforms.[3526]

3522 Ukraine 2025 Report. Communication on EU Enlargement Policy, p. 52. ↗

3523 Report of the National Police of Ukraine on the Results of Work in 2025, p. 108. ↗

3524 Ibid.

3525 Report o Report on the Activities of the State Bureau of Investigation in 2025, p. 87. ↗

3526 Ibid, pp. 88, 89.

At the same time, as noted earlier,[3527] only the SBI has regulated, at the level of its own internal act, the procedure for internal cooperation between its structural units when using the SIENA network application.

The **ESBU** is developing international links with tax and investigative authorities of EU Member States and international organisations in the field of countering economic crime, in particular the Organisation for Economic Co-operation and Development, the Ukraine Facility Audit Board, the Fiscal Intelligence and Investigation Service of the Netherlands (FIOD), the Swedish Tax Agency and others.[3528]

On 20 March 2026, the PGO extended the mandate of the Joint Investigation Team (JIT) 'Ukraine Case', which has been operating since 2022 and brings together representatives of Ukraine, Lithuania, Latvia, Poland, Estonia, Romania and Slovakia, as well as European Union Agency for Criminal Justice Cooperation (Eurojust), Europol and the Office of the Prosecutor of the International Criminal Court. The team's work is aimed at investigating the gravest international crimes committed as a result of Russian aggression against Ukraine.[3529]

Work is ongoing to align national legislation with European and international instruments, as well as on Ukraine's accession to international instruments in the field of combating cross-border crime.

The Rule of Law Roadmap also provides for the introduction, in the fourth quarter of 2026, of a mechanism to ensure reimbursement by Eurojust of expenses incurred by state authorities (the PGO, the SSU, the NPU, the NABU, the SBI and the ESBU) in connection with their participation in the work of JITs. At the same time, the PGO has taken the position that Ukraine has already introduced a mechanism enabling Eurojust to reimburse the relevant expenses. This issue has been regulated without the adoption of additional normative legal acts. For example, on 3 June 2025, the PGO sent a letter to the NPU, the NABU, the SSU, the SBI and the ESBU concerning the reimbursement of expenses related to the work of JITs, setting out the procedure for Eurojust's financing of such expenses.[3530]

Recommendations

1. Develop secondary legislation on the use of the SIENA platform by law enforcement agencies connected to this system.

2. Periodically publish information on the results of international cooperation, primarily on the work of JITs, provided that this does not adversely affect the activities of a specific JIT.[3531]

3. Continue work on implementing European and international instruments in the field of combating cross-border crime and aligning national legislation accordingly.

3527 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report within the European Union Enlargement Package 2024, 2025, p. 694. ↗

3528 Report on the Activities of the Economic Security Bureau of Ukraine in 2025, p. 56. ↗

3529 The Mandate of the Joint Investigation Team 'Ukraine Case' Extended for Two Years. Prosecutor General's Office, 2026. ↗

3530 Information presented within the work of the Coordination Council.

3531 Recommendations 1–4 previously provided in the Shadow Report 2025 (pp. 697–698) remain relevant.

System for the Protection of Participants in Criminal Proceedings, Including Witnesses

Progress and issues

The current Law of Ukraine 'On Ensuring the Safety of Persons Participating in Criminal Proceedings'[3532] establishes a high threshold and broad discretionary criteria for the application of such measures, which may result in their non-use where they are needed.[3533] Overall, the problems of the system for protecting participants in criminal proceedings are complex: it is underfunded, fragmented, operates without proper risk assessment and is reduced only to providing physical protection where there is a threat to the life or health of a participant in criminal proceedings, including a witness. During the reporting period, these problems remained unresolved and therefore *no progress was made in this area*.

The Government has not updated its plans for fulfilling European integration commitments in this area — the relevant draft law is planned for adoption only in the third quarter of 2027. At the same time, the Rule of Law Roadmap provides for the development and adoption of a law on the provision, by law enforcement agencies, of safety measures for participants in criminal proceedings, with a view to building an effective system of state protection for them, primarily applicants, whistleblowers, victims and witnesses, taking into account best international practice and the requirements of the EU acquis.

At the same time, the OAS Action Plan[3534] specifies the content of this draft law in somewhat greater detail and provides for the establishment of a National Service for Ensuring the Safety of Participants in Criminal Proceedings. Unlike the OAS Action Plan, the Rule of Law Roadmap does not provide for the establishment of such a service and instead assigns these functions exclusively to law enforcement agencies, which may adversely affect the effectiveness of this institution.

The situation remains unchanged — Draft Law No. 5751,[3535] which has been under consideration by the Verkhovna Rada since 2021, proposes a comprehensive reform of the system for ensuring the safety of participants in criminal proceedings, including witnesses.

An interagency working group has been established within the MoIA to develop a Draft Law of Ukraine on ensuring the safety of participants in criminal proceedings by law enforcement agencies.[3536] The draft law is aimed at:

3532 On Ensuring the Safety of Persons Participating in Criminal Proceedings: Law of Ukraine No. 3782-XII of 23.12.1993. ↗

3533 Ukraine's Commitments in the Field of Ensuring the Rights of Victims in Criminal Proceedings: Current State and Prospects for Implementation. JurFem, 2025. ↗

3534 Measures 3.6.1 and 3.6.2.

3535 On Ensuring the Safety of Participants in Criminal Proceedings and Other Persons in the Interests of Justice: Draft Law of Ukraine, registration No. 5751 of 12.07.2021. ↗

3536 The Interagency Working Group was established by Order of the Ministry of Internal Affairs of Ukraine No. 98 of 05.02.2026. The Order has not been published; information about it was presented within the work of the Coordination Council.

- improving the effectiveness and rationality of the current system for ensuring the safety of persons participating in criminal proceedings by incorporating Recommendation Rec(2005)9 of the Committee of Ministers of the Council of Europe to mem ber states on the protection of witnesses and collaborators of justice;[3537]
- specifying the categories of persons to whom safety measures may be applied and defining such a person's contribution to the relevant criminal proceedings as the main criterion for deciding whether to ensure their safety;
- introducing an effective algorithm for deciding on the application of safety measures exclusively within criminal proceedings, as well as their cancellation or termination, whether full or partial, based on an assessment of risks of harm to the person and taking into account the possibility of transferring criminal proceedings to another pre-trial investigation body;
- detailing the mechanisms for implementing specific safety measures to enable their practical application, including relocation to another temporary or permanent place of residence, including outside Ukraine, change of appearance and other measures.

At the same time, the current approach of the working group remains within the substantive framework defined by the Rule of Law Roadmap. Unlike Draft Law No. 5751, which provides for the establishment of a **separate National Service for Ensuring the Safety of Participants in Criminal Proceedings for more serious cases, while leaving less serious cases to be handled independently by each law enforcement agency through the application of safety measures within its own cases, the draft law being developed by the MoIA provides for this function to be assigned to each authority handling the relevant criminal proceedings**.

In view of **positive foreign experience, the authority entrusted in Ukraine with the function of applying safety measures to participants in criminal proceedings**[3538] **should be centralised and concentrated within a single structural unit**.[3539]

Therefore, **the establishment of the National Service for Ensuring the Safety of Participants in Criminal Proceedings, as provided for in the OAS and its Action Plan, is a more appropriate approach** and reduces the risks of ineffective application of safety measures by law enforcement agencies that need to protect participants in criminal proceedings within their own investigations.

Recommendations

1. Develop and adopt the Law of Ukraine 'On Ensuring the Safety of Participants in Criminal Proceedings'.

3537 Rec. (2005) 9 of the Committee of Ministers to member states on the protection of witnesses and collaborators of justice. Council of Europe. ↗

3538 Personal protection, protection of housing and property, provision of special personal protective equipment and danger alerts, use of technical means of monitoring and interception of telephone and other communications, visual surveillance, replacement of documents and change of appearance, change of place of work or study, relocation to another place of residence, placement in a preschool educational institution or a social protection institution and ensuring the confidentiality of personal data.

3539 Klymchuk M.P. Foreign Practices in Applying Safety Measures to Participants in Criminal Proceedings. European Legal Journal, 2024, Issue 4, p. 104. ↗

2. Establish the National Service for Ensuring the Safety of Participants in Criminal Proceedings, ensuring its autonomy from law enforcement and prosecutorial authorities. Ensure proper funding for the newly established service, based on well-substantiated calculations for the effective provision of safety measures.

3. Develop, adopt and implement Methodological Guidelines on assessing risks to the safety of participants in criminal proceedings in the activities of law enforcement and prosecutorial authorities.

Agency
for Legislative
Initiatives

Cooperation in the Field of Drug Control



State policy in the field of drug control during the period under review was marked by *certain progress*. The transfer of functions for monitoring the drug situation from the Centre for Mental Health and Monitoring of Drugs and Alcohol of the Ministry of Health of Ukraine (MoH) to the Public Health Centre of the MoH (PHC MoH) has been completed. The 2025 National Report has been published. In October 2025, a Coordination Interagency Working Group was established. It is actively working to introduce an early warning system for the appearance of narcotic drugs, psychotropic substances, their analogues and precursors in illicit circulation in Ukraine, as well as to develop a mechanism for collecting information on such substances.

The Drug Policy Strategy until 2030 and its Operational Plan for 2025–2027 are being implemented. The key measures under the Operational Plan concern the second half of 2026 and 2027, so it is currently premature to assess the state of implementation of the Strategy. There has been no progress in implementing Council Framework Decision 2004/757/JHA of 25 October 2004, which establishes a common EU-level approach to combating illicit drug trafficking in national legislation. In June 2026, the Government registered with the Verkhovna Rada draft amendments to the Law of Ukraine 'On Narcotic Drugs, Psychotropic Substances and Precursors' to implement Council Recommendation 2003/488/EC; however, following the change in the composition of the Government in July 2026, the draft was withdrawn. Statistical recording by the NPU is being improved.

The positive trend towards a gradual shift in criminal policy, effectively implemented by the NPU, continues — towards countering drug dealers, meaning persons who supply narcotic drugs, rather than drug users, with proceedings under Article 309 of the CC of Ukraine accounting for less than 40% of cases. Whereas previously the fight against drug-related crime was largely formalistic and focused on artificially generating 'clearance rates', primarily through the prosecution of drug users, it is now gradually being reoriented towards drug dealers — persons who supply psychoactive substances, who account for more than one third of all proceedings.

Activities of the Public Health Centre of the MoH

Progress and issues

The 2025 EU Enlargement Package Report[3540] notes the lack of progress in establishing a national drug observatory and a national early warning system for detecting new psychoactive substances. In view of this, it is necessary to adopt and implement the legislative framework required to formally establish the national drug observatory within the PHC MoH, with sufficient staffing and financial resources, appoint a correspondent to the EU Early Warning System and establish a national early warning system.

The transfer of functions for monitoring the drug situation from the Centre for Mental Health and Monitoring of Drugs and Alcohol of the MoH to the PHC MoH, which had been ongoing since 2023, has been completed.

3540 Ukraine 2025 Report. Communication on EU Enlargement Policy, p. 53. ↗

In April 2026, **Government Resolution No. 488**[3541] **amended the Procedure for Monitoring the Drug and Alcohol Situation in Ukraine, granting the PHC MoH powers that are effectively aligned with those of National Drug Observatories in EU Member States**, which operate as National Focal Points. These centres form part of the European information network Reitox, coordinated by the European Union Drugs Agency (EUDA). Thus, within its powers, the PHC MoH now performs the full range of functions of a National Observatory, including the collection, analysis and exchange of data on the drug situation.

In September 2025, the PHC MoH prepared the National Report on the Drug and Alcohol Situation in Ukraine based on 2024 data, which contains an analysis of the main trends related to drugs and alcohol.[3542] The document describes challenges for the healthcare system, the psychoactive substances market, preventive measures, offences and policy decisions in the field of drugs.

The key challenges of the past year included an **increase in the proportion of adolescents who had experience of using psychoactive substances** — including 'hard' psychoactive substances such as heroin, cocaine and amphetamine — as well as the non-medical use of sedatives and tranquillisers.[3543] According to various sources, a significant spread of the misuse of medicinal products and the development of dependence on them have also been recorded. This primarily concerns narcotic medicinal products, benzodiazepines, pregabalin and z-drugs. Overall, the **experience of internal displacement and war-related trauma** has had a broad impact on mental health and on drug and alcohol use.

Work continues on establishing a system for early warning of the appearance in illicit circulation in Ukraine of narcotic drugs, psychotropic substances, their analogues and precursors, as well as on developing a mechanism for collecting information on such substances.[3544] MoH Order No. 1527[3545] **established the Coordination Interagency Working Group** on the development and coordination of the implementation of the early warning system for new psychoactive substances and approved its composition.

On 18 February 2026, the first constituent meeting of this Coordination Interagency Working Group was held under the chairmanship of the Deputy Minister of Health — Chief State Sanitary Doctor of Ukraine.[3546] A draft Procedure for organising the early warning system for new psychoactive substances is also being developed. According to the Rule of Law Roadmap, the **early warning system is to be introduced in the second quarter of 2026**. As of June 2026, a draft Resolution of the Cabinet of Minis-

3541 On Amendments to the Procedure for Monitoring the Drug and Alcohol Situation in Ukraine: Resolution of the Cabinet of Ministers of Ukraine No. 488 of 10.04.2026. ↗

3542 National Report on the Drug and Alcohol Situation in Ukraine 2025 (based on 2024 data). Public Health Centre of the Ministry of Health, 2025. ↗

3543 Ibid, p. 92.

3544 In accordance with Regulation (EU) 2023/1322 of the European Parliament and of the Council of 27.06.2023 on the European Union Drugs Agency (EUDA) and repealing Regulation (EC) No. 1920/2006 (ID 32023R1322).

3545 On the Establishment of the Coordination Interagency Working Group on the Development and Coordination of the Implementation of the Early Warning System for New Psychoactive Substances: Order of the Ministry of Health of Ukraine No. 1527 of 07.10.2025. ↗

3546 A Coordination Interagency Working Group on Establishing an Early Warning System for New Psychoactive Substances (NPS) Has Started Operating in Ukraine. Public Health Centre of the MoH of Ukraine, 2026. ↗

ters of Ukraine 'On Approval of the Procedure for Organising the Early Warning System for New Psychoactive Substances' had been developed and was undergoing legal review by the MoJ.[3547]

The Operational Plan for the implementation of the Drug Policy Strategy until 2030[3548] envisages the establishment of an **advisory interagency body under the Cabinet of Ministers of Ukraine. The purpose of this body is to introduce a coordination mechanism for countering the illicit trafficking of narcotic drugs, psychotropic substances and precursors**. The Rule of Law Roadmap provides for its establishment in the fourth quarter of 2026 and, according to the MoH, a draft regulatory act on this issue is currently being developed.[3549]

Recommendations

1. Introduce a system for early warning of the appearance in illicit circulation in Ukraine of narcotic drugs, psychotropic substances, their analogues and precursors, as well as develop a mechanism for collecting information on such substances.

2. Establish an advisory interagency body under the Cabinet of Ministers of Ukraine to coordinate efforts to counter the illicit trafficking of narcotic drugs, psychotropic substances and precursors.

State of Improvement and Implementation of Legislation in the Field of Control over Narcotic Drugs and Psychotropic Substances

Progress and issues

Drug Policy Strategy

On 20 August 2025, the Government approved the *Drug Policy Strategy until 2030 and adopted the Operational Action Plan for its implementation in 2025–2027*.[3550]

State drug policy is one of the most important factors affecting the situation with the use of psychoactive substances, including access for persons who misuse substances or have a dependency to harm reduction and treatment programmes. Importantly, effective drug policy, unlike a punitive approach, is based on the following key principles:

3547 Information provided within the activities of the Interagency Working Group on Ensuring the Negotiation Process on Ukraine's Accession to the European Union and the Adaptation of Ukrainian Legislation to European Union Law, established by Resolution of the Cabinet of Ministers of Ukraine No. 987 of 27.08.2024 'Certain Issues of Ensuring the Negotiation Process on Ukraine's Accession to the European Union'.

3548 On Approval of the Drug Policy Strategy until 2030 and the Operational Action Plan for its Implementation in 2025–2027: Order of the Cabinet of Ministers of Ukraine No. 920 of 20.08.2025, task 2 of operational objective 3 of strategic objective 4. ↗

3549 Information provided during a meeting of the Interagency Working Group on Ensuring the Negotiation Process on Ukraine's Accession to the European Union and the Adaptation of Ukrainian Legislation to European Union Law under Chapter 24 (established by Resolution of the Cabinet of Ministers of Ukraine No. 987 of 27.08.2024 'Certain Issues of Ensuring the Negotiation Process on Ukraine's Accession to the European Union').

3550 On Approval of the Drug Policy Strategy until 2030 and the Operational Action Plan for its Implementation in 2025–2027: Order of the Cabinet of Ministers of Ukraine No. 920 of 20.08.2025. ↗

1. Drug dependency is a chronic relapsing brain disorder. A person with dependency is an ill person who requires long-term treatment, with possible relapses.

2. Investment is needed in health — prevention, harm reduction from drug use and treatment — and in public safety, rather than in punishing persons with dependency.

3. A balance must be ensured between state regulation and access to narcotic medicinal products for all those who need them, including for pain relief and opioid substitution therapy.

4. Law enforcement efforts should primarily focus on combating organised criminal groups and major drug traffickers, rather than prosecuting users or low-level participants in the network.

The key measures under the Operational Plan concern the second half of 2026 and 2027, so it is currently premature to assess the implementation of the Drug Policy Strategy until 2030 in terms of the Operational Action Plan for 2025–2027.

Legislation

There has been no progress in implementing Council Framework Decision 2004/757/JHA,[3551] which establishes a common EU-level approach to combating illicit drug trafficking in national legislation.

In June 2026, the **Government registered Draft Law No. 15287** with the Verkhovna Rada[3552] to implement Council Recommendation 2003/488/EC of 18 June 2003 'on the prevention and reduction of health-related harm associated with drug dependence'.[3553] The draft law contained provisions clearly defining the terms 'recreational use', 'psychoactive substance', 'new psychoactive substance' and 'early warning system for new psychoactive substances', as well as provisions governing the operation of the early warning system for new psychoactive substances.

Introducing a definition of 'psychoactive substance' was intended to close a legal gap, harmonise Ukrainian legislation with international standards and establish a regulatory framework for the operation of the early warning system for new psychoactive substances. In addition, the central executive authority responsible for forming state policy on the circulation of narcotic drugs, psychotropic substances, their analogues and precursors and combating their illicit circulation (the MoH) was to be tasked with developing the procedure for interagency organisation of the early warning system for new psychoactive substances.

However, **following the change in the composition of the Government in July 2026, Draft Law No. 15287 was withdrawn**. In line with established practice, a similar draft law is expected to be resubmitted to implement measures under the Rule of Law Road-

3551 Council Framework Decision 2004/757/JHA of 25.10.2004 laying down minimum provisions on the constituent elements of criminal acts and penalties in the field of illicit drug trafficking. European Union. ↗

3552 On Amendments to the Law of Ukraine 'On Narcotic Drugs, Psychotropic Substances and Precursors': Draft Law of Ukraine, registration No. 15287 of 02.06.2026. ↗

3553 Council Recommendation 2003/488/EC of 18 June 2003 on the revention and reduction of health-related harm associated with drug dependence. ↗

map and the Operational Action Plan for the implementation of the Drug Policy Strategy until 2030 in 2025–2027.

Statistics

As regards **improving data recording and the practice of seizure and destruction of drugs**, which should be carried out on an ongoing basis in accordance with the Rule of Law Roadmap, it should be noted that this process is underway. At present, information on the results of the work of police bodies and units is processed within the information and communication system 'Information Portal of the National Police of Ukraine'. Under the 'Criminal Statistics' information subsystem, the *Report on Selected Indicators of the Results of Combating Crime in the Field of Circulation of Narcotic Drugs, Psychotropic Substances, Their Analogues or Precursors (1-AV-NARCO) (F457)* is generated. It covers the work of NPU bodies and units on the seizure from illicit circulation of narcotic drugs, psychotropic substances and precursors.[3554]

On 20 December 2025, the NPU approved, by Order No. 1481_od,[3555] reporting forms on narcotic drugs, psychotropic substances and precursors seized from illicit circulation by NPU bodies, which were destroyed, as well as the remaining quantities held in storage. This information is entered annually by 1 February into Report Form No. 1-H3 of the information and communication system 'Information Portal of the National Police of Ukraine'. Since the order is not publicly available, it is difficult to assess the impact of this measure. However, it can be stated that the recording system is being improved. In addition, part of this information is subsequently published in the annual National Report on the Drug and Alcohol Situation in Ukraine based on Tables 19 of Annex No. 5 to Government Resolution No. 689[3556] (concerning drug-containing plants).

Recommendations

1. Publish annual reports on the state of implementation of the measures under the operational plans for the Drug Policy Strategy until 2030, indicating the status of implementation of the measures for the reporting period.

2. Fully implement Council Framework Decision 2004/757/JHA into national legislation, as regards defining the concept of new psychoactive substances, introducing the qualifying element of 'causing harm to the health of several persons' for criminal offences related to the circulation of narcotic drugs and improving the criminal liability of legal persons for the commission of such criminal offences.

3. Resubmit to the Verkhovna Rada a draft law amending legislation to implement Council Recommendation 2003/488/EC of 18 June 2003 'on the prevention and reduction of health-related harm associated with drug dependence' (substantively similar to Draft Law No. 15287).

3554 Information provided during a meeting of the Interagency Working Group on Ensuring the Negotiation Process on Ukraine's Accession to the European Union and the Adaptation of Ukrainian Legislation to European Union Law under Chapter 24 (established by Resolution of the Cabinet of Ministers of Ukraine No. 987 of 27.08.2024 'Certain Issues of Ensuring the Negotiation Process on Ukraine's Accession to the European Union').

3555 The Order is organisational and administrative in nature and is not publicly available.

3556 On Issues of Monitoring the Drug and Alcohol Situation in Ukraine: Resolution of the Cabinet of Ministers of Ukraine No. 689 of 10.07.2019. ↗

Activities of Law Enforcement Agencies and International Cooperation in Countering the Illicit Trafficking of Narcotic Substances

Progress and issues

According to the latest National Report on the Drug Situation in Ukraine for 2025, based on 2024 data, the following trends in drug-related crime were observed in 2024:

- the general trend is an increase in the number of administrative and criminal offences, including offences committed under the influence of alcohol or drugs and offences in the field of drug circulation. Every eighth administrative offence, or 13.2% of the total, was committed under the influence of alcohol (11.6%) or drugs (1.6%);
- local courts considered 6,243 cases of administrative offences under Article 44 of the CUAO, concerning the illegal manufacture, acquisition, storage, transportation or sending of narcotic drugs or psychotropic substances in small quantities without intent to sell. The main sanction in such cases is an administrative fine, imposed in 97.2% of cases where a penalty was applied;
- there has been a significant increase in the number of administrative and criminal offences related to driving under the influence, particularly under Article 130 of the CUAO (66,414) and Article 286[1] of the CC of Ukraine (1,010).[3557]

This is due to the fact that the difficult socio-economic situation during the war and post-war period, rising unemployment and psycho-emotional instability also push some citizens towards 'easy money' by performing 'simple work' — placing 'dead drops', packaging drugs, sending them and, accordingly, trafficking them. In the context of the full-scale war, 'hand-to-hand' drug supply is now almost no longer practised, which gives offenders confidence that they can avoid criminal liability and creates opportunities to involve a wide range of persons, including adolescents, in unlawful activity.[3558]

In terms of criminal liability, the number of drug-related crimes detected by the NPU is the highest in the past seven years (48,246 in 2025 and 16,862 in the first half of 2026).[3559] At the same time, of the total number of criminal offences registered by the NPU in 2025 and the first half of 2026, respectively:[3560] 18,184 (8,672) cases or 37.68% (51.43%) concerned Article 309 of the CC of Ukraine (illegal manufacture, acquisition, storage, transportation or sending of narcotic drugs, psychotropic substances or their analogues without intent to sell), 18,223 (6,632) cases or 37.77% (39.33%) concerned Article 307 of the CC of Ukraine (illegal manufacture, acquisition, storage, transportation or sending of narcotic drugs, psychotropic substances or their analogues with intent to sell) and 11,839 (1,158) cases or 25.54% (9.24%) concerned other criminal offences (Articles 305, 306, 308 and 310–327 of the CC of Ukraine).

3557 National Report on the Drug and Alcohol Situation in Ukraine 2025 (based on 2024 data). Public Health Centre of the Ministry of Health, 2025, pp. 150–156. ↗

3558 Report on Performance Results, 2025. National Police of Ukraine, pp. 54–55. ↗

3559 Ibid.; Unified Report on Criminal Offences for January–June 2026 / Prosecutor General's Office. 2026. ↗

3560 Unified Report on Criminal Offences for January–December 2025. Prosecutor General's Office. ↗; Unified Report on Criminal Offences for January–June 2026 / Prosecutor General's Office. 2026. ↗

The total **number of notices of suspicion in cases investigated by the NPU in 2025 and the first half of 2026, respectively was 37,042 (8,837),**[3561] including **11,668 (2,807), or 31.5% (31.64%) under Article 307 of the CC of Ukraine and 14,114 (5,115), or 38.1% (57.65%) under Article 309 of the CC of Ukraine. In cases involving drug dealing, meaning offences committed with intent to sell, the figure was 10,033 (951), accounting for 27.06% (10.72%) of the total number of notices of suspicion.** Thus, the positive trend towards a gradual shift in criminal policy, effectively implemented by the NPU, continues — towards countering drug dealers, meaning persons who supply narcotic drugs, rather than drug users.

The main vector of criminal policy on offences in the field of circulation of narcotic drugs should be the prosecution of drug dealers.[3562] Thus, in 2025, the share of criminal proceedings against drug users among offences in the field of circulation of narcotic drugs was less than 40%. By comparison, in 2014–2015 it ranged between 55% and 58%.[3563]

Moreover, in 2016 the situation deteriorated further: 74% of drug-related offences detected by the police in 2016 concerned the illegal production, manufacture, acquisition or storage of drugs without intent to sell. At the same time, drug-related offences involving supply accounted for only 8%. Offences related to the organisation of the drug business accounted for less than 2%.[3564] A similar conclusion on the reduction of this problem, based on an analysis of court judgments under Articles 307 and 309 of the CC of Ukraine, is contained in separate academic publications.[3565] In other words, **whereas previously the fight against drug-related crime was largely formalistic and focused on artificially generating 'clearance rates', primarily through the prosecution of drug users, it is now gradually being reoriented towards drug dealers, meaning persons who supply psychoactive substances**.

Since 2021, Ukraine has been a member of the Council of Europe's Cooperation Group to Combat Drug Abuse and Illicit Trafficking in Drugs, the Pompidou Group.[3566] In 2027–2029, the Group plans to focus more strongly on **encouraging states to apply non-coercive alternatives to criminal sanctions, in line with human rights standards**. This approach is set out in the Group's 2026–2029 Work Programme,[3567] adopted at the 19th Ministerial Conference of the Pompidou Group. This intention is in line with the Drug Policy Strategy until 2030,[3568] which provides for improving the system for organising and providing medical care, countering stigma and introducing alternatives to criminal punishment.

3561 Ibid.

3562 Modern Anti-Drug Policy of Ukraine and Human Rights. Oñati Socio-Legal Series, 2023. Vol. 13, No. 5, p. 1598. ↗

3563 Observance of the Rights of Vulnerable Groups (Drug-Dependent Persons and Commercial Sex Workers) in the Activities of Law Enforcement Agencies: Analytical Report Based on Research Findings, 2016, p. 15. ↗

3564 Ukrainian Police Are Fighting Drug-Dependent Persons, Not the Drug Mafia — Human Rights Defenders. Expert Centre for Human Rights, 2017. ↗

3565 M. Karchevskyi, Countering Crime in Ukraine in the Data Science Format. Bulletin of Luhansk State University of Internal Affairs named after E.O. Didorenko, 2022, pp. 211, 220. ↗

3566 On Ukraine's Accession to the Partial Agreement Establishing the Cooperation Group to Combat Drug Abuse and Illicit Trafficking in Drugs (Pompidou Group): Law of Ukraine No. 1647-IX of 14.07.2021. ↗

3567 19th Ministerial Conference of the Pompidou Group. Council of Europe, 2025. ↗

3568 On Approval of the Drug Policy Strategy until 2030 and the Operational Action Plan for its Implementation in 2025–2027: Order of the Cabinet of Ministers of Ukraine No. 920 of 20.08.2025, operational objective 2 of strategic objective 3. ↗

Compared with 2024, there has also been an increase in the quantities of new psychoactive substances seized — by 8% (from 408.8 kg to 440.1 kg), cocaine and heroin — by 3.9 times (from 3.1 kg to 12 kg) and cannabis — by 12% (from 2.1 tonnes to 2.3 tonnes).[3569] During 2025, the NPU dismantled 69 drug laboratories and 1,224 drug dens and carried out several high-profile and large-scale special operations in total.

In terms of operational activity, it is also important to note the successful operation conducted by the NPU and the SSU to **dismantle an international cocaine supply channel in Kyiv and the Kyiv region, which led to the detention of 16 persons under Article 307 of the CC of Ukraine**.[3570] Members of the organised criminal group supplied cocaine that had been illegally imported into Ukraine from Latin American countries. Each month, they supplied around 3 kg of the drug, while deliveries of the packaged 'goods' were carried out under the guise of a taxi service. The main suspects have already been served with notices of suspicion. Cocaine entered Ukraine from Latin American countries through smuggling routes via Europe. The monthly profit of the criminal group reached around UAH 17 million.

Recommendations

1. Continue implementing a criminal prosecution policy focused primarily on persons and criminal organisations involved in the supply of narcotic drugs, namely drug dealers. In contrast, alternative mechanisms for resolving criminal law conflicts should be applied to drug users instead of criminal liability.

2. Expand the range of mechanisms for resolving criminal law conflicts as alternatives to criminal liability towards non-coercive, incentive-based practices that are consistent with human rights, in line with the Pompidou Group's 2026–2029 Work Programme and the Drug Policy Strategy until 2030.

3569 Report on Performance Results, 2025. National Police of Ukraine, pp. 54–55. ↗

3570 The National Police and the SSU Dismantled an International Cocaine Supply Channel in Kyiv and the Kyiv Region — 16 Suspects Detained. National Police of Ukraine, 2026. ↗

Agency for Legislative Initiatives

Countering Terrorism and Preventing Radicalisation and Violent Extremism



In June 2026, the President approved a new Concept for Combating Terrorism in Ukraine, which identifies the Russian Federation as the key source of the external terrorist threat. The document also recognises the threat posed by international terrorist organisations, including through the involvement of children in terrorist activities, acts of cyberterrorism and the use of emerging technologies for terrorist purposes, including advanced aviation technologies. It remains important to develop a coordinated position between the SSU and the European Commission on identifying ways to prevent radicalisation and violent extremism, taking into account the national specificities of crime in Ukraine. Work on the implementation of Directive 2004/82/EC on API/PNR[3571] has been suspended due to the European Commission's position on the forthcoming update of the relevant EU regulatory framework.

As regards the protection of critical infrastructure facilities, there has been no progress over the past year in further implementing Directive (EU) 2022/2557. Draft Law No. 12208 remains under consideration by the Verkhovna Rada and, once expert comments are taken into account and it is adopted by Parliament, may complete this process. In March 2026, the Government obliged operators of critical infrastructure facilities (CIFs) classified as potential targets of terrorist attacks to provide a copy of the protection plan to the SSU Counterterrorism Centre upon its request. This has improved the procedure for the SSU Counterterrorism Centre to collect information on the protection of critical infrastructure by private entities.

In March 2026, the Verkhovna Rada adopted a Law ratifying the Agreement amending the Agreement with the EU on Ukraine's participation in the EU 'Digital Europe' Programme (2021–2027). This paved the way for Ukraine to obtain official access to the EU Cybersecurity Reserve in June 2026, significantly strengthening the protection of CIFs against cyber threats.

There is a problem in the SSU's activities concerning the delineation between countering collaboration activities as crimes against the foundations of national security, terrorism and international crimes, primarily war crimes, including the crime of terror. In some cases, the SSU's efforts to counter collaboration activities and other threats to national security focus on formal, minor cases rather than systemic, socially dangerous acts.

Overall, *progress* in countering terrorism and preventing radicalisation and violent extremism during the reporting period can be characterised as *limited*.

3571 Passenger information — advance passenger information (API) and passenger name records (PNR).

Legal Framework for Countering Terrorism and Preventing Radicalisation and Violent Extremism in Ukraine

Progress and issues

Strategic Documents

On 11 June 2026, the President enacted the NSDC decision and approved the new **Concept for Combating Terrorism in Ukraine**.[3572] The document focuses on four key priorities: 'Preventing terrorist activity'; 'Protection against terrorist activity'; 'Responding to terrorist activity'; and 'Prosecution of persons involved in terrorist activity'. At the same time, the **Russian Federation is identified as the key source of the external terrorist threat**, as its armed aggression involves terrorist acts directed, inter alia, against the civilian population, critical infrastructure facilities and supply chains, components of the security and defence sector and law enforcement system, as well as their personnel. The Concept also recognises the threat posed by international terrorist organisations, including through the involvement of children in terrorist activities, acts of cyberterrorism and the use of emerging technologies for terrorist purposes, such as advanced aviation technologies.

Internal threats identified include the large number of CIFs in the country, the location of CIFs and supply chains in areas of hostilities and territories temporarily occupied by the Russian Federation, the spread of disinformation and destructive propaganda and the growing level of crime related to the illicit trafficking of firearms, ammunition, explosives and toxic substances.

The new Concept for Combating Terrorism in Ukraine **retains and further develops the approach of equating threats arising from armed conflict with terrorist threats**. This consistent position is justified by the fact that most external and internal security problems in Ukraine are directly or indirectly caused by the international armed conflict resulting from the Russian Federation's armed aggression against Ukraine. At the same time, terrorism in Ukraine is difficult to compare with terrorism in EU Member States, where key threats are driven by different factors, including organised crime and migration.

As of June 2026, an action plan for implementing the new Concept was being developed.[3573]

The Rule of Law Roadmap also provides for the adoption, in the fourth quarter of 2026, of a **Strategy and Action Plan on preventing and countering radicalisation and violent manifestations that may lead to terrorism**, in accordance with EU policy and the core principles of prevention and counteraction in this area. As part of the implementation of this measure, the SSU has drawn up indicative lists of the functional areas of

3572 On the Decision of the National Security and Defence Council of Ukraine of 6 April 2026 'On the Concept for Combating Terrorism in Ukraine': Decree of the President of Ukraine No. 492/2026 of 11.06.2026. ↗

3573 Information provided within the activities of the Interagency Working Group on Ensuring the Negotiation Process on Ukraine's Accession to the European Union and the Adaptation of Ukrainian Legislation to European Union Law, established by Resolution of the Cabinet of Ministers of Ukraine No. 987 of 27.08.2024 'Certain Issues of Ensuring the Negotiation Process on Ukraine's Accession to the European Union'.

the future Strategy, the target groups it will cover and the entities that should be involved in implementing the relevant measures at national, local and international levels.[3574]

At present, Ukraine has **no central state authority responsible for preventing radicalisation and violent extremism**. The SSU is studying the experience of EU Member States in designating a coordinating body on countering radicalisation and violent manifestations that may lead to terrorism, as well as the procedure for involving other actors and non-state institutions in countering radicalisation and violent manifestations that may lead to terrorism. The OAS Action Plan[3575] provides for the adoption, in the fourth quarter of 2027, of a law that will define the main coordinating body on countering radicalisation and violent manifestations that may lead to terrorism, as well as the procedure for involving other actors and non-state institutions in such activities.

The issue of defining the concept of 'radicalisation', which was raised by SSU representatives and described in the Shadow Report 2025, remains relevant.[3576] This is why it is **important to develop a coordinated position between the SSU and the European Commission**.

As part of its work on developing the Strategy on preventing and countering radicalisation and violent manifestations that may lead to terrorism, the SSU resubmitted a TAIEX (Technical Assistance and Information Exchange) project proposal on training in preventing radicalisation. This proposal was developed and preliminarily approved by the EU Delegation to Ukraine in 2025 but was deemed by the European Commission to be a lower priority for implementation in 2026.[3577]

On 27 October 2025, the SSU also sent a request to the EU Knowledge Hub on Prevention of Radicalisation to discuss tools for assessing the risk of radicalisation in prisons; identifying the root causes of radicalisation among persons convicted of terrorism or other terrorism-related crimes; other relevant tools for identifying the causes of radicalisation among other target groups, including children and young people; and obtaining recommendations on their use.[3578] **EU feedback is therefore essential to ensure that Ukraine takes due account of the European approach to understanding radicalisation and violent extremism and implements it properly at the national level**.

API/PNR

The Rule of Law Roadmap provides that the institutionalisation of a national Passenger Information Unit (PNR) and the functioning of a system for processing and exchanging PNR data should be completed by the end of the fourth quarter of 2027.

3574 Information provided by a representative of the Security Service of Ukraine during a meeting held on 17.03.2026.

3575 Action Plan for the implementation of the Overarching Strategic Plan for Reforming Law Enforcement Agencies as part of the Security and Defence Sector of Ukraine for 2023–2027: Order of the Cabinet of Ministers of Ukraine No. 792 of 23.08.2024. ↗

3576 The issue described in the Shadow Report 2025 (p. 774) remains relevant. ↗

3577 Information provided by a representative of the Security Service of Ukraine during a meeting held on 17.03.2026.

3578 Information provided as part of the activities of the Interagency Working Group on Ensuring the Negotiation Process on Ukraine's Accession to the European Union and the Adaptation of Ukrainian Legislation to European Union Law, established by Resolution of the Cabinet of Ministers of Ukraine No. 987 of 27.08.2024 'Certain Issues of Ensuring the Negotiation Process on Ukraine's Accession to the European Union'.

The divergence between the SSU and the MoIA regarding the approach to implementing Directive (EU) 2016/681 remains relevant.[3579] In March 2025, the SSU presented its Draft Law of Ukraine 'On the Use of Passenger Information to Counter Terrorism, Serious and Particularly Serious Crimes' to the Verkhovna Rada Committee on National Security, Defence and Intelligence.[3580]

At the same time, the MoIA, together with the Administration of the SBGS, developed the Draft Law of Ukraine 'On the Processing of Advance Passenger Information', which was submitted to the Cabinet of Ministers of Ukraine on 29 July 2025.[3581] On **5 September 2025, taking into account these divergences, the draft law, together with transposition tables of compliance with EU acts, was submitted to the EU side for an assessment of its compliance with European Union law.**[3582]

The EU side stated that it was unable to provide such an assessment due to the expected replacement of Directive 2004/82/EC[3583] and the review of the application of Directive (EU) 2016/681[3584] (PNR) following the judgment of the CJEU. **The European Commission considers it premature to align Ukrainian legislation with these Directives before the relevant EU acquis is updated and will inform the Ukrainian side of further changes.**[3585]

Other Issues

There has been no progress in implementing Council Decision 2008/615/JHA[3586] on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime. The implementation of measures related to the establishment within the SSU of a national contact point for information exchange to prevent terrorist offences, as well as other related measures, is envisaged by the Rule of Law Roadmap for the fourth quarter of 2027.

Recommendations[3587]

1. Approve the Action Plan for implementation of the Concept for Combating Terrorism in Ukraine.

3579 The issue described in the Shadow Report 2025 (pp. 771–772) remains relevant. ↗

3580 Publication by the Verkhovna Rada Committee on National Security, Defence and Intelligence on the social network Facebook, 2025. ↗

3581 Information presented as part of the work of the Coordination Council.

3582 Ibid.

3583 Council Directive 2004/82/EC of 29 April 2004 on the obligation of carriers to communicate passenger data. ↗

3584 Directive (EU) 2016/681 of the European Parliament and of the Council of 27 April 2016 on the use of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime. ↗

3585 Information provided by a representative of the Security Service of Ukraine during a meeting held on 17.03.2026.

3586 Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime. European Union. ↗

3587 Recommendations 2–5 were previously provided by civil society in the Shadow Report 2025 (p. 774) and remain relevant.

2. Implement Council Decision 2008/615/JHA, through the implementation of the planned set of measures to ensure that the SSU Counterterrorism Centre operates as the national contact point for information exchange to prevent terrorist offences.

3. After receiving feedback from the European Commission, complete the development and adopt the law ensuring the functioning of the system for receiving, protecting and exchanging passenger information and establishing a data processing system in Ukraine in accordance with Directive (EU) 2016/681.

4. Develop and adopt a strategic public policy document on preventing and countering violent extremism, which should include the coordinating role of the SSU Counterterrorism Centre and cooperation between central and local executive authorities and civil society.

5. Hold a broad expert discussion between representatives of Ukraine and the European Commission on the advisability of regulating the issue of countering radicalisation at the legislative level, especially as regards discussing the specific tools for preventing and countering this phenomenon that should be applied in Ukraine, since the EU has no standards on this issue.

Protection of Critical Infrastructure Facilities against Terrorist Attacks

Progress and issues

Protecting critical information infrastructure facilities is a national security priority for Ukraine amid the full-scale armed aggression of the Russian Federation against Ukraine. Countering cyberattacks on critical infrastructure, especially by groups controlled by Russia,[3588] requires not only technical network protection measures but also a comprehensive study of the tactics, techniques and procedures of each group, which in effect involves the use of intelligence and operational analytical methods — that is, tools inherent in counterintelligence activities.[3589] In wartime, the relevant functions are assigned to the SSSCIP and the SSU.

The key regulatory act in this area is currently **Law No. 1882-IX**,[3590] adopted in 2021. It defines the legal and organisational framework for the establishment and functioning of the national critical infrastructure protection system and forms part of national security legislation. At the same time, the Law is not fully aligned with Directive (EU) 2022/2557.[3591]

3588 For example, the 'Sandworm' and 'Fancy Bear' groups act in the interests of the GRU of the General Staff of the Armed Forces of the Russian Federation, while 'Gamaredon' acts in the interests of Russia's FSB. Their tactics involve a staged penetration of network infrastructure: from initial reconnaissance and phishing to establishing persistence, lateral movement within the network and awaiting a command to launch a destructive attack at a strategically important moment — for example, immediately before or during active hostilities. See: Which Russian and pro-Russian hackers attack Ukraine. State Service of Special Communications and Information Protection of Ukraine, 2023. ↗

3589 M. Opanovych. Analysis of cyberattacks and the activities of APT groups in Ukraine. Cybersecurity: Education, Science, Technology. 2024. Vol. 4, No. 24, p. 180. ↗

3590 On Critical Infrastructure: Law of Ukraine No. 1882-IX of 16.11.2021. ↗

3591 Directive (EU) 2022/2557 of the European Parliament and of the Council of 14 December 2022 on the resilience of critical entities and repealing Council Directive 2008/114/EC (Text with EEA relevance). ↗

There has been no progress over the past year in the further implementation of Directive (EU) 2022/2557. Since November 2024, **Draft Law No. 12208**[3592] has been under consideration by the Verkhovna Rada Committee on National Security, Defence and Intelligence. It provides for the full implementation of the provisions of Directive (EU) 2022/2557 that were not taken into account when Law No. 1882-IX was adopted in 2021.[3593]

At the same time, the **Rule of Law Roadmap provides for the development and adoption, in the fourth quarter of 2026**, of a law aimed at ensuring the resilience of Ukraine's critical infrastructure and implementing the provisions of the Directive.

According to experts, the current model for protecting CIFs remains largely administrative and technical in nature. The mechanisms for integrating counterintelligence activities into the CIF protection system are still insufficiently detailed at the legislative level; the obligation to report cyber incidents is not supported by effective enforcement tools and the involvement of a trained reserve of private sector specialists in the cyber protection of CIFs has not been properly regulated. Against this background, the transition from a reactive response model to proactive counterintelligence protection of CIFs remains relevant — namely, the identification and neutralisation of threats at the preparation stage, in line with best international standards and Ukraine's national security needs amid the ongoing armed aggression.[3594]

Thus, updating legislation on the protection of CIFs is a priority in this area. As part of this update, the issue of involving private entities in the protection of CIFs will need to be addressed. There has been no progress in this regard either.[3595] The relevant measure of the OAS Action Plan[3596] remains valid, providing for the development and submission to the Verkhovna Rada, in the fourth quarter of 2026, of a draft law on strengthening the liability of owners and/or heads of enterprises, institutions and organisations classified as CIFs for failing to ensure proper cyber protection of the communication and technological systems of CIFs and for failing to ensure immediate notification of cyber security incidents to the Computer Emergency Response Team of Ukraine CERT-UA, the authorised information security unit of the SSU and the NPU.

The SSSCIP continues to temporarily perform the functions of the authorised body for the protection of Ukraine's critical infrastructure due to the need to coordinate the activities of entities within the national protection system and implement state policy in this area, despite the earlier recommendations of the Business Ombudsman Council.[3597]

3592 On Amendments to the Law of Ukraine 'On Critical Infrastructure' Regarding the Implementation of the Provisions of Directive (EU) 2022/2557 of the European Parliament and of the Council of 14 December 2022 on the resilience of critical entities and repealing Council Directive 2008/114/EC: Draft Law of Ukraine, registration No. 12208 of 14.11.2024. ↗

3593 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report within the European Union Enlargement Package in 2024, 2025, pp. 778–779. ↗

3594 M. Pohoretskyi, S. Klymenko. Preventing cyberattacks by foreign special services against critical information infrastructure facilities of Ukraine. Analytical and Comparative Jurisprudence. Issue No. 02, 2026, Part 2, pp. 430–431. ↗

3595 The issue described in the Shadow Report 2025 (pp. 778–779) remains relevant.

3596 Action Plan for the implementation of the Overarching Strategic Plan for Reforming Law Enforcement Agencies as part of the Security and Defence Sector of Ukraine for 2023–2027: Order of the Cabinet of Ministers of Ukraine No. 792 of 23.08.2024, measure 1.3.1. ↗

3597 Issues of Protecting and Restoring Critical Infrastructure with the Involvement of the Private Sector. Business Ombudsman Council, 2025, p. 12. ↗

In March 2026, the Government obliged operators of CIFs classified as potential targets of terrorist attacks to provide a copy of their protection plan to the SSU Counterterrorism Centre upon request.[3598] Within 10 working days of receiving the relevant letter of request, the CIF operator must submit a copy of the protection plan, as part of the security passport, which provides for measures to protect against and counter sabotage and terrorist acts. This change gives the SSU Counterterrorism Centre a tool for prompt access to key security documentation for the most vulnerable facilities. This will make it possible to: 1) analyse and assess the adequacy of protection measures implemented at facilities; 2) provide recommendations on strengthening anti-terrorist protection; 3) coordinate actions in the event of a real threat of a terrorist act. At the same time, **in the context of involving private entities in the protection of CIFs, this is only an additional mechanism to speed up information exchange, while a comprehensive solution to this issue in the form of legislative amendments still needs to be developed**.

On 12 March 2026, the Verkhovna Rada adopted **Law No. 4818-IX**,[3599] **ratifying the Agreement (in the form of an exchange of letters) between Ukraine and the European Union amending Article 1(1) of the Agreement between Ukraine and the European Union on Ukraine's participation in the European Union 'Digital Europe' Programme (2021–2027)**.

Ratification of the Agreement gave Ukraine access to the European Union Cybersecurity Reserve, an initiative under the 'Digital Europe' Programme 2021–2027 that provides for a reserve of specialists, tools, solutions and resources for rapid response to large-scale cyber incidents at EU level. This instrument strengthens the protection of CIFs against cyber threats.

In June 2026, Ukraine obtained official access to the EU Cybersecurity Reserve,[3600] enabling it to engage leading European specialists to counter the threat of large-scale cyberattacks. The initiative was established under the EU Cyber Solidarity Act and is administered by the European Union Agency for Cybersecurity (ENISA). Its main advantage is that Ukraine gains direct access to the services of vetted private companies specialising in cybersecurity. In the event of a large-scale attack on government information systems, websites, power grids or other critical infrastructure, Ukraine will be able to submit a request and engage European experts. Specialists will help to: 1) rapidly stop and contain the attack; 2) analyse the threat and protect information; and 3) mitigate the consequences and rapidly restore system operations.[3601]

3598 On Amendments to Certain Resolutions of the Cabinet of Ministers of Ukraine Regarding Critical Infrastructure Facilities: Resolution of the Cabinet of Ministers of Ukraine No. 337 of 06.03.2026. ↗

3599 On Ratification of the Agreement (in the Form of an Exchange of Letters) between Ukraine, of the One Part, and the European Union, of the Other Part, Amending Article 1(1) of the Agreement between Ukraine and the European Union on Ukraine's Participation in the European Union Programme 'Digital Europe' (2021–2027): Law of Ukraine No. 4818-IX of 12.03.2026. ↗

3600 EU Cybersecurity Reserve. European Union Agency for Cybersecurity. ↗

3601 Emergency Assistance during Cyberattacks: Ukraine Obtained Official Access to the EU Cybersecurity Reserve. Ministry of Digital Transformation of Ukraine. 2026. ↗

Recommendations

For the purpose of fully implementing Directive (EU) 2022/2557, it is advisable to adopt Draft Law No. 12208, taking into account the comments made by experts, including with regard to incorporating provisions on the development of mechanisms to ensure the resilience of the provision of designated services/functions, incentives and support for critical infrastructure operators, critical infrastructure risk analysis, information exchange and coordination of activities through public-private partnerships in ensuring the resilience and security of CIFs.[3602]

Investigation of Collaborationism and Other Threats to the Foundations of National Security by the Security Service of Ukraine

Between 2014 and 2022, the bulk of criminal proceedings related to terrorism concerned international crimes and various forms of collaboration activities, in the absence of a separate offence at that time,[3603] which were classified as the creation of terrorist organisations, financing of terrorism and so on.[3604]

Today, international crimes are no longer classified as terrorism, with the relevant provisions of Section XX of the CC of Ukraine[3605] being actively applied instead. At the same time, discussions continue regarding the distinction between *terror* as a war crime and a *terrorist act* as a terrorism-related offence.[3606] Similarly, the boundary between collaboration activities and terrorism is not always clear in law enforcement practice, as evidenced by the problems with prosecuting persons protected under international humanitarian law.[3607]

At the same time, the **protected interests affected by terror, terrorism and other violent crimes are interrelated, which creates problems of classification in law enforcement practice**. Consistent monitoring of judicial practice points to cross-cutting problems in this area.[3608] In particular, this concerns the failure to take into account the context of occupation and the conditions in which Ukrainian citizens find themselves in the

3602 The recommendation previously provided by civil society in the Shadow Report 2025 (pp. 779–780) remains relevant.

3603 Collaboration activities were criminalised by Law of Ukraine No. 2108-IX of 03.03.2022 'On Amendments to Certain Legislative Acts of Ukraine on Establishing Criminal Liability for Collaboration Activities', which supplemented the CC of Ukraine with a new Article 111[1]. ↗

3604 The classification of terrorism-related offences under those conditions is described in detail in the Shadow Report 2025 (pp. 780–781).

3605 Criminal Code of Ukraine No. 2341-III of 05.04.2001. ↗

3606 The crime of terror was first considered in the case law of the International Criminal Tribunal for the former Yugoslavia (ICTY) in the Galić case. See: Terrorism and Armed Conflict: Distinguishing Legal Definitions. JustTalk, 2022. ↗; Prosecutor v Stanislav Galic (Judgment and Opinion) ICTY, 2003. ↗

3607 For details, see the subsection 'War-Related Justice' of this report.

3608 For example, Four Years of 'Prevention'. Remaining Problems in the Practice of Holding Persons Liable for Collaboration Activities in 2025? / D. Deputat, O. Syniuk, M. Demura, edited by A. Lunova — Kyiv, 2026. — 80 p. ↗; Analysis of Judicial Practice under Articles 111, 111[1] and 111[2] of the CC of Ukraine for 2016–2022. JustTalk, 2023. ↗; Y. Pundor, V. Anishchuk. Problems of Holding Persons Liable for Collaboration Activities in Wartime. Vol. 3 No. 89 (2025): Scientific Bulletin of Uzhhorod National University. Series: Law. ↗

TOT of Ukraine, the need for certain forms of interaction with the occupation authorities to ensure survival in the occupied territory, as well as a formalistic approach to assessing the actions of defendants and insufficient examination of the existence of direct intent and coercion.[3609]

The UN Human Rights Monitoring Mission in Ukraine[3610] has repeatedly expressed concern that the authorities continue to prosecute Ukrainians for collaboration activities for work that may lawfully be required by the occupying power under international humanitarian law. The Independent International Commission of Inquiry on Ukraine also emphasised that the broad definition of 'collaboration activities' in the CC of Ukraine has led to legal uncertainty and to acts that do not harm national security being interpreted as criminal offences.[3611]

Court decisions increasingly infer direct intent and voluntary conduct from the mere fact that a person remained in the TOT of Ukraine and made no attempt to leave. This approach disregards both the atmosphere of fear and coercion created by the aggressor state in the TOT of Ukraine and the actual ability of civilians to act freely under the aggressor state's armed control. Similarly, courts continue to apply an approach whereby the mere fact of holding a position in an unlawful authority is sufficient for qualification under Part 5 Article 111[1] of the CC of Ukraine, without properly examining the functions actually performed or assessing the social danger of the specific act.[3612]

Judicial practice is dominated by a formalistic approach to assessing the social danger of collaboration activities — without establishing a causal link between the defendant's actions, the voluntary nature of the conduct, the impact of occupation and the defendant's contribution to supporting the occupation regime. The category of a 'minor act', which excludes the criminal wrongfulness of an act under Part 2 Article 11 of the CC of Ukraine, does not appear in judicial practice.[3613] At the same time, the problems mostly concern law enforcement practice — a formalistic approach to proving these crimes, insufficiently thorough judicial examination when assessing evidence and so on. The normative aspect of the issue, namely legislative regulation, also has shortcomings.

As a result, **in some cases the SSU's efforts to counter collaboration activities and other threats to national security focus on formal, minor cases rather than systemic, socially dangerous acts. This state of affairs contributes neither to genuinely countering crime nor to the protection of human rights, especially at the pre-trial investigation stage, where preventive measures involving restrictions on freedom of movement prevail.**

3609 Four Years of 'Prevention'. Remaining Problems in the Practice of Holding Persons Liable for Collaboration Activities in 2025? / D. Deputat, O. Syniuk, M. Demura, edited by A. Lunova — Kyiv, 2026, p. 6. ↗

3610 Report on the Human Rights Situation in Ukraine, 1 June — 30 November 2025. Office of the United Nations High Commissioner for Human Rights, 2025. ↗

3611 Report of the Independent International Commission of Inquiry on Ukraine, 9 March 2026. ↗

3612 Four Years of 'Prevention'. Remaining Problems in the Practice of Holding Persons Liable for Collaboration Activities in 2025? / D. Deputat, O. Syniuk, M. Demura, edited by A. Lunova — Kyiv, 2026, p. 11. ↗

3613 M. Tepliuk, O. Tubelets. Collaboration with the Occupying State in the Light of Criminal Liability: The Logic of Drafting the Text of the Law. Issues of Combating Crime. Issue No. 50, 2025, p. 36. ↗

Thus, **there is a problem of delineating the SSU's efforts to counter collaboration activities as crimes against the foundations of national security, terrorism and international crimes, primarily war crimes, including the crime of terror**.

Recommendations

1. At the level of public policy documents, including strategies, concepts and action plans, it is advisable to take into account the need to clearly delineate the protected interests affected by violent acts that have elements of terrorism: the crime of terror as a war crime, terrorism, collaboration activities and violations of international humanitarian and criminal law (international crimes). Criminal prosecution should prioritise the most socially dangerous forms of collaboration activities, which legitimise the occupation authorities and pose a threat to society.

2. Amend the CC of Ukraine, taking into account an analysis of the practice of applying Article 111[1] of the CC of Ukraine since its criminalisation in 2022, to:

- take into account the rules of international humanitarian law and the need to carry out certain types of activity to ensure life in the TOT of Ukraine;
- take into account the general atmosphere of fear and coercion in the TOT of Ukraine when defining the criteria for coercion and voluntariness;
- clarify the existing forms of the actus reus of the criminal offence under Article 111[1] of the CC of Ukraine to avoid wording that allows the relevant provision to be interpreted too broadly, which in turn violates the principle of legal certainty.

Agency for Legislative Initiatives

Judicial Cooperation in Criminal, Civil and Commercial Matters



During the reporting period, the European Public Prosecutor's Office and SAPO signed a Memorandum of Cooperation, which is an important step in the area of international cooperation. At the same time, the NABU, rather than SAPO, remains the central authority for international cooperation in criminal cases falling within the NABU's investigative jurisdiction. In addition, to strengthen international cooperation in criminal justice, the Government should submit to Parliament as soon as possible a draft law substantively similar to withdrawn Draft Law No. 14292, and Parliament should consider it and continue working on the implementation of Council Framework Decision 2002/584/JHA and Regulation (EU) 2024/3011.

In 2025, Ukraine continued to take measures aimed at improving legislation to enhance the existing mechanisms of international cooperation in the field of family law. In particular, amendments were developed and approved to the regulatory framework governing the recognition and enforcement of court decisions in matters of international recovery of child support and the civil-law aspects of child abduction. The pilot project on the specialisation of judges in family and child-related cases also continued. Despite this, several issues still require resolution, including the lengthy consideration of this category of cases by national courts, the insufficient level of training of professionals to ensure the proper consideration of cases involving international family disputes and the inability of certain countries to accept for consideration and enforce Ukrainian court decisions where the amount of child support is determined as a share of income, since the legislation of those states provides for child support to be recovered as a fixed monetary amount.

The provisions of EU Directive 2019/1023 continue to be implemented, although the number of court proceedings opened for the application of the preventive restructuring procedure remains low. It is too early to assess the effectiveness of this procedure, as the completion of the first plans under it is expected in early 2028. In addition, several draft laws have been developed by entities with the right of legislative initiative to introduce simplified bankruptcy procedures for micro and small enterprises (MSEs). In March 2026, Ukraine also acceded to the Convention on International Access to Justice.

Cooperation with International Partners in the Field of Criminal Justice. Interaction with the European Public Prosecutor's Office

Progress and issues

During the reporting period, cooperation between national law enforcement agencies and the prosecution service with international partners in the field of criminal justice was marked by some progress.

On 7 October 2025, the European Public Prosecutor's Office and SAPO signed a Memorandum of Cooperation.[3614] The document opens a new stage in cooperation between Ukrainian and European prosecutors. It provides for the establishment of a

3614 Publication by the Specialised Anti-Corruption Prosecutor's Office on the social network Facebook, 2025. ↗

permanent communication channel for a joint response to offences that may concern European Union funds allocated to support and rebuild Ukraine.

At the same time, a **relevant problem remains: the NABU**,[3615] **rather than SAPO, continues to serve as the central authority for international cooperation in NABU cases**, by analogy with the PGO acting as the central authority for all other proceedings. This arrangement was introduced together with the establishment of the NABU in 2014, when SAPO did not yet exist. At that time, the concept of the NABU's autonomy from the Prosecutor General's Office of Ukraine was embedded in the system.[3616] However, the establishment of SAPO and the granting of broad autonomy to it in 2023 now fully allow for the relevant function of the central authority for international cooperation to be transferred to SAPO to ensure more effective exercise of powers in this area.

In December 2025, the Cabinet of Ministers of Ukraine submitted **Draft Law No. 14292**[3617] to Parliament. The draft law is aimed at improving the legal regulation of international cooperation to bring legislation on international legal assistance and extradition into line with the findings of the 5th round of MONEYVAL's mutual evaluation of Ukraine and FATF standards. **The relevant measure under the Rule of Law Roadmap was to be implemented in the fourth quarter of 2025**. Following the change in the composition of the Government on 16 July 2026, this draft law was withdrawn in accordance with the statutory procedure.

Among other things, Draft Law No. 14292 proposed to define the concept of 'international search' in procedural legislation, improve the procedure for temporary access to things and documents and for the enforcement of judgments in which confiscation has been ordered by a court, create legal grounds for cooperation with the European Public Prosecutor's Office by extending the concept of 'requesting party' to cover not only a foreign state but also a body or institution of an international organisation authorised to conduct criminal proceedings and establish requirements for the protection of information and materials of international cooperation during criminal proceedings, among other matters.

Separate attention should be paid to the need to amend the CC of Ukraine and the CPC of Ukraine to implement the **European Arrest Warrant** procedure, with a view to implementing Council Framework Decision 2002/584/JHA.[3618] The Rule of Law Roadmap contains a relevant measure, scheduled for implementation in the fourth quarter of 2027. Within the EU, the European Arrest Warrant, which entered into force in 2004, has significantly simplified surrender procedures between Member States, including by abolishing the requirement of double criminality for certain categories of offences. In essence, it is a judicial decision issued by the judicial authorities of one Member State

3615 Criminal Procedure Code of Ukraine No. 4651-VI of 13.04.2012, Article 545. ↗

3616 Pursuant to Law of Ukraine No. 113-IX of 19.09.2019 'On Amendments to Certain Legislative Acts of Ukraine on Priority Measures for the Reform of Prosecution Bodies', the Prosecutor General's Office of Ukraine was reorganised into the Office of the Prosecutor General.

3617 On Amendments to the Criminal Procedure Code of Ukraine and Other Legislative Acts of Ukraine on International Cooperation during Criminal Proceedings: Draft Law of Ukraine, registration No. 14292 of 11.12.2025. ↗; The draft law was submitted to replace withdrawn Draft Laws Nos. 11223 and 12140 due to the change in the composition of the Government in summer 2025.

3618 2002/584/JHA: Council Framework Decision of 13.06.2002 on the European arrest warrant and the surrender procedures between Member States - Statements made by certain Member States on the adoption of the Framework Decision. ↗

for the purpose of the arrest and surrender by another Member State of a requested person for criminal prosecution, the execution of a custodial sentence or the execution of a detention order. The procedure for transmitting a European Arrest Warrant is straightforward — directly between the issuing and executing judicial authorities.

At the time, the **European Arrest Warrant 'revolutionised' the system by removing the possibility for a state to refuse surrender solely on the ground that the requested person was its own national**. The Framework Decision does not distinguish between offenders on the basis of nationality but focuses instead on the person sought. In line with the principle of EU citizenship, a national of one Member State should be treated equally in surrender proceedings across the EU, irrespective of the Member State in which the offence was committed.[3619]

At the same time, according to Article 25 of the Constitution of Ukraine, **'a citizen of Ukraine may not be expelled from Ukraine or surrendered to another state**. Ukraine guarantees care and protection to its citizens who are abroad'. A similar reservation is contained in Part 1 of Article 10 of the CC of Ukraine, according to which a citizen of Ukraine who has committed a crime outside Ukraine may not be surrendered to a foreign state for criminal prosecution or trial. Thus, this is a direct prohibition on the surrender of Ukrainian citizens to another state, while the provision of the CC of Ukraine expands and specifies the rule established by the Constitution of Ukraine. There is an academic debate as to the constitutionality of implementing the European Arrest Warrant into the current national legislation.[3620] In view of this, the **development and implementation of legislative amendments may not be limited to 2027 but may go beyond that timeframe — requiring amendments to the Constitution of Ukraine, which will be possible only after the termination or cancellation of martial law in Ukraine**.

From 1 February 2027, Regulation (EU) 2024/3011 on the transfer of proceedings in criminal matters will apply within the European Union.[3621] According to Eurojust,[3622] the new EU legal instrument on the transfer of proceedings should:

- introduce a mechanism for prior consultations between the relevant national authorities before a formal request for the transfer of proceedings is sent, which should apply not only in cases of parallel proceedings, as provided for in Framework Decision 2009/948/JHA on conflicts of jurisdiction;
- given the close link between the transfer of proceedings and conflicts of jurisdiction, confirm the possibility for Member States to involve and seek advice from Eurojust at an early stage, namely during prior consultations before a transfer request is sent and especially in cases of disagreement between national authorities;
- give priority to direct contacts between competent judicial authorities over transmission through central authorities;

3619 S. Davydenko, D. Demchenko. European Arrest Warrant in the System of Law Enforcement Activities. Legal Scientific Electronic Journal, No. 2/2024, pp. 405–410. ↗

3620 A. Hrytskiv. European Arrest Warrant as an Institution of European Union Criminal Law. Dissertation for the Degree of Doctor of Philosophy, Ivan Franko National University of Lviv, 2024, pp. 179–181. ↗

3621 Regulation (EU) 2024/3011 of the European Parliament and of the Council of 27.11.2024 on the transfer of proceedings in criminal matters. ↗

3622 Eurojust Report on the Transfer of Proceedings in the European Union January 2023. ↗

- introduce time limits to streamline the decision-making process after a request for the transfer of proceedings has been submitted;
- define rules on the information to be included in a transfer request, as well as on the translation arrangements and allocation of the related costs;
- regulate the application of provisional measures after the transfer of proceedings and coordinate such provisions with other existing mutual recognition instruments.

A necessary European integration step is the approximation of Regulation (EU) 2024/3011 in the context of regulating the above-mentioned issues of international cooperation in criminal proceedings. In particular, the application of this Regulation may give rise to the following issues due to discrepancies with national criminal procedural legislation:

1) the need to set out in the CPC of Ukraine a list of criteria for assessing the validity of a request for the transfer of criminal proceedings that is as comprehensive as possible but remains open-ended, with the open-ended nature of the list stemming from the provisions of Regulation (EU) 2024/3011;

2) the need to regulate the direct procedure for communication, including through the use of an IT system. This will concern not only the transfer of proceedings but also warrant-based procedures, which indicates the possibility of formulating a general provision in the CPC of Ukraine;

3) the need to enshrine the rights of the suspect, the accused and the victim within the transfer mechanism, including the right to propose a transfer, with details on how their views are to be taken into account. This is mandatory due to the direct effect of Regulation (EU) 2024/3011 and will simplify the application of these provisions at national level;

4) the need to establish rules for challenging a transfer, the relevant procedure and the specific matters to be proved when complaints are considered;

5) the need to regulate the mechanism for consultations on the transfer of proceedings, which could be done in Chapter 45 of the CPC of Ukraine.[3623]

Recommendations

1. Include SAPO in the list of central authorities for international cooperation in criminal proceedings by amending Article 545 of the CPC of Ukraine accordingly and excluding the NABU.

2. Implement Council Framework Decision 2002/584/JHA on the European Arrest Warrant procedure and Regulation (EU) 2024/3011 on the transfer of criminal proceedings into national criminal procedural legislation.

3. Improve criminal procedural legislation on international legal cooperation in criminal justice through the adoption by the Verkhovna Rada a draft law substantively similar to withdrawn Draft Law No. 14292.

3623 I. Hloviuk. Cooperation in Criminal Proceedings within the EU: Experience for Ukraine. Analytical and Comparative Jurisprudence, Issue No. 02, 2026, Part 3, p. 71. ↗

International Cooperation on the Recognition and Enforcement of Court Decisions, in Particular with Regard to International Recovery of Child Support and the Civil-Law Aspects of Child Abduction

During 2025 and the first half of 2026, a total of **213 applications** were received under the Convention on the Civil Aspects of International Child Abduction (the 1980 Convention), including:[3624]

112 applications (73 applications in 2025 and 39 applications in the first half of 2026) — for assistance with the return of a child from Ukraine to a foreign state;

50 applications (38 applications in 2025 and 12 applications in the first half of 2026) — for assistance with the return of a child from a foreign state to Ukraine;

6 applications (four applications in 2025 and two applications in the first half of 2026) — for ensuring the exercise of the right of access to a child residing on the territory of Ukraine;

45 applications (25 applications in 2025 and 20 applications in the first half of 2026) — for ensuring the exercise of the right of access to a child residing on the territory of a foreign state.

With regard to decisions adopted by Ukrainian courts:

- in cases concerning applications for the return of a child — in 2025, claims were granted in 1 case (enforcement proceedings are ongoing), refused in 7 cases, and an amicable settlement was reached, taking into account the voluntary return of the child, in 6 cases. In the first half of 2026, claims were granted in two cases (both decisions are under appeal), refused in eight cases, amicable settlement was reached, including through voluntary return, in four cases and a settlement agreement following mediation was concluded in one case;
- in cases concerning applications for access to a child — during 2025 and the first half of 2026, Ukrainian courts did not adopt any decisions in cases concerning access.

With regard to decisions adopted by foreign courts:

- in cases concerning applications for the return of a child — in 2025, claims were granted in 2 cases (both decisions were enforced), refused in 13 cases, and an amicable settlement approved by the court was reached in 2 cases. In the first half of 2026, foreign courts did not issue any decisions granting claims in applications for the return of a child; claims were refused in six cases and no settlement agreements approved by foreign courts in this category of cases were recorded during the period;

3624 Information obtained from an interview conducted with representatives of the Ministry of Justice of Ukraine on 02.03.2026. Letter of the Ministry of Justice of Ukraine No. 105127/PI-YUR-2902/12.1 of 15.07.2026.

- in cases concerning applications for access to a child residing abroad — in 2025, claims were granted in 7 cases and refused in 3 cases. In the first half of 2026, the parties concluded settlement agreements in two cases, which were approved by the court.

With regard to the recognition and enforcement of court decisions in the field of international recovery of child support, in 2025: the number of applications for the recognition and/or enforcement of foreign decisions on the recovery of child support received by the MoJ from other states amounted to **48**; the number of applications for the recognition and/or enforcement of decisions of Ukrainian courts on the recovery of child support sent by the MoJ to other states amounted to **153**; the number of foreign decisions on the recovery of child support recognised and/or enforced in Ukraine amounted to **5** (19 applications are pending before Ukrainian courts). In the first half of 2026, the MoJ sent **82** applications for recognition and enforcement of Ukrainian court decisions on child support to the competent authorities of foreign states; **26** applications for recognition and enforcement and/or enforcement of foreign court decisions on child support were received by the MoJ from the competent authorities of foreign states.[3625]

As of July 2026, **two judges of the SC of Ukraine are members of the International Hague Network of Judges specialising in family law matters** ('liaison' judges).[3626]

According to the data of the International Child Abduction Database (INCADAT), in **6 cases** Ukraine acts as the requesting state and in **8 cases** as the requested state (as of 15 July 2026).[3627] Thus, during the period from 31 July 2025 to 15 July 2026 inclusive, Ukraine acted as the requesting state in an additional 4 cases.

The implementation of the pilot project **on the specialisation of judges in family and child-related cases** (launched in November 2024) is ongoing in Ukraine.[3628] As at July 2026, **17 courts in 15 regions of Ukraine** had joined the pilot project. The project developed specialised training programmes and methodological recommendations to ensure high-quality and prompt consideration of cases concerning the rights and interests of the child, **equipped 11 child-friendly courtrooms and designated 64 judges specialising in family cases**.[3629] In June 2026, a step-by-step **algorithm**[3630] **for introducing judicial specialisation** and an overview of practical recommendations for local general courts were presented. Particular attention was paid to the prospects and challenges of extending this practice to the appellate level.[3631] Mandatory specialisation of judges in family cases concerning the rights and legitimate interests of the child is also provi-

3625 Ibid.

3626 International Hague Network of Judges (IHNJ). p. 11. ↗

3627 Case Law Search. INCADAT. ↗

3628 Pilot project on the introduction of the specialisation of judges in family and child-related cases launched. Supreme Court, 2024. ↗

3629 Results of the First Year of Implementation of the National Strategy for Protecting Children's Rights in the Justice System. Ministry of Justice of Ukraine. 2026. ↗

3630 Algorithm for Introducing the Specialisation of Judges in Family and Child Cases (Recommendations for Courts) / Supreme Court. 2026. ↗

3631 One Family – One Judge: Ukrainian Justice Prepares to Introduce Judicial Specialisation in Family and Child Cases. National School of Judges of Ukraine. 2026. ↗

ded for by the National Strategy for Protecting Children's Rights in the Justice System for the period up to 2028.[3632]

Also, the Civil Cassation Court within the SC is examining the possibility of introducing specialisation at the cassation level.[3633]

In April 2026, individual regional branches of the NSJU conducted the training course 'Specific Features of Considering Family Disputes. Protection of the Rights and Interests of the Child'. Participants worked through practical cases concerning child support, international legal principles for the protection of children and the resolution of disputes under the 1980 Convention.[3634] In June 2026, one of the mechanisms proposed by the NSJU for meeting European integration requirements concerning the protection of children's rights in the justice system was the introduction of continuous professional training programmes for judges who hear or will hear family and child-related cases.[3635]

In 2025, the National School of Judges of Ukraine (NSJU) developed and piloted a training course for judges entitled 'International Child Abduction: Civil-Law Aspects'.[3636] In addition, representatives of the NSJU and the MoJ discussed cooperation on the development of a training programme entitled 'Assessment of Evidence by Courts in Cases Concerning the Return of Children to a Foreign State or Ensuring Access to Children Residing on the Territory of Ukraine'.[3637]

At the end of August 2025, the Cabinet of Ministers of Ukraine **adopted Resolution No. 1045, approving amendments to the Procedure for the Implementation of the Convention on the Civil Aspects of International Child Abduction on the Territory of Ukraine**.[3638] These amendments established the legal basis for involving the free legal aid (FLA) system in the implementation of Ukraine's obligations under the 1980 Convention. In particular, the functions related to the preparation of procedural documents, initiation of court proceedings, and representation of individuals before courts in cases concerning the return of a child abroad and access to a child residing in Ukraine were transferred from the MoJ and its territorial bodies to staff of FLA centres and to lawyers included in the Register of Lawyers Providing Free Secondary Legal Aid.

In addition to the transfer of functions, Resolution No. 1045 also introduces a number of targeted amendments aimed at improving the mechanism for the implementation of the 1980 Convention:

3632 National Strategy for Protecting Children's Rights in the Justice System for the period up to 2028: Order of the Cabinet of Ministers of Ukraine No. 708 of 14.07.2025. ↗

3633 Specialisation of judges in child-related cases: outcomes and next steps of the pilot project. Supreme Court, 2026. ↗

3634 Do Courts Protect Children's Rights Sufficiently? ECtHR Case Law Provides the Answer. National School of Judges of Ukraine. 2026. ↗

3635 One Family – One Judge: Ukrainian Justice Prepares to Introduce Judicial Specialisation in Family and Child Cases. National School of Judges of Ukraine. 2026. ↗

3636 Analytical Report on the Activities of the National School of Judges of Ukraine in 2025. p. 58. National School of Judges of Ukraine, 2026. ↗

3637 International judicial cooperation: NSJU and the MoJ agreed on educational steps towards the EU acquis in line with the Rule of Law Roadmap. National School of Judges of Ukraine, 2026. ↗

3638 On Amendments to the Procedure for the Implementation on the Territory of Ukraine of the Convention on the Civil Aspects of International Child Abduction: Resolution of the Cabinet of Ministers of Ukraine No. 1045 of 26.08.2025. ↗

- strengthening the mechanism of cooperation between the MoJ and FLA centres;
- enhancing the protection of personal data (by removing the provision requiring the disclosure of information on the child's place of residence, which had previously been communicated in cases where an application for the return of a child from Ukraine to a foreign state was received from an applicant or a central authority of a foreign state. Under the new wording, the central authority of a foreign state or the applicant is informed only of the measures taken to prevent harm to the child, if such measures were taken at the applicant's request);
- expanding the list of grounds for terminating the processing of applications for the return of a child or for access to a child.[3639]

With a view to implementing the amendments, at the end of September 2025 the MoJ approved, by Order, the **Instruction on Ensuring the Interests of Applicants before Courts of Ukraine in Cases Initiated under the Convention on the Civil Aspects of International Child Abduction**.[3640] This Instruction defines the procedure for cooperation between the MoJ, staff of FLA centres and lawyers included in the Register of Lawyers Providing Free Secondary Legal Aid, with a view to initiating court proceedings and ensuring subsequent representation before courts of the interests of applicants who have applied under the 1980 Convention with requests for the return of a child from Ukraine to a foreign state or for access to a child residing in Ukraine, where it is not possible to resolve the matter amicably.

At the end of November 2025, the Government submitted **Draft Law No. 14252**[3641] to the Parliament, aimed at strengthening legislative mechanisms necessary for the prompt consideration of cases concerning the return of children unlawfully removed from their state of habitual residence by one of the parents, as well as ensuring full compliance of national procedures with international standards for the protection of the best interests of the child in this area. The draft law provided for a comprehensive update of the procedural mechanisms for the consideration of child return cases. It proposed to define the specific features of the procedure for examining claims under the 1980 Convention, to clarify the requirements for statements of claim, and to introduce clear and shortened time limits for the adoption of court decisions. A separate provision proposed a model for concentrating jurisdiction — designating several **courts in each region that will specialise, inter alia, in the consideration of such cases**.

Draft Law No. 14252 also strengthened safeguards for the protection of children by: clarifying the grounds on which a court may refuse the return of a child where there is a risk of physical or psychological harm — in particular in cases involving domestic violence by one of the parents or another person with whom the child resided; and improving the mechanism for preventing possible attempts to conceal the child or change the child's place of residence prior to the adoption of a court decision — by expanding the

3639 The MoJ initiated amendments to strengthen the protection of children's rights and ensure the proper implementation of the Convention on the Civil Aspects of International Child Abduction. Ministry of Justice of Ukraine, 2025. ↗

3640 On Approval of the Instruction on Ensuring the Interests of Applicants before Courts of Ukraine in Cases Initiated under the Convention on the Civil Aspects of International Child Abduction: Order of the Ministry of Justice of Ukraine No. 2641/5 of 26.09.2025. ↗

3641 On Amendments to Certain Legislative Acts of Ukraine on Ensuring the Implementation by Ukraine of the Convention on the Civil Aspects of International Child Abduction: Draft Law of Ukraine, registration No. 14252 of 26.11.2025. ↗

list of interim measures. The Committee of the Verkhovna Rada of Ukraine on Legal Policy recommended that the Parliament include the draft law on the agenda and, following its consideration at first reading, adopt it as a basis.[3642]

According to the Rule of Law Roadmap,[3643] the relevant draft law was to be adopted no later than the fourth quarter of 2025; however, in view of the change in the composition of the Government in July 2025, the previous Draft Law No. 10176 was withdrawn.[3644] At the same time, on 16 July 2026, following the change in the composition of the Government, Draft Law No. 14252 **was also withdrawn**. As of July 2026, the new Government had not submitted a similar draft law to Parliament.

One of the objectives of the National Strategy for Protecting Children's Rights in the Justice System for the period up to 2028 is the introduction of mediation in family disputes for the purpose of out-of-court settlement or the prevention of disputes concerning the rights and interests of the child, in particular with a view to preventing the alienation of the child from one of the parents, in line with international standards and child-sensitive procedures.[3645]

With a view to ensuring the use of mediation in cross-border family disputes in the implementation of the 1980 Convention, the MoJ has **developed a draft Order 'On the Implementation of the Pilot Project "Ensuring the Use of Mediation in Cross-Border Family Disputes in the Implementation of the Convention on the Civil Aspects of International Child Abduction"'**.[3646] This draft act provides that the MoJ, upon submission by the Coordination Centre for Legal Aid Provision, will announce the date of commencement of the pilot project, which will be published on the official websites of the MoJ and of the FLA system. The draft Order is currently undergoing internal approval by the MoJ's structural units.[3647]

In the field of international recovery of child support, the MoJ has **developed amendments to the Instruction on the Procedure for the Implementation of International Treaties on Legal Assistance in Civil Matters concerning the service of documents, taking of evidence, recognition and enforcement of court decisions**. These amendments are aimed at improving the mechanism for submitting requests abroad by courts or guardianship and custody authorities, as well as for executing in Ukraine requests from foreign courts or competent authorities in matters concerning children on legal issues in civil and family cases, on the basis of Ukraine's applicable international trea-

3642 Opinion of the Committee of the Verkhovna Rada of Ukraine on Legal Policy of 11.12.2025 on the Draft Law on Amendments to Certain Legislative Acts of Ukraine on Ensuring the Implementation by Ukraine of the Convention on the Civil Aspects of International Child Abduction (reg. No. 14252 of 26.11.2025). ↗

3643 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

3644 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report within the European Union Enlargement Package in 2024, 2025. P. 782. ↗

3645 National Strategy for Protecting Children's Rights in the Justice System for the period up to 2028: Order of the Cabinet of Ministers of Ukraine No. 708 of 14.07.2025. ↗

3646 Information obtained from an interview conducted with representatives of the Ministry of Justice of Ukraine on 02.03.2026.

3647 Letter of the Ministry of Justice of Ukraine No. 105127/PI-YUR-2902/12.1 of 15.07.2026.

ties.[3648] As on July 2026, the draft Order 'On Approval of Amendments to the Instruction on the Procedure for the Implementation of International Treaties on Legal Assistance in Civil Matters concerning the Service of Documents, Taking of Evidence and Recognition and Enforcement of Court Decisions' was undergoing approval by the State Judicial Administration of Ukraine.[3649]

Amendments are also being prepared to the Instruction on the Implementation in Ukraine of the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance.[3650] These amendments will provide that applications will be transmitted by the MoJ not to the Coordination Centre for Legal Aid Provision, but directly to FLA centres, taking into account the rules of jurisdiction established by the Civil Procedure Code of Ukraine for cases arising from such applications, with a view to ensuring the provision of free secondary legal aid to applicants. The direct transmission of applications to FLA centres will reduce the time required for their referral to the competent court for consideration.[3651] As of July 2026, the draft Order 'On Amendments to the Instruction on the Implementation in Ukraine of the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance' was under development. Approval of the Order is planned for the fourth quarter of 2026.[3652]

The following issues, identified in the 2025 Shadow Report,[3653] remain relevant, in particular in the area of **international recovery of child suppor**t: the inability of applicants residing outside Ukraine to provide additional documents requested by foreign authorities for the examination of applications for the recognition and enforcement of decisions of Ukrainian courts; the impossibility of obtaining documents remaining in temporarily occupied territories; the inability in many countries to accept for consideration and enforcement decisions in which the amount of child support is determined as a percentage of income, as the legislation of those states requires recovery in a fixed monetary amount. In addition, in some countries applications are not examined due to the financial situation of the debtor (low pension, social assistance, low income, etc.), making it impossible to initiate enforcement measures in such cases.

With regard to the **civil-law aspects of child abduction**, the following issues remain relevant:[3654] the protracted consideration of cases by national courts under the 1980 Convention; the absence of specialisation of judges in family and child-related cases in Ukraine (with the exception of pilot courts); and the level of training of professionals, in particular judges and state enforcement officers, is often insufficient for the proper consideration of cases concerning international family disputes.

3648 Information obtained from an interview with representatives of the Ministry of Justice of Ukraine conducted on 02.03.2026.

3649 Letter of the Ministry of Justice of Ukraine No. 105127/PI-YUR-2902/12.1 of 15.07.2026.

3650 Instruction on the Implementation in Ukraine of the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance: Order of the Ministry of Justice of Ukraine No. 2904/5 of 15.09.2017. ↗

3651 Information obtained from an interview conducted with representatives of the Ministry of Justice of Ukraine (02.03.2026).

3652 Letter of the Ministry of Justice of Ukraine No. 105127/PI-YUR-2902/12.1 of 15.07.2026.

3653 The issues previously identified by civil society in the Shadow Report 2025 (pp. 776–784) remain relevant (further detailed during the interview with a representative of the MoJ on 02.03.2026). ↗

3654 The issues previously identified by civil society in the Shadow Report 2025 (pp. 776–784) remain relevant. ↗

Recommendations

1. Amend the legislation with a view to ensuring the effective implementation by Ukraine of its international obligations under the 1980 Convention, in particular with regard to strengthening the protection of children's rights and improving the effectiveness of the enforcement of court decisions in international cases concerning family disputes.

2. Continue the implementation of the pilot project on the specialisation of judges in family and child-related cases and, subject to positive results, consider developing a concept for scaling up judicial specialisation in family matters in Ukraine, as well as further legislatively establishing the specialisation of judges in cases arising from family legal relations and concerning the protection of the rights and legitimate interests of children.

3. Improve legislation in the field of enforcement proceedings by introducing provisions on the specific features of enforcing court decisions adopted under the 1980 Convention.

4. Continue taking measures to promote the further use of mediation in cases initiated under the 1980 Convention.

5. Continue taking measures to raise awareness among applicants who apply to Ukrainian courts for the recovery of child support from a person residing abroad about the importance of specifying the amount of child support in a fixed monetary sum.

6. Support the provision of appropriate training and education for professionals (judges, state enforcement officers) in cases concerning international family disputes, with a view to developing specialised knowledge, competencies and skills necessary for adopting and enforcing decisions in the best interests of the child in accordance with international standards. In particular, provide training for judges to raise awareness of disputes concerning the recovery of child support from a person residing abroad and of the importance of specifying the amount of child support in a fixed monetary sum.

Implementation of the Directive (EU) 2019/1023 and Ukraine's Accession to Other International Treaties

As of July 2026, more than a year and a half has elapsed since the entry into force of Law of Ukraine No. 3985-IX,[3655] aimed at implementing Directive (EU) 2019/1023[3656] into Ukrainian legislation and, accordingly, introducing a preventive restructuring procedure. The purpose of this procedure is to avoid or prevent the debtor's insolvency.

3655 On Amendments to the Code of Ukraine on Bankruptcy Procedures and Certain Other Legislative Acts of Ukraine regarding the implementation of Directive (EU) 2019/1023 and the introduction of preventive restructuring procedures: Law of Ukraine No. 3985-IX of 19.09.2024. ↗

3656 Directive (EU) 2019/1023 of the European Parliament and of the Council of 20 June 2019 on preventive restructuring frameworks, on discharge of debt and disqualifications and on measures to increase the efficiency of procedures concerning restructuring, insolvency and discharge of debt, and amending Directive (EU) 2017/1132 (Directive on restructuring and insolvency). European Union. ↗

During the reporting period, *limited progress* can be noted in the application of the preventive restructuring procedure in Ukraine. Experts in the field of bankruptcy and debtor insolvency observe[3657] that it is still too early to assess the effectiveness of the preventive restructuring procedure, as the completion of the first plans under this procedure is expected in early 2028. However, a trend towards higher demand for this procedure is already evident compared to the debtor rehabilitation procedure prior to the opening of bankruptcy proceedings (pre-trial rehabilitation), which existed before the entry into force of Law No. 3985-IX. Thus, in 2019–2024, courts approved only eight pre-trial rehabilitation plans.[3658]

From 2025 to July 2026 inclusive, courts considered **15 cases**[3659] concerning the application of the preventive restructuring procedure, of which five cases resulted in the approval of preventive restructuring plans.[3660]

In addition, in the case concerning the limited liability company 'Try O' (the first case in Ukraine where this procedure was applied in practice), the Northern Commercial Court of Appeal had been considering creditors' appeals against the ruling of the court of first instance on the opening of the preventive restructuring procedure for over a year and ultimately upheld it.[3661] At the same time, the Code of Ukraine on Bankruptcy Procedures[3662] provides that if a commercial court does not approve a preventive restructuring plan within 12 months from the date of opening of the preventive restructuring procedure, the court must terminate such procedure.

The MoJ (the state authority on bankruptcy) and field experts[3663] identify a number of issues that may influence the resistance of certain creditors to the application of the preventive restructuring procedure, namely:

1) a low level of awareness among business entities regarding this procedure. No detailed guidance or step-by-step algorithms for the application of the preventive restructuring procedure, for micro and small enterprises, have been publicly presented by the MoJ. At the same time, during the reporting period, training activities on the relevant issues were conducted for judges, advocates, insolvency practitioners and other stakeholders;[3664]

2) unwillingness to defer debt repayment;

3) lack of established judicial practice;

3657 Round table 'Reform of preventive restructuring: results, conclusions, experience'. Ukrinform Press Center. 2026. ↗

3658 Ibid.

3659 According to data from the Unified State Register of Court Decisions. ↗

3660 For example, Ruling of the Commercial Court of Kharkiv Region of 28.08.2025 in case No. 922/2062/25. ↗; Ruling of the Commercial Court of Kharkiv Region of 17.12.2025 in case No. 922/2471/25. ↗; Ruling of the Commercial Court of Dnipropetrovsk Region of 27.01.2026 in case No. 904/2450/25. ↗

3661 Decision of the Northern Commercial Court of Appeal of 23.03.2026 in Case No. 910/2221/25. ↗

3662 Code of Ukraine on Bankruptcy Procedures: No. 2597-VIII of 18.10.2018, para. 9, Part 1 Article 33^{27}. ↗

3663 Round table 'Reform of preventive restructuring: results, conclusions, experience'. Ukrinform Press Center. 2026. ↗

3664 Webinar 'Preventive Restructuring: Procedures and Legal Framework'. Higher School of the Bar. 2025. ↗; Webinar 'Preventive Restructuring: A New Instrument for Business Preservation'. LIGA360. 2025. ↗; Webinar 'Preventive Restructuring: The Role of the Court in Ensuring Business Sustainability and Economic Recovery'. National School of Judges of Ukraine. 2026. ↗

4) concerns about potential abuse of protective measures by debtors;

5) low legal culture, manifested, inter alia, in the debtor's unwillingness to repay debts for subjective reasons.

Certain legislative provisions related to the application of the procedure also require clarification. For example, additional questions arise regarding the assessment and examination of a preventive restructuring plan, in particular: what issues should be addressed within such assessment/examination; how the 'best interests of creditors' test should be evaluated, etc. As of July 2026, an economic expert examination in this category of cases had been ordered in only one case, but the court subsequently found that conducting it was not appropriate.[3665]

In implementation of the Ukraine Plan under the Ukraine Facility,[3666] on 6 February 2026 the Government submitted **Draft Law No. 15004**[3667] to the Verkhovna Rada of Ukraine, which provided for the introduction of simplified bankruptcy procedures — rehabilitation or liquidation — for micro and small enterprises (MSEs). The Government considered that this will enable bona fide debtors to restore their solvency or be released from debts with minimal costs and within short timeframes. In addition, the draft law allowed the debtor and the creditor to decide independently whether an insolvency practitioner is required in these procedures. However, both the expert community and insolvency practitioners[3668] have raised a number of concerns regarding this draft law. On 16 July 2026, following the change in the composition of the Government, the draft law was withdrawn.

On 10 February 2026, a group of MPs registered Draft Law No. 15024[3669] with the Verkhovna Rada of Ukraine, which also proposes the introduction of a simplified bankruptcy procedure for micro and small enterprises (MSEs), however only with regard to their liquidation. In addition, it provides for the improvement of the preventive restructuring procedure by specifying the features of such a procedure for MSEs.

Unlike Draft Law No. 15004, this draft law provides for the mandatory participation of an insolvency practitioner in simplified bankruptcy procedures, a limitation of the duration of such procedures to 180 days, etc. At the same time, Draft Law No. 15024 contains a number of shortcomings, in particular the absence of criteria for defining MSE entities and clear mechanisms of judicial control, as well as the failure to take into account the impact of adverse factors related to martial law on the duration of the respective procedures.

On 26 March 2026, the Committee of the Verkhovna Rada of Ukraine on Economic Development recommended including Draft Law No. 15024 in the agenda of the Ver-

3665 Ruling of the Commercial Court of Kyiv of 10.06.2026 in case No. 910/10713/25. ↗

3666 Ukraine Facility Plan. ↗

3667 On Amendments to the Code of Ukraine on Bankruptcy Procedures Regarding the Introduction of Simplified Procedures for Micro and Small Enterprises: Draft Law of Ukraine, registration No. 15004 of 06.02.2026. ↗

3668 Publication by the National Insolvency Trustee Association of Ukraine on the social network Facebook. 2026. ↗

3669 On Amendments to the Code of Ukraine on Bankruptcy Procedures and Certain Other Legislative Acts of Ukraine Regarding Simplified Proceedings in Bankruptcy (Insolvency) Cases for Micro and Small Enterprises and the Specifics of Applying Bankruptcy Procedures to State-Owned Enterprises and/or Business Entities in Respect of Which a Decision On Privatisation Has Been Adopted: Draft Law of Ukraine, registration No. 15024 of 10.02.2026. ↗

khovna Rada session and, following consideration at first reading, adopting it in entirety with further revision.[3670] At the same time, the draft law was proposed for inclusion on Parliament's agenda three times, but the relevant decision was never adopted.

On 12 March 2026, the Verkhovna Rada of Ukraine adopted Law No. 4820-IX[3671] on Ukraine's accession to the Convention on International Access to Justice, which provides Ukrainian citizens with simplified access to free legal aid systems in the territories of states that have also acceded to the respective Convention, during judicial proceedings in civil and commercial cases.

Recommendations

1. The MoJ, as the state authority on bankruptcy, should:

- develop separate step-by-step algorithms for the application of the preventive restructuring procedure for micro and small enterprises (MSEs), including detailed guidance on those provisions that are new to national legislation, for example, with regard to cross-class confirmation of a preventive restructuring plan;
- with the involvement of international experts in the field of bankruptcy and insolvency, conduct training for judges, insolvency practitioners and legal professionals on the preventive restructuring procedure in general, as well as on its specific aspects (the 'best interests of creditors' test, classes of creditors, etc.).[3672]

2. In view of the identified risks and advantages of Draft Law No. 15024, the most optimal model for introducing simplified bankruptcy procedures for MSEs should be developed, which would facilitate the return of bona fide debtors to economic activity while preventing abuse of such procedures by bad-faith debtors.

3670 Opinion of the Committee of the Verkhovna Rada of Ukraine on Economic Development on the Draft Law of Ukraine on Amendments to the Code of Ukraine on Bankruptcy Procedures and Certain Other Legislative Acts of Ukraine Regarding Simplified Proceedings in Bankruptcy (Insolvency) Cases for Micro and Small Enterprises and the Specifics of Applying Bankruptcy Procedures to State-Owned Enterprises and/or Business Entities in Respect of Which a Decision on Privatisation Has Been Adopted (reg. No. 15024). ↗

3671 On Ukraine's Accession to the Convention on International Access to Justice: Law of Ukraine No. 4820-IX of 12.03.2026. ↗

3672 The recommendations previously provided by civil society in the Shadow Report 2025 (p. 789) remain relevant. ↗

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Legal and Illegal Migration



Migration policy is the comprehensive and targeted activity of the state related to the regulation and control of migration processes, as well as the set of instruments used for its implementation and achievement. One area of migration policy is **legal**[3673] **and illegal migration**, which determines the conditions of stay of foreigners, their status and their access to the rights and freedoms guaranteed by the relevant Ukrainian legislation.

The main public authority responsible for the implementation of migration policy and for carrying out documentation procedures and holding accountable migrants, stateless persons, persons at risk of statelessness, refugees, persons in need of complementary protection and asylum seekers in Ukraine is the State Migration Service of Ukraine (SMS).

The European Commission Ukraine Progress Report 2025 within the European Union Enlargement Package notes that the legal framework in the field of legal and illegal migration is partially aligned with the EU acquis, but requires further improvement, in particular with regard to the management of migration processes.[3674] Previously identified issues generally confirm this assessment.[3675]

In accordance with the Rule of Law Roadmap, state migration policy must be predictable, consistent and effective, with proper coordination among public authorities, particularly in situations of migration crises, and legislation governing the stay of foreigners and stateless persons must be brought into full compliance with EU acquis. In addition, the introduction of regularisation mechanisms for foreigners who have resided in Ukraine for a prolonged period and are integrated into society is envisaged.[3676]

During the reporting period, work continued on developing the draft State Migration Policy Strategy of Ukraine for the period after 2025,[3677] which will define the current problems, challenges and priorities of migration policy. As of 31 July 2026, experts from the relevant public authorities and international organisations had developed draft objectives of the Strategy and held several discussions with representatives of public authorities and other stakeholders.[3678] The draft Strategy is currently under consideration by the SMS management, after which it is planned to submit it to the members of the Coordination Centre for Cooperation with the European Migration Network (EMN) for approval in August 2026.[3679]

3673 According to the Law of Ukraine 'On the Legal Status of Foreigners and Stateless Persons', the term 'lawful' migration is used, while the term 'legal' migration is more commonly used in research and the public sphere.

3674 Ukraine 2025 Report. Communication on EU Enlargement Policy, p. 55. ↗

3675 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission Ukraine Progress Report under the European Union Enlargement Package 2024, 2025, pp. 814–818. ↗

3676 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

3677 The inaugural meeting of the Coordination Centre for Cooperation with the European Migration Network took place. State Migration Service of Ukraine, 2025. ↗

3678 Strengthening ties with Ukrainians abroad and citizens of Ukraine abroad discussed in Kyiv. State Migration Service of Ukraine, 2026. ↗

3679 Information obtained during a consultation with representatives of the State Migration Service of Ukraine on 31.07.2026.

Overall, progress in the field of legal migration can be assessed as limited. Despite certain steps towards reforming the regulatory framework and aligning it with EU standards, systemic problems remain unresolved.

Problems related to the documentation of stateless persons, persons at risk of statelessness, refugees and asylum seekers remain relevant both in Ukraine and abroad, as well as the application of decisions on forced return and expulsion contrary to the provisions of the Law of Ukraine 'On the Legal Status of Foreigners and Stateless Persons'. Concern is raised by the situation regarding the observance of the rights of persons held in migration custody centres (MCCs).

Inter-agency cooperation between the MoIA, the SMS, the SBGS and the MFA remains insufficiently effective with regard to procedures for granting legal status and documenting stateless persons, persons at risk of statelessness, refugees, persons in need of complementary protection and asylum seekers, as well as their return to Ukraine. The absence of such cooperation leads to violations of the right of these categories of persons to respect for private and family life, limits their ability to move freely, to be formally employed and to access healthcare and social protection. It also creates a risk of their detention and violations of their right to liberty and personal security.

In the **field of labour immigration**, which forms part of legal migration, **complex procedures for the lawful employment of foreigners** continue to apply. **No progress has been achieved** in the legislative regulation and introduction of a single permit for employment and residence; the relevant draft law was under consideration by the Verkhovna Rada,[3680] but on 16 July 2026 it was withdrawn due to the change in the composition of the Government.

Another component of the area of 'countering illegal migration' is the **readmission instrument**, which supports **return policy** and aims to return illegal migrants to their countries of origin on the basis of respect for human rights and the migration security of the states implementing such policy.

As of July 2026, in the field of readmission, the need remains relevant to **continue negotiations and conclude readmission agreements with countries of origin or transit of illegal migrants**, taking risk analysis into account. At the same time, it is important to **improve the readmission procedure**, particularly with regard to automating the processes for receiving, sending, registering and processing readmission applications.

During the reporting period, no legislative amendments were introduced that would facilitate the full functioning of the so-called **'integrated migration management system' — the National System of Biometric Verification and Identification of Citizens of Ukraine, Foreigners and Stateless Persons (NSBVI)**.

Tasks providing for comprehensive regulation of the identification of citizens of Ukraine, foreigners and stateless persons by their biometric data, as well as regulation of the filling of departmental information systems, **including the NSBVI, have been included in the draft objectives of the State Migration Policy Strategy for the period after 2025**.

3680 On Amendments to Certain Laws of Ukraine Regarding the Employment of Foreigners and Stateless Persons: Draft Law of Ukraine, registration No. 14211 of 14.11.2025. ↗

Selected Strategic Directions for the Implementation of Migration Policy

Progress and issues

Interaction between the MoIA, the SMS, the SBGS and the MFA in the Coordination of Migration Processes

The SMS is a central executive authority that implements state policy in the areas of migration, citizenship and registration of individuals, as well as in the field of refugees and other categories of migrants defined by law and also formulates proposals for such policy.[3681] Thus, the **SMS is the key authority in the field of both legal and illegal migration in Ukraine**.

In 2025, the SMS initiated the development of a new State Migration Policy Strategy of Ukraine for the period after 2025. At the same time, the process of its preparation remains insufficiently transparent. There is no publicly available information on opportunities for the involvement of civil society in its development, and representatives of civil society organisations have in practice not been included in this process.[3682]

Although the European Commission Ukraine Progress Report 2025 within the EU Enlargement Package notes that Ukraine continues to reform the SMS,[3683] such changes are not accompanied by ensuring openness or strengthening systematic interaction with civil society. This is reflected in the insufficient involvement of civil society organisations in policy development and the limited number of public consultations (only one consultation in each of 2025 and 2026).[3684]

A **public council** operates under the SMS; however, since the start of the full-scale invasion by Russian Federation in 2022, it has **convened only twice**,[3685] following pressure from civil society organisations.[3686]

At the same time, despite the active involvement of civil society organisations in preparing analytical materials and proposals, the SMS **rarely takes them into account in its activities**. Civil society organisations are often not involved in discussions of strategic documents despite having submitted relevant proposals.[3687]

The SMS is vested with an **excessively broad range of powers** combining regulatory, permitting, supervisory and law enforcement functions. Such concentration of powers within a single authority creates risks of a formalistic approach to case hand-

3681 On Approval of the Regulation on the State Migration Service of Ukraine: Resolution of the Cabinet of Ministers of Ukraine No. 360 of 20.08.2014. ↗

3682 Letter of the State Migration Service of Ukraine No. 4.1-13738/1-25 of 17.12.2025.

3683 Ukraine 2025 Report. Communication on EU Enlargement Policy, p. 55. ↗

3684 Indicative Plan for Conducting Public Consultations for 2025. State Migration Service of Ukraine. ↗; Indicative Plan for Conducting Public Consultations for 2026. State Migration Service of Ukraine. ↗

3685 Meeting of the Public Council. State Migration Service of Ukraine. ↗

3686 Letter of the State Migration Service of Ukraine No. ZPI-K-364-25/12.2/298-25 of 01.08.2025.

3687 Letter of the State Migration Service of Ukraine No. 4.1-13738/1-25 of 17.12.2025.

ling, a reduction in the level of safeguards for human rights compliance and insufficient external oversight of the authority's activities.

Such practice does not comply with EU approaches, which provide for transparency of public authorities' activities, the participation of stakeholders in policy-making and good governance,[3688] namely the principles of openness and participation enshrined in Article 11 of the Treaty on European Union.[3689]

The current institutional model requires revision from the perspective of functional separation of powers, the introduction of effective mechanisms of external oversight and ensuring the systematic involvement of civil society, particularly in matters where decisions of the SMS directly affect the exercise of fundamental rights and freedoms.

Following the start of the full-scale invasion by Russian Federation, only a part of stateless persons and persons at risk of statelessness, refugees, persons in need of complementary protection and asylum seekers who were in Ukraine and were forced to leave for EU Member States obtained temporary protection under conditions applicable to Ukrainian citizens.[3690]

However, **the majority of stateless persons who left for EU Member States are undocumented** or have the right to temporary residence in Ukraine.[3691] Under Ukrainian legislation, such persons are deprived of the possibility **to obtain stateless status and documents for residence or return to Ukraine**. As a result, these categories find themselves in an even more vulnerable situation, lacking both access to EU protection introduced for persons affected by the war in Ukraine and the possibility to return to Ukraine.

The problem of insufficient interaction between the SMS and the MFA in ensuring the rights of stateless persons, persons at risk of statelessness, refugees, persons in need of complementary protection and asylum seekers abroad remains systemic, as does the impossibility of obtaining travel documents abroad. This leads to significant restrictions on the exercise of their rights, effectively limiting freedom of movement and access to basic services. These problems include the **lack of consular support, difficulties with identification and documentation, limited access to social and banking services and other administrative services, as well as the impossibility of issuing or restoring documents without returning to Ukraine**.[3692]

During the reporting period, the **problem of documenting abroad persons recognised in Ukraine as stateless persons in accordance with Article 6[1] of Law No. 3773-VI**[3693] **with identity documents entitling them to enter and leave Ukraine persists**. Such persons are unable to return to Ukraine to exercise the rights associated with their sta-

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3688 Information provided by Tetiana Anakina, Candidate of Legal Sciences, Associate Professor of the Department of EU Law of Yaroslav Mudryi National Law University, during an interview conducted on 12.03.2026.

3689 Consolidated version of the Treaty on European Union. ↗

3690 Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection. ↗

3691 Prior to the introduction in 2021 of the statelessness determination procedure in Ukraine, there was in practice no legal mechanism enabling such persons to regularise their status.

3692 A detailed description of this problem is provided in the Shadow Report 2025, pp. 814–818. ↗

3693 On the Legal Status of Foreigners and Stateless Persons: Law of Ukraine No. 3773-VI of 22.09.2011. ↗

tus as stateless persons recognised in Ukraine and are also unable to regularise their status abroad without a valid identity document. This situation results in legal uncertainty and significant limitations on the exercise of fundamental rights and freedoms both in Ukraine and abroad, substantially worsens their situation and hinders their return to Ukraine.

A joint analytical note by the Ukrainian Parliament Commissioner for Human Rights and the Council of Europe[3694] highlights a declaratory approach of the Government of Ukraine to the issue of return of persons who left Ukraine due to the war. In particular, the note states that, at present, there are **no systemic institutional mechanisms or specialised programmes aimed at encouraging the return or reintegration of such persons**.

The European Commission Ukraine Progress Report 2025 within the EU Enlargement Package notes, that the legal framework on legal and illegal migration is partially aligned with the EU acquis. At the same time, the management of migration processes, as well as inter-agency coordination and cooperation between the relevant public authorities in the field of migration, require further strengthening.[3695]

In 2025, cases were also recorded where the lack of **proper information exchange** between Ukrainian public authorities, between the SMS and the PFU, **led to the suspension of social benefits** for persons in need of complementary protection who were abroad. Despite having completed online identification,[3696] such persons had their social assistance payments suspended and were required to be physically present in Ukraine to confirm their status. At the same time, it is not possible to complete such identification through Ukrainian diplomatic missions and consular offices abroad due to the lack of proper inter-agency cooperation between the MFA and the SMS.[3697] It should be noted that Ukrainian citizens are provided with the possibility to complete this procedure remotely while abroad.[3698]

Such a situation is inconsistent with EU law approaches, which require states to ensure effective access for persons in need of international protection to procedures and fundamental rights, including through proper administrative coordination and support. In particular, pursuant to Article 37 of Regulation (EU) 2024/1347, forming part of the EU Pact on Migration and Asylum 2024,[3699] Member States are required to **ensure cooperation** and information exchange between competent authorities, as a prerequisite for the proper functioning of the international protection system.

3694 Analytical note 'Ukrainians abroad: access to public services in the context of temporary protection and expectations of return'. Ukrainian Parliament Commissioner for Human Rights and the Office of the Council of Europe in Ukraine, 2025, p. 15. ↗

3695 Ukraine 2025 Report. Communication on EU Enlargement Policy, p. 55. ↗

3696 Physical identification of pensioners residing abroad: algorithm of actions. Pension Fund of Ukraine, 2026. ↗

3697 The information is based on the practice of lawyers of the Charity Foundation 'Right to Protection', 2025.

3698 Information provided by Svitlana Butenko, Candidate of Legal Sciences, Project Manager of the Council of Europe in Ukraine, during an interview conducted on 11.03.2026.

3699 Regulation (EU) 2024/1347 of the European Parliament and of the Council of 14 May 2024 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection and for the content of the protection granted, amending Council Directive 2003/109/EC and repealing Directive 2011/95/EU. ↗

Policy on the Integration of Foreigners and Stateless Persons in Ukraine

In accordance with Strategic Goal 5 of the State Migration Policy Strategy of Ukraine for the period up to 2025,[3700] one of the priorities of state policy aimed at improving the migration situation is the integration of foreigners and stateless persons lawfully staying in Ukraine into Ukrainian society. This includes creating conditions for immigrants to live independently, including full access to opportunities in the labour market, the education system and healthcare services, as well as participation in public life and the exercise of civil rights, considering their cultural and religious needs.

The Action Plan for 2024 and 2025 for the implementation of the Strategy,[3701] in particular paragraph 10, provides for the adoption, by the end of the fourth quarter of 2025, of measures aimed at the integration of foreigners and stateless persons, namely: the introduction of a single permit for residence and employment; analysis of integration policy and identification of gaps, including with regard to migrants' access to social protection; and the creation of information resources to familiarise foreigners and stateless persons arriving in Ukraine with the Ukrainian language, culture and traditions. However, **these measures have not been properly implemented**[3702] **and do not incorporate a differentiated approach to the integration needs of different groups of migrants**.

The issues previously identified in the Shadow Report 2025, particularly **regarding the learning of the Ukrainian language and culture by foreigners and stateless persons, as well as the examinations required for acquiring Ukrainian citizenship**, remain relevant.[3703]

With regard to **access to social protection for stateless persons**, most relevant state programmes in Ukraine are linked to holding a permanent residence permit or belonging to a category defined by law (for example, IDPs, persons with disabilities, low-income families and others). There is no separate document in Ukraine that certifies the identity of a stateless person and confirms their legal status; therefore, such persons use temporary or permanent residence permits similar to those issued to foreigners.

According to paragraph 3 of the Procedure for issuing a permanent residence permit,[3704] it is issued only after obtaining an immigration permit to Ukraine. At the same time,

3700 On Approval of the State Migration Policy Strategy of Ukraine for the period up to 2025: Order of the Cabinet of Ministers of Ukraine No. 482 of 12.07.2017. ↗

3701 On Approval of the Action Plan for 2024 and 2025 for the implementation of the State Migration Policy Strategy of Ukraine for the period up to 2025: Order of the Cabinet of Ministers of Ukraine No. 837 of 03.09.2024. ↗

3702 For more details, see the subsection 'Improvement of Migration Legislation Regarding the Status of Citizens of the European Union and Other Foreigners and Stateless Persons in Terms of Obtaining Immigration Permits, Temporary Residence, Family Reunification or Employment (with Regard to Employment Permits)' in the section 'Legal and Illegal Migration' of this report.

3703 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission Ukraine Progress Report under the European Union Enlargement Package 2024, 2025, pp. 819–821. ↗

3704 On Approval of the specimen, technical description of the form and the Procedure for issuing, exchanging, revoking, forwarding, withdrawing, returning to the state, declaring invalid and destroying a permanent residence permit: Resolution of the Cabinet of Ministers of Ukraine No. 321 of 25.04.2018. ↗

under the provisions of immigration legislation,[3705] such a permit may be obtained after two years of residence in virtue of a temporary residence permit and requires the submission of a valid identity document confirming lawful stay. Taking into account the six month period for consideration of the application, in practice **a stateless person resides temporarily in Ukraine for approximately three years before obtaining a permanent residence permit and during this period does not have access to key social guarantees**, including registration as an IDP,[3706] most types of state social assistance (for example, subsistence allowance for IDPs,[3707] assistance for persons with disabilities,[3708] low-income families[3709] and families with children,[3710] including maternity and childbirth assistance, childbirth grants and assistance for single mothers and others).

Since December 2024, Parliament had been considering **the draft new Law of Ukraine 'On Ensuring the Rights and Freedoms of Internally Displaced Persons'**, which was intended to improve the existing regulation of the exercise of IDP rights in light of current challenges and enable various categories of Ukraine's population to register as IDPs. On 1 July 2026, **the Verkhovna Rada adopted Law No. 4924-IX**[3711] without taking into account repeated expert proposals to expand the range of persons eligible for such registration. As a result, **stateless persons temporarily residing in Ukraine continue to be unable to register as IDPs** and to exercise the rights to state social benefits and payments associated with such registration, including accommodation in temporary accommodation facilities for IDPs. The adopted Law will enter into force on 22 October 2026.

Significant barriers also exist in **access to healthcare for stateless persons** in Ukraine. Stateless persons who temporarily stay or reside in Ukraine receive medical services on a paid basis[3712] or subject to the availability of medical insurance.[3713] This is financially inaccessible for most of them, especially under martial law conditions. In addition, although the Law of Ukraine 'On Protection of the Population from Infectious Diseases'[3714] guarantees stateless persons lawfully staying in Ukraine the right to treatment

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3705 On Immigration: Law of Ukraine No. 2491-III of 07.06.2001, Article 9. ↗; Procedure for processing applications for granting an immigration permit and submissions for revocation of such permits, declaring such decisions invalid, their appeal and enforcement: Resolution of the Cabinet of Ministers of Ukraine No. 1983 of 26.12.2002, subpara. 2 para. 2 and para. 11. ↗

3706 On Ensuring the Rights and Freedoms of Internally Displaced Persons: Law of Ukraine No. 1706-VII of 20.10.2014, Article 1. ↗

3707 Certain Issues of Payment of Living Allowance to Internally Displaced Persons: Resolution of the Cabinet of Ministers of Ukraine No. 332 of 20.03.2022. ↗

3708 Certain Issues of Assignment and Payment of State Social Assistance to Persons with Disabilities from Childhood and Children with Disabilities: Resolution of the Cabinet of Ministers of Ukraine No. 79 of 03.02.2021, para. 2. ↗; On Approval of the Procedure for Assignment and Payment of State Social Assistance to Persons Not Entitled to a Pension and to Persons with Disabilities, and State Social Assistance for Care: Resolution of the Cabinet of Ministers of Ukraine No. 261 of 02.04.2005, para. 2. ↗

3709 On State Social Assistance to Low-Income Families: Law of Ukraine No. 1768-III of 01.06.2000, Article 3. ↗

3710 On State Assistance to Families with Children: Law of Ukraine No. 2811-XII of 21.11.1992, Article 1. ↗

3711 On Ensuring the Rights and Freedoms of Internally Displaced Persons: Law of Ukraine No. 4924-IX of 01.07.2026. ↗

3712 On State Financial Guarantees of Healthcare Services for the Population: Law of Ukraine No. 2168-VIII of 19.10.2017. ↗

3713 On Approval of the Procedure for Provision of Medical Care to Certain Categories of Foreigners and Stateless Persons and Compensation of the Cost of Medical Services and Medicinal Products Provided to Foreigners and Stateless Persons Temporarily Residing or Staying in the Territory of Ukraine: Resolution of the Cabinet of Ministers of Ukraine No. 121 of 19.03.2014, paras 2 and 5. ↗

3714 On Protection of the Population from Infectious Diseases: Law of Ukraine No. 1645-III of 06.04.2000. ↗

of infectious diseases, including preventive vaccinations and medicines, in practice stateless persons temporarily residing in Ukraine are deprived of access to guaranteed primary healthcare due to the impossibility of concluding a declaration with a family doctor.[3715]

Thus, Ukraine lacks effective integration mechanisms that ensure stateless persons temporarily staying or residing in Ukraine have real access to healthcare services and social protection. Such a situation does not correspond to the practice of most EU Member States.[3716]

Improvement of Terminology

Current Ukrainian legislation still uses the term 'illegal migrant'. In particular, according to Law No. 3773-VI,[3717] an illegal migrant is defined as a foreigner or stateless person who has crossed the state border outside designated border crossing points or at border crossing points but by evading border control and has not promptly applied for refugee status or asylum in Ukraine, as well as a foreigner or stateless person who lawfully entered Ukraine but, after the expiry of the authorised period of stay, has lost the grounds for further stay and evades departure from Ukraine.[3718] The SMS is the authority responsible for implementing measures to prevent and counter illegal migration.

EU law demonstrates a consistent shift away from the use of the term 'illegal migrant', as it imposes a stigmatising label on a person by focusing on their status rather than their actions. The term 'illegal migrant' carries a criminal connotation, whereas illegal entry into a country or residence with an illegal status does not constitute a criminal offence but rather a breach of administrative rules. Moreover, from both a legal and ethical perspective, an act may be lawful or unlawful, but a person cannot be characterised as such.[3719]

Within the EU Pact on Migration and Asylum 2024, the **term 'irregular'**[3720] **is predominantly used in relation to migrants**, in Regulation (EU) 2024/1351,[3721] Regulation (EU) 2024/1348[3722] and Regulation (EU) 2024/1358.[3723] A similar approach is reflected in the

3715 On Approval of the Procedure for Choosing a Doctor Providing Primary Healthcare and the Form of the Declaration on Choosing a Doctor Providing Primary Healthcare: Order of the Ministry of Health of Ukraine No. 503 of 19.03.2018. ↗

3716 Preventing and Reducing Statelessness in Ukraine on the Path to EU Membership. Charity Foundation 'Right to Protection', 2025, pp. 79–88. ↗

3717 On the Legal Status of Foreigners and Stateless Persons: Law of Ukraine No. 3773-VI of 22.09.2011, para. 14 Part 1 Article 1. ↗

3718 Ibid.

3719 Irregular migrant. EMN Asylum and Migration Glossary. ↗

3720 Irregular. Cambridge Dictionary (English–Ukrainian Dictionary). ↗

3721 Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on asylum and migration management, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 604/2013. ↗

3722 Regulation (EU) 2024/1348 of the European Parliament and of the Council of 14 May 2024 establishing a common procedure for international protection in the Union. OJ L, 2024/1348, 22.05.2024. ↗

3723 Regulation (EU) 2024/1358 of the European Parliament and of the Council of 14 May 2024 on the establishment of Eurodac. ↗

European Commission Ukraine Progress Report 2025[3724] within the European Union Enlargement Package, which does not use the term 'illegal', instead employing the term 'irregular'.

In 2025, following appeals by civil society organisations to the SMS, a partial reduction in the use of the term 'illegal migrant' in public communication was observed, in particular on the official website.[3725]

Recommendations

1. Expand the practice of consultations between the SMS and the public, by introducing regular consultations, increasing their number and frequency and ensuring systematic coverage of all key areas of state migration policy.

2. Ensure the proper and well-reasoned consideration of proposals from civil society organisations during the development of strategic and other normative legal acts in the field of migration by introducing transparent procedures for their review, including the mandatory publication of consultation results indicating accepted and rejected proposals with the corresponding justification.

3. Amend the legislation of Ukraine to provide for the possibility for refugees and persons in need of complementary protection to obtain administrative and documentation services at Ukrainian diplomatic missions and consular offices.[3726]

4. Amend the legislation of Ukraine to provide for the possibility for stateless persons recognised in Ukraine to obtain temporary and permanent residence permits abroad.

5. Strengthen the interaction of Ukrainian public authorities, particularly the MFA, with the competent authorities of foreign states to ensure the official recognition of Ukrainian travel documents issued to refugees and persons in need of complementary protection.

6. Introduce effective mechanisms of inter-agency coordination between the SMS and the MFA to ensure access for stateless persons and persons at risk of statelessness, refugees and persons in need of complementary protection to administrative and consular services abroad, in particular the issuance of travel documents.

7. Ensure proper access for stateless persons temporarily staying or residing in Ukraine to healthcare and social protection systems by introducing amendments to the legislation of Ukraine that guarantee them equal access to medical and social services on a non-discriminatory basis.

8. Exempt stateless persons from payment for examinations on the fundamentals of the Constitution of Ukraine, the history of Ukraine and the Ukrainian language when acquiring Ukrainian citizenship.

3724 Ukraine 2025 Report. Communication on EU Enlargement Policy, p. 55. ↗

3725 According to information provided by the Charity Foundation 'Right to Protection' in response to requests to the State Migration Service of Ukraine No. 178 of 31.01.2025 and No. 2919 of 21.08.2025.

3726 Recommendations 3, 5, 8 and 9 previously provided by civil society in the Shadow Report 2025 (p. 834) remain relevant. ↗

9. Ensure the proper integration of refugees and asylum seekers in Ukraine by introducing and financing programmes for learning the Ukrainian language and culture.

10. Align migration-related terminology with EU law standards, by discontinuing the use of the term 'illegal migrant' and replacing it with the term 'irregular migrant' in legislation and law enforcement practice.

Improvement of Migration Legislation Regarding the Status of Citizens of the European Union and Other Foreigners and Stateless Persons in Terms of Obtaining Immigration, Temporary Residence or Employment Permits

Progress and issues

As of 31 July 2026, migration legislation regarding the status of EU citizens and third-country nationals in terms of obtaining residence or employment permits and family reunification **remains partially aligned with the EU acquis**. During the reporting period, **no legislative changes were made** to define EU citizens as a special category of workers or to simplify procedures for obtaining residence or employment permits and family reunification for them.

At the same time, the relevant process has begun, and **tasks concerning the regulation of the status of EU citizens and third-country nationals have been included in the draft objectives and tasks of the State Migration Policy Strategy for the period after 2025.**[3727] Thus, the **development of a separate objective, 'Legal Migration'**, within the Strategy, together with the relevant tasks and expert discussions during the panel discussion on legal migration held by the SMS and International Organization for Migration in Ukraine on 14 April 2026,[3728] define a clear strategic course for the country in this area.

The Ukraine 2025 Report within the EU Enlargement Package also notes the need for further alignment of the legal framework on legal and illegal migration with the EU acquis.[3729] Specifically, **this concerns the status of third-country nationals** who are long-term residents, the right to family reunification under the Blue Card Directive, intra-corporate transferees, seasonal workers and the single permit for work and residence for third-country nationals.

The relevant tasks are also included in the Rule of Law Roadmap, in particular through the development and adoption of amendments to the Laws of Ukraine 'On the Legal Status of Foreigners and Stateless Persons' and 'On Immigration' regarding the introduc-

3727 Panel discussion on the strategic objective concerning legal migration to Ukraine. State Migration Service of Ukraine, 2026. ↗

3728 Ibid.

3729 Ukraine 2025 Report. Communication on EU Enlargement Policy. ↗

tion of the 'Blue Card' in accordance with Directive (EU) 2021/1883.[3730] The task is expected to be completed by the end of the fourth quarter of 2027.[3731]

The Rule of Law Roadmap sets out a list of tasks for the relevant public authorities in the field of European integration and the approximation of Ukrainian legislation **on legal migration** to the EU acquis.[3732] In particular, these include unifying the procedure for issuing **a single permit for employment and residence for foreigners and stateless persons** in order to align legislation with Directive 2011/98/EU,[3733] Directive (EU) 2024/1233,[3734] Directive (EU) 2014/36[3735] and Directive (EU) 2014/66[3736] (fourth quarter of 2026); introducing the 'Blue Card' in accordance with Directive (EU) 2021/1883; amending the procedure for issuing immigration permits and introducing an independent residence permit for the reunification of immigrant family members and simplifying refugee family reunification in order to align legislation with Council Directive 2003/109/EC[3737] and Council Directive 2003/86/EC;[3738] amending legislation on the cancellation of long-term residence permits in the event of a person's absence in order to ensure compliance with Council Directive 2003/109/EC (Q2 2027); and regulating the mobility of researchers, their family members and students within the Member States of the European Union in accordance with Directive (EU) 2016/801.[3739]

As of 31 July 2026, the legislative framework remains unaligned with the EU acquis regarding the rights of EU citizens, in particular the right of EU citizens and their family members to move and reside freely, as regulated by **Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004**[3740] on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States. Ukrainian legislation should establish equal opportunities for citizens of Ukraine and EU citizens in the labour market, education and vocational training, as well as in employment rights and conditions.

3730 Directive (EU) 2021/1883 of the European Parliament and of the Council of 20 October 2021 on the conditions of entry and residence of third-country nationals for the purpose of highly qualified employment, and repealing Council Directive 2009/50/EC. ↗

3731 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025. ↗

3732 Ibid.

3733 Directive 2011/98/EU of the European Parliament and of the Council of 13 December 2011 on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State. ↗

3734 Directive (EU) 2024/1233 of the European Parliament and of the Council of 24 April 2024 on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State (recast). ↗

3735 Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers. ↗

3736 Directive 2014/66/EU of the European Parliament and of the Council of 15 May 2014 on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer. ↗

3737 Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents. ↗

3738 Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification. ↗

3739 Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing (recast). ↗

3740 Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States. ↗

The Ministry of Economy, Environment and Agriculture of Ukraine (from 17 July 2026 — Ministry of Economy and Environment of Ukraine)[3741] is developing a draft law on the free movement of workers and must align it with Regulation 492/2011[3742] and Directive 2004/38.[3743] This draft law will also designate a national body to monitor equal treatment for EU workers.

In the field of labour immigration, which forms part of legal migration, **complex procedures for the lawful employment of foreigners** continue to apply. The procedures for entry, stay and obtaining employment permits remain complex and lengthy, reducing the attractiveness of legal employment. This makes it more difficult to respond swiftly to employers' needs, encourages unregulated employment and does not contribute to economic development.

The process of adopting a single procedure or single permit for employment and residence for third-country nationals has not been completed; the relevant draft law requires approval and adoption by the Verkhovna Rada.

The Rule of Law Roadmap[3744] provides for the need to improve current Ukrainian legislation in the field of migration and employment to unify the procedure for issuing a single residence and employment permit for foreigners and stateless persons, with implementation due **by the end of the fourth quarter of 2026**.

On 14 November 2025, Government **Draft Law No. 14211**[3745] was registered in the Verkhovna Rada. It provided for a substantial **change to the mechanism for employing** foreigners in Ukraine, as well as the simplification of administrative procedures through digitalisation. In particular, it was proposed that documents be submitted and public authorities interact through electronic portals. In addition, it was proposed to introduce the definition of '**seasonal work**' and establish 'special conditions for students', who would have **three months to look for employment after completing their studies**.

Considerable attention was paid to **employers' obligations**, in particular posting vacancies on the unified state web portal, notifying the authorities of early termination of contracts and ensuring payment of the single social contribution. It was also envisaged that employers would be able to hire foreigners only after the vacancy proposal had been approved by the relevant authorities, taking into account labour market needs. This was expected to balance the interests of Ukrainian workers and the labour market with the need to attract foreign specialists.

However, on 16 July 2026, Draft Law No. 14211 was withdrawn due to the change in the composition of the Government, effectively bringing its parliamentary consideration to a halt. The withdrawal is procedural in nature and does not indicate abandonment

3741 Certain Issues of Optimising the System of Central Executive Authorities: Resolution of the Cabinet of Ministers of Ukraine No. 963 of 17.07.2026. ↗

3742 Regulation (EU) No 492/2011 of the European Parliament and of the Council of 5 April 2011 on freedom of movement for workers within the Union. ↗

3743 Ukraine adapts legislation for equal access to the labour market. Ministry of Social Policy, Family and Unity of Ukraine, 2024. ↗

3744 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025, p. 139. ↗

3745 On Amendments to Certain Laws of Ukraine Regarding the Employment of Foreigners and Stateless Persons: Draft Law of Ukraine, registration No. 14211 of 14.11.2025. ↗

of the reform.[3746] At the same time, further progress on the draft law will depend on the new Cabinet of Ministers of Ukraine deciding to resubmit it to Parliament, creating a risk of delays in the adoption and implementation of the relevant legislative amendments. Nevertheless, the support for the draft law by the Verkhovna Rada Committee on Human Rights, De-occupation and Reintegration of Temporarily Occupied Territories of Ukraine, National Minorities and Interethnic Relations and its status as a Government draft law indicate that it is highly likely to be resubmitted and subsequently considered by Parliament.

Despite its withdrawal, the development of the draft law became a key achievement during the reporting period. Draft Law No. 14211 was aimed at optimising procedures for issuing temporary residence permits and permits for the employment of foreigners and stateless persons in line with the EU acquis. It provided for the introduction of a single permit for temporary residence and employment and established free access to the national labour market for citizens of the European Union. It was proposed that students be entitled to remain in Ukraine for a further three months after completing the relevant educational (research) programme.

The draft law also proposed clarifying the **categories of foreigners who will have free access to the labour market**, including **EU citizens**, refugees, teachers, athletes, staff of international projects and others.

Draft Law No. 14211 provided for a **change in the permit holder from the employer to the employee**, which was intended to address a key problem of the current permit-based system for employing foreigners in Ukraine. **Responsibility for regularising employment was proposed to be transferred from the employer to the employee**, which is in line with European practice.

At the same time, experts pointed to **risks of narrowing the rights of asylum seekers and stateless persons in connection with the introduction of a single residence and employment permit.**[3747]

The Charity Foundation 'Right to Protection'[3748] noted that the **provisions** of this **draft law leave outside the legal framework the issue of employment in Ukraine for foreigners and stateless persons** in respect of whom a decision has been made to process documents for deciding on recognition as a refugee or a person in need of complementary protection, foreigners and stateless persons who are appealing a decision refusing to process documents for deciding on recognition as a refugee or a person in need of complementary protection, **persons who have applied for recognition as stateless persons and persons who are appealing a decision refusing recognition as a stateless person**.

The proposed wording of Draft Law No. 14211 would have deprived these categories of persons of the practical possibility to exercise the right to work, which is currently guaranteed to them by the provisions of the Law of Ukraine 'On Employment of the

3746 Information obtained during consultations with representatives of the State Migration Service of Ukraine and the Office of the Deputy Prime Minister for European and Euro-Atlantic Integration on 29.07.2026.

3747 Material provided by the Charity Foundation 'Right to Protection' as part of the preparation of this report.

3748 Ibid.

Population'.[3749] In addition, the wording proposed in Draft Law No. 14211 for paragraphs 1 and 4 of Part 5 of the new Article 5^6 of the Law of Ukraine 'On the Legal Status of Foreigners and Stateless Persons'[3750] might have led to unjustified refusals of access to employment for asylum seekers and certain categories of stateless persons as a result of the SMS combining permitting and supervisory functions in respect of the same person, as well as due to the absence of clear criteria for defining the concept of a 'threat to national security or public order', which created broad scope for subjective assessment by authorised bodies (the SSU, the MoIA or the SMS).

In the field of **labour migration management, the problem of inter-agency cooperation between public authorities**, already outlined in the Shadow Report 2025,[3751] remains relevant.

Cooperation between public authorities in the field of migration is **one of the challenges in the communication and coordination of migration processes**. The need to strengthen inter-agency cooperation and collaboration is **noted in the Ukraine 2025 Report within the EU Enlargement Package**.[3752] The key approach to addressing problems in cooperation between public authorities was the establishment of the **Coordination Centre for Cooperation with the EMN**,[3753] which facilitates the coordination of public authorities' activities and the exchange of up-to-date, reliable and comparable information on the state of affairs in the field of migration in Ukraine. During the first meeting of the Coordination Centre for Cooperation with the EMN in May 2025, a decision was taken to **develop a new State Migration Policy Strategy for the period after 2025**.[3754]

Later, the composition of the Coordination Centre for Cooperation with the EMN was strengthened at expert level by representatives of academia, civil society organisations and international organisations.[3755]

Notable progress has been recorded in cooperation during the meetings of the Coordination Centre for Cooperation with the EMN. Since the beginning of 2026, seven meetings of the Coordination Centre have been held, during which the draft objectives of the Migration Policy Strategy for the period after 2025 were presented, discussed and approved. These objectives concerned the promotion of legal migration,[3756] integration of foreigners,[3757] countering illegal migration and migration-related offen-

3749 On Employment of the Population: Law of Ukraine No. 5067-VI of 05.07.2012, subparas 4, 5 Part 1 Article 42^1. ↗

3750 On the Legal Status of Foreigners and Stateless Persons: Law of Ukraine No. 3773-VI of 22.09.2011. ↗

3751 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report within the European Union Enlargement Package 2024, 2025, p. 825. ↗

3752 Ukraine 2025 Report. Communication on EU enlargement policy, p. 55. ↗

3753 Certain Issues of Cooperation with the European Migration Network: Resolution of the Cabinet of Ministers of Ukraine No. 1322 of 19.11.2024. ↗

3754 The inaugural meeting of the Coordination Centre for Cooperation with the European Migration Network took place. State Migration Service of Ukraine, 2025. ↗

3755 Coordination Centre for Cooperation with the European Migration Network. State Migration Service of Ukraine. ↗

3756 Panel discussion on the strategic objective concerning legal migration to Ukraine. State Migration Service of Ukraine, 2026. ↗

3757 The SMS in Kyiv prepares reform of migrant integration in line with EU standards. Kyiv.news, 2026. ↗

ces,[3758] strengthening ties with Ukrainians abroad,[3759] return and international protection.[3760]

The Rule of Law Roadmap also includes tasks aimed at **strengthening cooperation between public authorities**, by building capacities to **detect forged documents** confirming Ukrainian citizenship, identity documents and documents confirming a person's special status, as well as by connecting Ukraine to the False and Authentic Documents Online system (FADO[3761]).

It also provides for strengthening the capacity of the SMS to counter illegal migration and for applying an **inter-agency cooperation mechanism in the event of a migration crisis**.

The draft State Migration Policy Strategy for the period **after 2025** provides for tasks aimed at **strengthening cooperation between public authorities through the introduction of clear cooperation procedures between the SBGS, the SMS, the MoIA, the NPU and the MFA** in the field of countering illegal migration. This includes information exchange to detect forged documents, counter organised crime, exchange data in the field of readmission and establish an inter-agency cooperation mechanism in the event of a migration crisis.

The tasks also provide for **deepening cooperation with international organisations and cooperation with law enforcement authorities** in detecting cases of forgery of documents confirming citizenship, identity or a person's special status, as well as in countering illegal migration, particularly in cases of a sharp increase in the number of illegal migrants in Ukraine.

The issues identified in the Shadow Report 2025[3762] remain relevant:

- **the equal application** of Ukrainian migration and labour legislation **to citizens of EU Member States (EU citizens)** and their family members, as well as to **third-country nationals (within the meaning of EU law)**;
- the misalignment with Directive (EU) 2016/801[3763] of the **period** granted to foreign students **to seek employment after completing their studies**;

3758 Countering illegal migration and offences in the migration field discussed in Kyiv. State Migration Service of Ukraine, 2026. ↗

3759 Strengthening ties with Ukrainians abroad and citizens of Ukraine abroad discussed in Kyiv. State Migration Service of Ukraine, 2026. ↗

3760 The SMS discussed the draft strategic objective on improving the international protection system in Ukraine in line with EU standards. State Migration Service of Ukraine, 2026. ↗

3761 The database/website contains images and multilingual summary information on some of the most common identity documents, such as driving licences, civil status documents, residence permits and work permits, of EU Member States and certain third countries.

3762 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report within the European Union Enlargement Package 2024, 2025, pp. 825–828. ↗

3763 Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing (recast). ↗

- the failure to adopt special legislation on **granting entry permits to students and researchers** from third countries, as well as legislation on **long-term residence, a single procedure or single permits** for employment and residence;
- the **misalignment** of Ukrainian legislation with **Directive 2014/54/EU** on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers[3764] and **Directive 2004/38/EC** on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States.[3765]

Recommendations

1. Ensure implementation of the measures set out in the Rule of Law Roadmap concerning implementation of the EU acquis in the field of legal migration, in particular compliance with the established deadlines for introducing a single permit and reforming immigration and family reunification procedures.

2. Ensure that a draft law similar in substance to Draft Law No. 14211 is submitted to Parliament as soon as possible, taking into account the comments made, in particular:

- provide for the right to employment in Ukraine for foreigners and stateless persons in respect of whom a decision has been taken to process documents for deciding on recognition as a refugee or a person in need of complementary protection, foreigners and stateless persons who are appealing a decision refusing to process documents for deciding on recognition as a refugee or a person in need of complementary protection, persons who have applied for recognition as stateless persons and persons who are appealing a decision refusing recognition as a stateless person;
- do not include provisions analogous to those proposed in Draft Law No. 14211 in paragraphs 1 and 4 of Part 5 of the new Article 5^6 of the Law of Ukraine 'On the Legal Status of Foreigners and Stateless Persons'.

3. The State Employment Service and the Ministry of Economy and Environment of Ukraine should prepare and submit to the Government, as the subject of legislative initiative, draft amendments to the Law of Ukraine 'On Employment of the Population', ensuring that asylum seekers can be employed on equal terms with refugees, without the need to obtain permits for the employment of foreigners.

4. To **further align Ukrainian legislation with EU law**, it is necessary to:[3766]

- amend legislation to **assign the State Labour Service the function of a body responsible for ensuring the protection of the rights of EU citizens** on an equal footing with national workers, in accordance with Directive 2014/54/EU;

3764 Directive 2014/54/EU of the European Parliament and of the Council of 16 April 2014 on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers. ↗

3765 Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC. ↗

3766 The recommendations previously provided by civil society in the Shadow Report 2025 (pp. 828–829) remain relevant.

- **bring anti-discrimination legislation into line** with Directive 2014/54/EU, particularly with regard to developing a mechanism to combat indirect discrimination against EU workers;
- implement Directive 2004/38/EC with regard to **simplifying checks at the state border, establishing a mechanism to protect the rights of family members, aligning border control procedures with EU standards and eliminating possible abuses** related to unjustified refusal of entry or expulsion.

Compliance with Migration Legislation of Ukraine by Foreigners and Stateless Persons

Procedure for Migration Detention of Foreigners and Stateless Persons

In accordance with the CUAO,[3767] administrative detention **in cases of violations of migration legislation** is carried out by authorised officials of the SMS. Article 268 of the CUAO provides for several procedural safeguards for the detained person, including the right to review case materials, give explanations, submit evidence, file motions and applications, receive legal assistance from defence counsel, use their native language and the services of an interpreter and others. According to the case-law of the European Court of Human Rights[3768] and within the meaning of Article 5 of the European Convention on Human Rights,[3769] any detention must pursue a justified purpose, which constitutes a separate safeguard for ensuring the rights of the person concerned. The Court has emphasised that detention in the migration context must pursue a legitimate aim, be carried out in good faith and be accompanied by adequate procedural safeguards, including the possibility of an effective review of the lawfulness of such detention.

The SMS often independently identifies potential violators of migration legislation. Such persons are invited to territorial units of the SMS, after which the absence of identity documents or documents confirming lawful stay is established and administrative detention is immediately applied, along with the imposition of a fine under Article 203 of the CUAO (violation by foreigners and stateless persons of legislation on the legal status of foreigners and stateless persons).[3770] Thus, in the first quarter of 2026, 2,048 persons were held administratively liable under Article 203 of the CUAO, compared with 8,745 persons in 2025, 8,557 in 2024 and 8,742 in 2023, indicating the systemic and consistent nature of the application of these measures.[3771]

At the same time, in practice, **violations of the procedure for bringing persons to administrative liability are frequently observed** — the report on an administrative

3767 Code of Ukraine on Administrative Offences No. 8073-X of 07.12.1984, para. 7 Part 2 Article 262. ↗

3768 Saadi v. the United Kingdom, no. 13229/03. Judgment of 29.01.2008. ↗; Khlaifia and Others v. Italy, no. 16483/12. Judgment of 15.12.2016. ↗

3769 European Convention on Human Rights of 04.11.1950. ↗

3770 Code of Ukraine on Administrative Offences No. 8073-X of 07.12.1984. ↗

3771 Performance indicators of the SMS for 2023. State Migration Service of Ukraine. ↗; Performance indicators of the SMS for 2024. State Migration Service of Ukraine. ↗; Performance indicators of the SMS for 2025. State Migration Service of Ukraine. ↗; Performance Indicators of the SMS for the First Quarter of 2026. State Migration Service of Ukraine. ↗

offence and the decision imposing a fine are adopted on the same day.[3772] However, under Chapter 22 of the CUAO, a report on an administrative offence must first be drawn up, after which the case must be considered with notification of the person of the time and place of such consideration and with the guarantee of the right to legal assistance, and only following such consideration may the relevant decision be adopted.

In general, although procedural safeguards are formally provided for in cases of administrative detention, there is **no effective mechanism to challenge the detention itself**. In other words, the lawfulness of the administrative detention, including the drawing up of the administrative detention report, cannot be challenged separately, while the possibility to challenge it arises only at the stage of adoption of subsequent procedural documents. In addition, in the first quarter of 2026, 78 decisions were adopted on the forced expulsion of foreigners and 663 decisions on forced return; 387 decisions on the forced expulsion of detained persons were adopted (400 in 2024 and 412 in 2023), confirming the consistent practice of applying such measures.[3773]

Other common violations of the requirements of the CUAO include the application by the SMS of administrative detention combined with the imposition of a fine under Article 203 of the CUAO in cases where a person has already repeatedly applied to the SMS (for example, with an application for recognition as a refugee or a person in need of complementary protection). According to the legal position established in the case-law of the SC,[3774] the offence provided for by Article 203 of the CUAO is not a continuing offence, and therefore liability must be imposed within a two-month period from the moment of its commission. Accordingly, in cases of repeated applications to the SMS, the imposition of an administrative penalty under Article 203 of the CUAO without establishing a new offence goes beyond the statutory time limits for bringing a person to administrative liability. Consequently, the application of administrative detention in such cases is unlawful and unjustified.

At the same time, **the risk of administrative detention by law enforcement authorities significantly increases for stateless persons and persons at risk of statelessness** due to the absence of identity documents. This situation is caused by administrative barriers and the lengthy duration of the statelessness determination procedure. As a result, such persons face difficulties in obtaining legal status in Ukraine and in acquiring documents confirming their identity and lawful residence or stay in Ukraine. At the same time, for the period of consideration of an application for recognition as a stateless person, which on average lasts around one year, applicants are issued a certificate — a document confirming lawful stay in Ukraine, but not an identity document. Under such conditions, there is an increased risk of their detention and violations of their right to liberty and personal security. At the same time, establishing a person's identity during administrative detention is complicated or practically impossible, as it requires lengthy verification by the SMS within the statelessness determination procedure.

3772 The information is based on the practice of lawyers of the Charity Foundation 'Right to Protection' in 2024–2025.

3773 Performance indicators of the SMS for 2023. State Migration Service of Ukraine. ↗; Performance indicators of the SMS for 2024. State Migration Service of Ukraine. ↗; Performance indicators of the SMS for 2025. State Migration Service of Ukraine. ↗; Performance Indicators of the SMS for the First Quarter of 2026. State Migration Service of Ukraine. ↗

3774 Judgment of the Supreme Court of 05.09.2019 in case No. 234/19052/15-a. ↗

It is important to draw attention to the problems related to the application of administrative detention in the context of the safeguards of Article 5 of the ECHR,[3775] according to which any deprivation of liberty, including **detention, must pursue a clear, lawful and duly justified purpose**. Under national legislation, administrative detention is applied with the aim of ensuring proceedings in cases of administrative offences, establishing identity and/or ensuring the enforcement of decisions on forced return or expulsion.[3776] At the same time, the purpose must be duly substantiated in each individual case, and the measures applied must comply with the principle of proportionality.

In practice, in 2025, cases were recorded where persons who had acted in good faith and regularly applied to the SMS to regularise their legal status were, during one of such applications, subjected to detention, simultaneously fined under Article 203 of the CUAO, after which a decision on forced return or expulsion was adopted and the persons were placed in MCCs.[3777] Such practice indicates that the **SMS applies the full range of administrative coercive measures not as an exception but as a standard response, even in cases where the person is in the process of regularising their status**, that is, where the person was not identified for the first time but after a certain period (for example, after one or two years).[3778]

Additional safeguards for persons during proceedings in cases of administrative offences are provided by the **principles of administrative procedure set out in the Law of Ukraine 'On Administrative Procedure'**.[3779] In practice, the **SMS does not ensure compliance with these principles**,[3780] although they serve as a benchmark enabling the immediate identification of instances where representatives of public authorities have acted unlawfully or, conversely, in accordance with the law.[3781]

Voluntary and Forced Return of Foreigners and Stateless Persons

According to Law No. 3773-VI,[3782] foreigners and stateless persons may be voluntarily or forcibly returned to their country of origin or to a third country. Decisions on voluntary return are adopted by the SMS. The time limit for carrying out the voluntary return procedure must not exceed 60 days. Decisions on forced return may be adopted by the SMS, the SSU and the SBGS in cases where the actions of the persons concerned violate Ukrainian legislation on border matters or on the legal status of foreigners and stateless persons, or contradict the interests of ensuring national security of Ukraine or public order, or where such return is necessary for the protection of public health or the rights and legitimate interests of citizens of Ukraine. In general, the key provisions of Law No. 3773-VI provide that forced return must be carried out in compliance with

3775 European Convention on Human Rights of 04.11.1950. ↗

3776 Saadi v. the United Kingdom, no. 13229/03. Judgment of 29.01.2008. ↗; Khlaifia and Others v. Italy, no. 16483/12. Judgment of 15.12.2016. ↗

3777 Ruling of the Voznesenivskyi District Court of the city of Zaporizhzhia of 08.12.2025 in case No. 335/11968/25. ↗

3778 The information is based on the practice of lawyers of the Charity Foundation 'Right to Protection' in 2024–2025.

3779 On Administrative Procedure: Law of Ukraine No. 2073-IX of 17.02.2022, Article 4. ↗

3780 The information is based on the practice of lawyers of the Charity Foundation 'Right to Protection' in 2024–2025.

3781 How the Law on Administrative Procedure influences judicial practice: interview with Judge of the Administrative Cassation Court of the SC Volodymyr Bevzenko. Public Administration Reform, 2025. ↗

3782 On the Legal Status of Foreigners and Stateless Persons: Law of Ukraine No. 3773-VI of 22.09.2011. ↗

legal procedures and with the protection of fundamental human rights. The Law not only defines the grounds for such measures (violation of migration rules, threat to security or health) but also includes safeguards for individuals, requiring that decisions be reasoned and that the person concerned has the possibility to apply to a court. This is consistent with international human rights standards.

In practice, the **enforcement of decisions on voluntary and forced return is objectively complicated or impossible**. This is due to the inability of nationals of certain countries to leave Ukraine. In other words, departure from Ukraine may be possible, but entry into another country neighbouring Ukraine is not. Even where a person is willing to leave Ukraine and comply with a decision of the SMS, this is in practice impossible due to visa restrictions, the absence of diplomatic representations and additional restrictions related to martial law.

Law No. 3773-VI provides that the time limit for the enforcement of a decision on forced return must not exceed 30 days from the date of its adoption. However, the legislation does not establish a minimum time limit for compliance with such a decision. In practice, **there are cases where a person is required to comply within one or two days**.[3783] This effectively makes it impossible to comply with the return decision and subsequently artificially creates grounds for adopting a decision on forced expulsion.

At the same time, the **practice of adopting decisions on forced return in respect of undocumented stateless persons** persists,[3784] contrary to the provisions of Law No. 3773-VI, which prohibit the adoption of such decisions in respect of persons who do not possess identity documents entitling them to leave Ukraine. Under Law No. 3773-VI, such persons are to be detained in accordance with the procedure established by law for the purposes of identification, documentation and ensuring transfer in accordance with Ukraine's international readmission agreements or forced expulsion. Such practice contradicts the legal safeguards of the statelessness determination procedure, which provides for the right to obtain the status of a stateless person irrespective of the lawfulness of stay on the territory of Ukraine.

Forced Expulsion of Foreigners and Stateless Persons

Following the adoption in 2023 of Law No. 2952-IX,[3785] which granted the SMS, the SBGS and the SSU the power to adopt decisions on the forced expulsion of foreigners and stateless persons without a court decision, **the number of such decisions adopted by the SMS has significantly increased**, as evidenced by the SMS performance indicators for 2023–2025.[3786] These changes create a risk of **arbitrary application of excessively broad powers by the SMS**.

A decision on forced expulsion may be adopted if a person is detained for illegal crossing (or attempted illegal crossing) of the state border of Ukraine, or where there are

3783 The information is based on the practice of lawyers of the Charity Foundation 'Right to Protection' in 2024–2025.

3784 Ibid.

3785 On Amendments to Certain Legislative Acts of Ukraine Regarding the Protection of the State Border of Ukraine: Law of Ukraine No. 2952-IX of 24.02.2023. ↗

3786 Performance indicators of the SMS for 2023. State Migration Service of Ukraine. ↗; Performance indicators of the SMS for 2024. State Migration Service of Ukraine. ↗; Performance indicators of the SMS for 2025. State Migration Service of Ukraine. ↗

reasonable grounds to believe that a foreigner or stateless person will evade compliance with a decision on forced return, or where such a person has failed, without valid reasons, to comply within the prescribed time limit with a decision on forced return.[3787] At the same time, **two of these grounds** — 'attempted illegal crossing of the state border of Ukraine' and 'reasonable grounds to believe that the person will evade compliance with a decision on forced return' — are **evaluative in nature and lack clear criteria for their application**. In the absence of judicial control, the expansion of the powers of the SMS creates conditions for broad interpretation and arbitrary application of such powers, as confirmed by practice.[3788]

In practice, the existence of a decision on forced return constitutes the basis for adopting a decision on forced expulsion. However, the SMS often does not adopt a decision on forced return and instead immediately issues a decision on forced expulsion. Such actions are justified by the argument that it is impossible to adopt a decision on forced return because the foreigner does not possess identity documents.[3789] This practice is contrary to the logic of current Ukrainian legislation, which provides for a sequence in the application of measures and the priority of less severe mechanisms.

Concern arises in cases of forced expulsion of foreigners in violation of the principle of non-refoulement. **A case has been documented in which an asylum seeker was expelled to their country of origin, where their life or freedom could be at risk**.[3790]

Procedure for Placement and Conditions of Stay in MCCs

For violations of Ukrainian legislation on the state border or on the legal status of foreigners and stateless persons, various measures may be applied in accordance with Article 289 of the CAPU,[3791] including administrative detention with subsequent placement in MCCs. The period of detention of foreigners who are unlawfully staying in Ukraine may not exceed six months.[3792]

At present, there is a **problem of the lack of effective access for stateless persons and persons at risk of statelessness held in MCCs to the statelessness determination procedure**. As a result, a considerable number of persons remain in MCCs without identity documents and without a defined legal status, which worsens their legal position and increases their vulnerability.

Ukrainian legislation provides for the possibility of extending the period of stay in MCCs by a court decision, provided that the necessity of such an extension is duly substantiated with reference to the actions or measures taken to enforce a decision on forced expulsion or to examine an application for recognition as a refugee or a person in need

3787 On the Legal Status of Foreigners and Stateless Persons: Law of Ukraine No. 3773-VI of 22.09.2011. ↗

3788 Information provided by Tetiana Anakina, Candidate of Legal Sciences, Associate Professor of the Department of EU Law of Yaroslav Mudryi National Law University, during an interview conducted on 12.03.2026.

3789 The information is based on the practice of lawyers of the Charity Foundation 'Right to Protection' in 2024–2025.

3790 Ibid.

3791 Code of Administrative Proceedings of Ukraine No. 2747-IV of 06.07.2005, Article 289. ↗

3792 On Approval of the Instruction on Forced Return and Forced Expulsion from Ukraine of Foreigners and Stateless Persons: Order of the Ministry of Internal Affairs of Ukraine, the Administration of the State Border Guard Service of Ukraine and the Security Service of Ukraine No. 353/271/150 of 23.04.2012. ↗

of complementary protection in Ukraine. Thus, under the legislation, the extension of the period of stay in MCCs must be properly justified and proportionate to the aim pursued. In practice, such justification is often reduced to formal references to a lack of time to carry out the relevant actions, which indicates the insufficient effectiveness of the activities of the competent authorities rather than an objective necessity to extend the period of detention in MCCs. At the same time, a **period of six months is objectively sufficient to carry out the relevant actions, and detention for a longer period indicates inactivity on the part of the authority that detained the foreigner**.[3793]

During the examination of a case on the merits by courts of first and appellate instance, and until the court decision becomes final, a foreigner or stateless person is held in MCCs.[3794] In practice, there are cases where such proceedings may last up to five months, during which the person remains in MCCs, deprived of personal liberty without a proper assessment of the proportionality of such interference.[3795]

Under martial law, ensuring the safety of persons in MCCs is of critical importance, particularly the availability of civil protection shelters. **In all three MCCs currently operating in Ukraine, only basic shelters are available**. Civil protection structures (shelters, protective facilities and others) that comply with the requirements of DBN B.2.2-5:2023[3796] are currently absent.[3797]

Article 6[1] of Law No. 3773-VI[3798] establishes the statelessness determination procedure, according to which any person who is not recognised as a citizen by any state under its law has the right to apply to the competent public authority of Ukraine for recognition as a stateless person, regardless of the lawfulness of their stay in Ukraine. The Procedure for examining applications for recognition as a stateless person[3799] provides that such an application may be submitted only in person to a territorial body or territorial unit of the SMS at the person's place of residence. Consequently, **an undocumented stateless person held in MCCs has neither the legal right nor the physical possibility to apply for recognition as a stateless person**. As a result, such persons are deprived of the possibility to exercise their right to be recognised as stateless persons and to obtain identity documents. At the same time, they are unable to comply with decisions on forced return or expulsion due to the absence of identity documents and remain in a situation of legal uncertainty.

After release from MCCs, such persons remain at risk of being subjected to administrative liability and detention and subsequently of repeated placement in MCCs due to the absence of lawful grounds for staying in Ukraine.

3793 Information provided by Tetiana Anakina, Candidate of Legal Sciences, Associate Professor of the Department of EU Law of Yaroslav Mudryi National Law University, during an interview conducted on 12.03.2026.

3794 Code of Administrative Proceedings of Ukraine No. 2747-IV of 06.07.2005, Part 18 Article 289. ↗

3795 The information is based on the practice of lawyers of the Charity Foundation 'Right to Protection' in 2024–2025.

3796 DBN B.2.2-5:2023 'Protective Structures of Civil Protection': Order of the Ministry for Development of Communities, Territories and Infrastructure of Ukraine No. 702 of 10.08.2023. ↗

3797 Letter of the State Migration Service of Ukraine No. 14.3-12383/3.1-25 of 14.11.2025.

3798 On the Legal Status of Foreigners and Stateless Persons: Law of Ukraine No. 3773-VI of 22.09.2011. ↗

3799 Certain Issues of Recognition as a Stateless Person: Resolution of the Cabinet of Ministers of Ukraine No. 317 of 24.03.2021. ↗

Article 27 of the Convention relating to the Status of Stateless Persons[3800] imposes an obligation on states to issue identity papers to stateless persons within their territory who do not possess a valid travel document. According to the case-law of the ECtHR, state interference in procedures related to the acquisition of citizenship or the regularisation of legal status may constitute a violation of the right to respect for private and family life guaranteed by Article 8 of the ECHR.[3801] In its judgment of 26 July 2018 in the case of Hoti v. Croatia,[3802] the ECtHR found a violation of the right to respect for private and family life due to the prolonged inability of a stateless person to regularise their legal status. The Court held that the state is required to ensure an accessible and effective procedure for legalisation for such persons and for the issuance of identity documents. The ECtHR also emphasised that statelessness is a factor of vulnerability and underlined the crucial importance of legal status for access to the enjoyment of human rights within a state.

At the same time, the lack of access to obtaining the legal status of a stateless person and identity documents may increase the risk of violations of the right to liberty and personal security guaranteed by Article 5 of the ECHR.[3803] In its judgment of 30 September 2021 in the case of Shoygo v. Ukraine,[3804] the ECtHR found a violation of Article 5 of the Convention[3805] due to deficiencies in the forced expulsion procedure and the unjustified detention of the applicant in MCCs. In that case, the applicant was an undocumented stateless person who had been detained and placed in MCCs for the purpose of enforcing a decision on forced expulsion. However, due to the impossibility of establishing his identity and confirming the nationality of a country of origin, the applicant was, for a prolonged period, effectively deprived of liberty without the possibility of being documented or of carrying out the forced expulsion procedure. The Court noted that the public authorities encountered a serious obstacle in organising the applicant's expulsion due to the absence of identity documents.

Recommendations

1. Ensure compliance with the principles of administrative procedure in the activities of the SMS in accordance with the Law of Ukraine 'On Administrative Procedure' during the administrative detention of foreigners and stateless persons and improve mechanisms of judicial control over administrative detention, in particular by introducing the possibility to challenge administrative detention from the moment the administrative detention report is drawn up.

2. Take measures to prevent the unlawful application of decisions on forced return and expulsion of stateless persons.

3. Limit the discretionary powers of the SMS through their clear regulatory definition to prevent the risk of arbitrary application of measures related to the detention of

3800 Convention relating to the Status of Stateless Persons of 28.09.1954. ↗

3801 European Convention on Human Rights of 04.11.1950. ↗

3802 Hoti v. Croatia, no. 63311/14. Judgment of 26.04.2018. ↗

3803 European Convention on Human Rights of 04.11.1950. ↗

3804 Case of Shoygo v. Ukraine (application No. 29662/13), judgment of the European Court of Human Rights of 30.09.2021. ↗

3805 European Convention on Human Rights of 04.11.1950. ↗

foreigners and stateless persons, the adoption of decisions on forced return and expulsion and placement in MCCs.

4. Amend the legislation of Ukraine by granting the right to apply for recognition as a stateless person from MCCs and penitentiary institutions.[3806]

5. Introduce clear legislative limitations on the use of detention in MCCs as a measure of last resort by providing for a mandatory prior assessment of the real possibility of expulsion, the proportionality of interference with the right to liberty and personal security and the prioritised use of alternatives to detention, taking into account the vulnerability of the person.

6. Ensure proper conditions of stay in MCCs by equipping civil protection shelters that comply with the requirements of DBN B.2.2-5:2023, considering security risks related to martial law.

Readmission Procedure. Readmission Dialogue and Return

Progress and issues

Readmission is an important instrument for countering illegal migration, but its practical application has decreased significantly since 2022. This is due to the reduction in illegal migration flows, the effective cessation of the use of Ukraine by migrants as a transit country, the closure of air traffic and strengthened border controls both in Ukraine and in EU Member States.

In this context, readmission is viewed by the SBGS Administration not as a standalone strategic priority, but as an element of the broader system of integrated border management and cooperation with the EU.[3807]

At the same time, strategic decisions on expanding the readmission treaty framework, in particular the conclusion of agreements with countries of origin or transit of illegal migrants, go beyond the exclusive competence of the border guard service and should be taken on the basis of inter-agency risk analysis, with the MFA and the SMS playing the leading role.

As of July 2026, in the field of readmission, the need remains relevant to **continue negotiations and conclude readmission agreements with countries of origin or transit of illegal migrants**, taking risk analysis into account. Readmission dialogue is ongoing at various stages with Bosnia and Herzegovina, Kazakhstan, Armenia, Libya, Georgia, Lebanon, Tajikistan, Azerbaijan, India, Sri Lanka, Bangladesh, Iraq, Nigeria, Vietnam and Pakistan.[3808] At the same time, it is important to **improve the readmission procedure**,

3806 The recommendation provided by civil society in the 2025 Shadow Report (p. 834) remain relevant.

3807 Information provided by a representative of the Administration of the State Border Guard Service of Ukraine during an interview conducted on 10 March 2026.

3808 Information on the state of implementation of the Action Plan for 2023–2025 for the implementation of the Integrated Border Management Strategy for the period up to 2025 in the first half of 2025, obtained as part of the preparation of this report.

particularly with regard to automating the processes for receiving, sending, registering and processing readmission applications.[3809]

In the current context, migration control authorities are focusing on **identification, documentation and inter-agency cooperation in matters of forced return and expulsion of illegal migrants**, while leaving the development of readmission agreements as an instrument whose relevance may increase after the security context changes.

In the area of **identification**, it is important to continue international cooperation with border and migration authorities, as well as diplomatic missions of **certain migration risk countries**.[3810]

The issue of 'return and expulsion' as part of countering illegal migration requires the introduction of a set of preventive measures, including **risk analysis and data exchange**.[3811] To this end, the relevant public authorities planned to establish a **Situation Centre for monitoring migration processes and analysing risks in the field of migration**.[3812] **The Ukraine 2025 Report within the EU Enlargement Package notes**[3813] that the establishment of a Situation Centre for monitoring migration processes and assessing migration risks will help improve coordination of migration management. **Capacity building for the Situation Centre needs to continue**.

For the effective operation of the Situation Centre, proper technical equipment and improved approaches to risk analysis are needed. There is a need to introduce an updated **Methodology for Risk Analysis and Detection of Illegal Migrants**, which would regulate the approach to joint analytical studies and define the procedure for exchanging analytical information between public authorities.

Readmission, **forced return and expulsion** procedures remain overly lengthy and complex due to **insufficient coordination between the SBGS, the SMS and the MFA**. The standard procedure takes more than six months because it involves several authorities and requires coordination with diplomatic missions. By contrast, the accelerated procedure carried out by the SBGS within 48 hours is applied only at certain sections of the border.

The absence of an integrated **electronic system, or e-readmission**, and clear inter-agency algorithms for data exchange complicates monitoring compliance with the 30-day period for voluntary departure and the timely enforcement of forced expulsion decisions.

Forced expulsion from Ukraine is carried out in accordance with national legislation[3814] and international arrangements — readmission agreements. Forced expulsion is a sys-

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3809 Information obtained following consultations with experts in March 2026 on strategic priorities in the field of readmission.

3810 For details, see the section 'Visa Policy' of this report.

3811 V. Rudyka. Evolution of Measures to Counter Illegal Migration to Europe. Series 'International Relations'. Issue 5, pp. 214–223. ↗

3812 On Amendments to Order of the Cabinet of Ministers of Ukraine No. 482 of 12 July 2017: Order of the Cabinet of Ministers of Ukraine No. 43 of 19.01.2024. ↗

3813 Ukraine 2025 Report. Communication on EU Enlargement Policy. ↗

3814 On the Legal Status of Foreigners and Stateless Persons: Law of Ukraine No. 3773-VI of 22.09.2011. ↗

tem of administrative measures that require foreigners or stateless persons to leave Ukraine against their will, but in compliance with lawful procedures, including a court decision, respect for human rights, documentation and escort to the border, as well as the possibility of appeal.[3815]

At the same time, the mechanism for returning illegal migrants requires improvement due to the issue of foreigners and stateless persons leaving the territory of Ukraine in a timely manner. In the context of this problem, consideration is being given to **improving inter-agency information exchange and introducing automated monitoring** of the return of foreigners within the prescribed time limit.[3816]

The issues identified in the Shadow Report 2025[3817] remain relevant, particularly the **slow pace of agreeing all components of the readmission procedure**, the collection of evidence to establish grounds for the readmission of third-country nationals and stateless persons, as well as the detection of illegal migrants within the country. This is due to the use of the Methodology,[3818] which governs the exchange of information between public authorities and requires updating.

The Ukraine 2025 Report within the EU Enlargement Package contains tasks to be implemented in the field of **countering illegal migration**. In particular, the focus is on the fact that the **voluntary return procedure was rarely applied during the reporting period**.[3819]

Under the Law of Ukraine 'On the Legal Status of Foreigners and Stateless Persons',[3820] **in addition to forced expulsion, there is also the institution of voluntary return of migrants without legal status**.

The relevant public authorities recognise the importance of this task and are preparing to implement a set of measures aimed at improving voluntary return procedures. **Moderate progress has been recorded in this area, consisting of the inclusion of voluntary return tasks in the draft Migration Policy Strategy for the period after 2025**.[3821]

The Rule of Law Roadmap specifies the tasks in this area and emphasises the need to develop and adopt a law that will improve the procedure for considering applications and provide for mechanisms to encourage return. Information campaigns to promote

3815 Instruction on Forced Return and Forced Expulsion from Ukraine of Foreigners and Stateless Persons: Order of the Ministry of Internal Affairs of Ukraine, the Administration of the State Border Guard Service of Ukraine and the Security Service of Ukraine No. 353/271/150 of 23.04.2012. ↗

3816 Information provided during bilateral meetings held with experts of the International Organization for Migration in September–October 2025.

3817 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report within the European Union Enlargement Package 2024, 2025, p. 836. ↗

3818 On Approval of the Methodology for Risk Analysis for the Purpose of Countering Illegal Migration: Order of the Ministry of Internal Affairs of Ukraine, the Ministry of Foreign Affairs of Ukraine, the Ministry of Social Policy of Ukraine, the Ministry of Education and Science of Ukraine, the Foreign Intelligence Service of Ukraine and the Security Service of Ukraine No. 494/132/467/497/141/281 of 29.04.2015. ↗

3819 Ukraine 2025 Report. Communication on EU Enlargement Policy. ↗

3820 On the Legal Status of Foreigners and Stateless Persons: Law of Ukraine No. 3773-VI of 22.09.2011. ↗

3821 Panel discussion on the strategic objective concerning legal migration to Ukraine. State Migration Service of Ukraine, 2026. ↗

the benefits of voluntary return are also planned. The SMS will work on these tasks over the next year and considers it appropriate to include them in the new strategic cycle.[3822]

The implementation of the policy on countering illegal migration is aimed at introducing European practices and standards, in particular with regard to pursuing a **policy of regularisation**, or legalisation and migration amnesty, for foreigners, improving the **mechanism for coordination** between public authorities and information exchange, strengthening the state's preparedness to **respond to crisis situations** through the creation of the necessary infrastructure[3823] and integration with international, primarily European, migration monitoring systems, which will improve the **exchange of operational information with foreign partners**.

Recommendations

1. The SMS, the SBGS and the MFA should establish cooperation with diplomatic missions of foreign states on the identification and documentation of illegal migrants.[3824]

2. The MoIA and the SMS should provide, in the new strategic documents on state migration policy, for the introduction of a Methodology for Risk Analysis and Detection of Illegal Migrants, which would include a list of parameters and indicators for detecting illegal migrants within the country.

3. The SBGS and the SMS should introduce automated monitoring of the return of foreigners within the prescribed time limits, as well as automation of the processes for receiving, sending, registering and processing readmission applications.

4. The SMS, the MoIA and the SBGS should continue work on establishing and building the capacity of the Situation Centre for monitoring migration processes and analysing risks in the field of migration.

5. Agree and regulate in legislation the algorithms for inter-agency cooperation between control services, between the MoIA, the SMS, the SBGS and the NPU.

6. The SMS should develop a mechanism and programmes for the regularisation of certain categories of illegal migrants.

7. The SMS should improve voluntary return procedures for foreigners and stateless persons without regular status and increase their awareness of voluntary return options.

3822 Information provided during a consultation with experts of the Coordination Centre for Cooperation with the European Migration Network on 16.04.2026.

3823 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025, p. 141. ↗

3824 The recommendation previously provided by civil society in the Shadow Report 2025 (p. 837) remains relevant.

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Asylum



As of the end of 2021, 2,391 officially registered refugees and persons in need of complementary protection resided in Ukraine, as well as approximately 2,700 asylum seekers.[3825] Following the start of the full-scale invasion of Ukraine by Russia, the number of asylum seekers decreased significantly. As of the end of 2025, 729 asylum seekers remained in Ukraine.[3826] At the same time, the number of refugees and persons in need of complementary protection amounted to 2,378.[3827] As of 30 June 2026, 2,359 such persons were registered with the SMS, of whom 1,258 were recognised as refugees and 1,101 as persons in need of complementary protection.[3828] This trend reflects not only a shift in migration flows after 2022 but also a significant narrowing of effective access to the international protection procedure in Ukraine. The European Commission also notes the decline in applications in its 2025 Enlargement Package Report.

An important stage in the development of EU law in the field of asylum was the adoption of the EU Pact on Migration and Asylum in 2024 (the 2024 Pact). The 2024 Pact consists of ten legislative acts and provides for an update of the Common European Asylum System, introducing new rules on international protection procedures, migration management, border screening and the allocation of responsibility among EU Member States. Most of the legislative acts of the 2024 Pact will enter into force in 2026. In this context, further alignment of Ukraine's legislation and administrative practice with the standards of the EU acquis in the field of asylum is of particular importance.

At the same time, the Rule of Law Roadmap, which serves as a comprehensive strategic document within the EU accession negotiation process under Chapter 23 'Judiciary and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security', provides for achieving full alignment of legislation and procedures in the field of asylum with EU standards and the acquis.

The 2025 Enlargement Package Report notes that the legal framework in the field of asylum is only partially aligned with the EU acquis, while the asylum management system requires further improvement. Previously identified problems broadly confirm the continued relevance of this assessment[3829] and point to the need for further legislative and institutional reforms in the field of international protection.

Key challenges in the field of asylum remain the legislative ambiguity of certain concepts, in particular the term 'asylum', which hinders the application of the principles of good administration; limited access to the international protection procedure, including the practice of refusing to accept applications without issuing written decisions and the inability to apply at the state border; insufficient institutional capacity of the SMS; the lack of proper documentation for asylum seekers, which complicates the exercise of their rights; as well as systemic shortcomings in the procedure, including a shortage of interpreters, delays in the examination of applications, limited access to free legal aid,

3825 Refugees and asylum seekers. The UN Refugee Agency — Ukraine. ↗

3826 Letter of the State Migration Service of Ukraine No. ZPI-B-3-26/4.1.2/40-26 of 10.02.2026.

3827 Public report of the Head of the State Migration Service Nataliia Naumenko was held. State Migration Service of Ukraine, 2026. ↗

3828 Letter of the State Migration Service of Ukraine No. ZPI-ORG-309-26/4.1.2/227-26 of 17.07.2026.

3829 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report within the European Union Enlargement Package for 2024, 2025, pp. 842–851. ↗

the use of inappropriate country of origin information sources and insufficient consideration of applicants' vulnerability.

In light of this, there has been *no meaningful progress in the field of asylum*, as access to the international protection procedure continues to narrow and administrative practice remains inconsistent with EU law standards.

The Concept of 'Asylum' in Ukrainian Legislation

The institution of asylum enshrined in the Constitution of Ukraine[3830] originates from the soviet legal model of 'political asylum', which differs from the modern understanding of asylum in EU law as a form of international protection based on the principle of non-refoulement and international standards for the protection of refugees.[3831]

In Ukrainian legislation, the institution of asylum remains unregulated and is not clearly distinguished from the institution of international protection: asylum granted by decision of the President (granting asylum) exists only at the level of a constitutional provision[3832] without a defined substance or procedure. By contrast, the procedure for granting refugee status or complementary protection is comprehensively regulated by the Law of Ukraine 'On Refugees and Persons in Need of Complementary or Temporary Protection',[3833] and the relevant decisions are taken by the SMS, which creates legal uncertainty in the application of these institutions, as previously noted.[3834]

Moreover, the need to address this issue was also recognised by the President, who instructed the Government to develop and submit to the Verkhovna Rada a draft law on granting asylum in Ukraine by 15 December 2019.[3835]

At the same time, certain laws and secondary legislation of Ukraine do refer to asylum, however the concept is applied or interpreted incorrectly. For example, Article 1 of the Law of Ukraine 'On Administrative Procedure'[3836] provides that it does not apply to relations in the field of citizenship and the granting of asylum in Ukraine. The principles of administrative procedure[3837] are of particular importance for the procedure for granting refugee status or complementary protection, as public authorities are required to be guided by them when exercising their powers. However, in the absence of a clear distinction between the institution of asylum and international protection in Ukraine,

3830 Constitution of Ukraine No. 254k/96-VR of 28.06.1996, para. 26 Part 1 Article 106. ↗

3831 Asylum. EMN Asylum and Migration Glossary. ↗

3832 Constitution of Ukraine No. 254k/96-VR of 28.06.1996, para. 26 Part 1 Article 106. ↗

3833 On Refugees and Persons in Need of Complementary or Temporary Protection: Law of Ukraine No. 3671-VI of 08.07.2011. ↗

3834 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report within the European Union Enlargement Package for 2024, 2025, pp. 843–844. ↗

3835 On Issues of Simplified Acquisition of Citizenship of Ukraine by Foreigners and Stateless Persons Who Have Participated (or Are Participating) in Measures to Ensure the National Security and Defence of Ukraine and by Citizens of the Russian Federation Who Have Been Persecuted for Their Political Beliefs: Decree of the President of Ukraine No. 594/2019 of 13.08.2019. ↗

3836 On Administrative Procedure: Law of Ukraine No. 2073-IX of 17.02.2022. ↗

3837 Ibid, Article 4.

the **SMS refuses to apply these principles to the procedure for granting refugee status or complementary protection**, unjustifiably equating asylum with these forms of international protection.[3838] As a result, the improper interpretation of the concept of 'asylum' and its conflation with the international protection procedure leads to the unjustified denial to asylum seekers of the right to good administration, which is required under EU acquis.[3839]

Thus, the absence of a legislative definition of asylum, as well as clear criteria and procedures for granting it, continues to create legal uncertainty, complicates the application of the law and limits the effective exercise of the right to international protection in Ukraine.

Access to the Procedure for Granting Refugee Status or Complementary Protection Following the Start of Russia's Full-Scale Invasion

During the reporting period, access to international protection in Ukraine remained constrained,[3840] despite the fact that Ukrainian legislation does not provide for any restriction on the right to apply for refugee status or complementary protection. The practice persisted whereby the SMS refused to accept applications for refugee status or complementary protection without issuing a written decision, providing only oral refusals. Such refusals were justified by reference to martial law, the failure to comply with the five-day deadline for submitting an application, as well as to the position of the United Nations High Commissioner for Refugees of March 2022[3841] and June 2023,[3842] according to which Ukraine is not considered a 'safe country of origin', and foreign nationals who had not managed to submit an application for international protection were advised to seek protection in a third safe country.[3843]

In 2025 and during the first seven months of 2026, cases were also recorded[3844] where the SMS sought to justify refusals to register applications by **invoking Article 9 of the 1951 Convention relating to the Status of Refugees**[3845] in respect of citizens of the Republic of Belarus, referring to martial law in Ukraine and Belarus's political ties with the Russian Federation. At the same time, **courts have pointed to unlawful inaction by the SMS** and have found refusals of access to the procedure to be unlawful.[3846] Oral

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3838 Information based on the practice of lawyers of the CF 'Right to Protection' in 2025.

3839 Charter of Fundamental Rights of the European Union (2012/C 326/02). ↗

3840 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report within the European Union Enlargement Package for 2024, 2025, pp. 845–847. ↗

3841 UNHCR Position on Returns to Ukraine. UNHCR, 2022. ↗

3842 UNHCR Position on Voluntary Returns to Ukraine. UNHCR, 2023. ↗

3843 Information based on the practice of lawyers of the CF 'Right to Protection' for 2022–2025.; Decision of the Vinnytsia District Administrative Court of 27.08.2025 in case No. 120/773/25. ↗; Decision of the Kyiv District Administrative Court of 30.01.2026 in case No. 320/5218/25. ↗; Decision of the Dnipropetrovsk District Administrative Court of 13.11.2025 in case No. 160/23444/25. ↗

3844 Information is based on the practice of lawyers of the Charity Foundation 'Right to Protection' in 2025–2026; Decision of the Dnipropetrovsk District Administrative Court of 14.11.2025 in case No. 160/27249/25. ↗; Decision of the Dovhyntsivskyi District Court of Kryvyi Rih, Dnipropetrovsk Region, of 07.04.2026 in case No. 211/13288/25. ↗

3845 Convention relating to the Status of Refugees of 28.07.1951. ↗

3846 For example, Resolution of the Fifth Administrative Court of Appeal of 04.06.2025 in case No. 420/32412/24. ↗; Decision of the Dnipropetrovsk District Administrative Court of 14.11.2025 in case No. 160/27249/25. ↗

refusals to accept applications for international protection were also recorded in respect of applicants of various nationalities, including citizens of the Russian Federation, Belarus, Iraq, Tajikistan, Palestine, Afghanistan, Egypt, Iran, Azerbaijan, Nigeria, Uzbekistan and Turkmenistan.[3847] This indicates the **systemic nature of the practice of refusing to register applications, which is not limited to a particular category of applicants or their nationality**.

Such practice does not comply with the standards set out in the 2024 Pact.[3848] In particular, Regulation (EU) 2024/1348 of the European Parliament and of the Council of 14 May 2024, which establishes a common procedure for international protection in the European Union, provides that a **decision on an application for international protection must be communicated to the applicant in writing**. Recital 39 of Regulation (EU) 2024/1348 emphasises that a written decision is a necessary safeguard of the applicant's rights, while Article 8(6) expressly establishes the obligation of the competent authority to notify the applicant of the decision in writing.[3849]

Institutional Capacity of the SMS in the Field of International Protection

The 2025 Enlargement Package Report notes that, due to limited institutional capacity and staff shortages, **support for asylum seekers remains constrained**.[3850]

Available statistical data confirm this assessment. As of 30 June 2026, 4,704 staff were actually employed in the central office, territorial bodies and territorial subdivisions of the SMS. In turn, as of 31 December 2025, a total of 4,701 staff were employed within the SMS system, including 229 staff in the central office and 4,472 in territorial bodies. By comparison, as of 31 December 2024, the SMS employed 4,814 staff, indicating a reduction in its human resources capacity.

A decrease is also observed in the funding of the SMS. In 2025, total expenditure under the main budget programmes of the SMS declined compared to 2024, which further limits the institution's capacity to ensure the effective examination of applications for international protection.

At the same time, the number of officials directly responsible for decision-making in international protection cases remains very limited. As of 31 December 2025, such decisions were taken by 58 officials of the SMS, its territorial bodies and subdivisions. The same number of staff actually employed in the relevant departments, divisions and sectors for asylum seekers and social integration worked with asylum seekers as of 30 June 2026. By comparison, in 2024, 86 staff members of the relevant structural units of the

3847 Analysis of judicial practice in cases concerning inaction of the SMS involving beneficiaries of legal aid of the CF 'Right to Protection', for 2025–2026. Decision of the Kyiv District Administrative Court of 18.11.2025 in case No. 320/13062/23. ↗;Decision of the Kyiv District Administrative Court of 26.01.2026 in case No. 320/11684/24. ↗; Decision of the Vinnytsia District Administrative Court of 27.08.2025 in case No. 120/773/25. ↗; Resolution of the Eighth Administrative Court of Appeal of 01.05.2025 in case No. 380/18267/24. ↗; Resolution of the Eighth Administrative Court of Appeal of 03.06.2026 in case No. 380/16198/25. ↗

3848 Pact on Migration and Asylum. European Commission, 2024. ↗

3849 Regulation (EU) 2024/1348 of the European Parliament and of the Council of 14 May 2024 establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU. ↗

3850 Ukraine 2025 Report. Communication on EU Enlargement Policy, p. 57. ↗

SMS were involved in work with asylum seekers, including 7 staff in the central office and 79 in territorial bodies.[3851]

The limited number of staff responsible for examining applications for international protection, combined with the overall reduction in human resources and decreased funding of the SMS, **hampers the effective processing of applications submitted by asylum seekers.**[3852] At the same time, the 2024 Pact[3853] emphasises the need to ensure timely and effective procedures for granting international protection (recital 6 of Regulation (EU) 2024/1348[3854]).

Access to International Protection at the State Border of Ukraine

In 2023, Law No. 2952-IX[3855] entered into force, amending Article 5 of the Law of Ukraine 'On Refugees and Persons in Need of Complementary or Temporary Protection'[3856] and providing that, during martial law, the **SBGS does not accept applications for international protection**. This restriction was further specified by an order[3857] amending the Instruction on the Procedure for Actions of Officials of the SBGS,[3858] introducing a provision on the non-acceptance of applications for international protection from persons seeking protection during martial law.

The 2025 Enlargement Package Report notes that no cases of refusal of entry or return of persons at the border were recorded.[3859] At the same time, the absence of the possibility to apply for international protection at the state border effectively prevents the recording of such cases and creates risks for the effective monitoring of compliance with the principle of non-refoulement.

Law No. 2952-IX[3860] establishes a **general prohibition on the acceptance of applications for international protection at the border during martial law**, which is collective in nature and does not provide for an individual assessment of a person's need for international protection. Such restrictions create a **risk of violating the principle of non-**

3851 Letters of the State Migration Service of Ukraine No. ZPI-B-3-26/4.1.2/40-26 of 10.02.2026, No. ZPI-ORG-185-25/4.1.2/183-25 of 25.04.2025 and No. ZPI-ORG-310-26/10.1/230-26 of 21.07.2026.

3852 Information provided by Tetiana Anakina, PhD in Law, Associate Professor at the Department of EU Law of Yaroslav Mudryi National Law University, during an interview conducted on 12.03.2026.

3853 Pact on Migration and Asylum. European Commission, 2024. ↗

3854 Regulation (EU) 2024/1348 of the European Parliament and of the Council of 14 May 2024 establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU. ↗

3855 On Amendments to Certain Legislative Acts of Ukraine on the Protection of the State Border of Ukraine: Law of Ukraine No. 2952-IX of 24.02.2023. ↗

3856 On Refugees and Persons in Need of Complementary or Temporary Protection: Law of Ukraine No. 3671-VI of 08.07.2011, Article 5. ↗

3857 On Approval of the Instruction on the Procedure for Actions of Officials of the State Border Guard Service of Ukraine and Interaction with Territorial Bodies of the State Migration Service of Ukraine upon Applications by Foreigners or Stateless Persons for Recognition as Refugees or Persons in Need of Additional Protection: Order of the Ministry of Internal Affairs of Ukraine No. 772 of 10.08.2016. ↗

3858 Ibid.

3859 Ukraine 2025 Report. Communication on EU Enlargement Policy, p. 57. ↗

3860 On Amendments to Certain Legislative Acts of Ukraine on the Protection of the State Border of Ukraine: Law of Ukraine No. 2952-IX of 24.02.2023. ↗

refoulement and may result in the return of individuals to countries where their life or freedom is at risk.[3861]

The lack of access to the procedure for submitting an application for international protection at the border is also inconsistent with international standards in the field of refugee protection.[3862] These amendments have been criticised by the European Council on Refugees and Exiles (ECRE)[3863] and the Office of the United Nations High Commissioner for Refugees (UNHCR).[3864]

As part of the execution of the judgment of the European Court of Human Rights in the case of *Kebe and Others v. Ukraine*,[3865] the communication procedure regarding its implementation is ongoing, including in relation to ensuring access to the asylum procedure at the border.

The practice of refusing to accept applications for international protection at the border is also inconsistent with EU law standards. Article 30 of Regulation (EU) 2024/1348[3866] provides that competent authorities must inform persons present at border crossing points or in transit zones of the possibility to apply for international protection and ensure access to the relevant procedure.

Certificate Confirming an Application for Protection in Ukraine. Access of Asylum Seekers to Basic Rights and Services

The issue of proper documentation of asylum seekers remains unresolved and was already highlighted in the Shadow Report 2025.[3867] The certificate confirming an application for protection in Ukraine, issued to persons who apply for refugee status or complementary protection, is **not recognised** by the state as an identity document, but **merely confirms the legality of a person's stay as an asylum seeker**.

This practice is not consistent with EU law. Article 29 of Regulation (EU) 2024/1348[3868] provides that Member States must issue applicants with a document certifying that they have applied for international protection. According to paragraph 7 of this Article,

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3861 Proposals of the Charitable Foundation 'Right to Protection' to the draft law on amendments to certain laws of Ukraine on the protection of the state border of Ukraine No. 7475 of 19.06.2022. CF 'Right to Protection', 2022. ↗

3862 Information provided by Svitlana Butenko, PhD in Law, Head of the Council of Europe Project in Ukraine, during an interview conducted on 11.03.2026.

3863 Legal Opinion of ECRE/ELENA on amendments to the legislation of Ukraine on the protection of the state border of Ukraine / European Council on Refugees and Exiles (ECRE) / European Legal Network on Asylum (ELENA), 2023. ↗

3864 UNHCR Comments on the Draft Law of Ukraine on Amendment of Certain Laws of Ukraine on the Protection of the State Border of Ukraine. UNHCR, 2022. ↗

3865 Communication from Ukraine concerning the case of Kebe and Others v. Ukraine (Application No. 12552/12), Nur Ahmed and Others v. Ukraine (Application No. 42779/12) and M.S. v. Slovakia and Ukraine (Application No. 17189/11). Committee of Ministers, Council of Europe, DH-DD(2021)771, 04.08.2021. ↗

3866 Regulation (EU) 2024/1348 of the European Parliament and of the Council of 14 May 2024 establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU. ↗

3867 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report within the European Union Enlargement Package for 2024, 2025. pp. 847–848. ↗

3868 Regulation (EU) 2024/1348 of the European Parliament and of the Council of 14 May 2024 establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU. ↗

such a document does not necessarily have to constitute an identity document, however it must be **sufficient to enable the identification of the applicant before national authorities** and to ensure access to their rights throughout the international protection procedure.

The problem has become even more acute following the start of Russia's full-scale invasion of Ukraine and in the context of the anticipated termination of temporary protection in March 2027 in EU Member States.[3869] A number of asylum seekers were forced to leave Ukraine, however due to the absence of national passport documents, which are held by the SMS, and the non-recognition of the certificate confirming an application for protection in Ukraine as a travel document, they face **difficulties when crossing borders and attempting to re-enter Ukraine**.[3870]

In the context of martial law and regular missile and drone attacks on civilian infrastructure,[3871] there are **additional risks of loss or damage to documents** stored by state authorities. In 2025, a building of one of the SMS units was damaged as a result of a drone attack.[3872] In such circumstances, the practice of mandatory transfer of original identity documents for storage creates additional risks for asylum seekers and requires reconsideration.

Interpretation During the Examination of Applications for International Protection

During the reporting period, the shortage of interpreters in the Reference and Information Register of Interpreters, for rare languages, remains unresolved,[3873] which complicates access of asylum seekers to the international protection procedure.

This situation is not in line with EU law standards. Directive (EU) 2024/1346,[3874] which forms part of the 2024 Pact,[3875] provides that Member States must ensure the necessary resources for the functioning of the international protection system, including sufficient staffing, in particular interpreters.[3876]

3869 EU Member States agree to extend temporary protection for refugees from Ukraine. Council of the European Union, 2025. ↗

3870 Difficulties faced by asylum seekers and refugees during martial law in Ukraine. CF 'Right to Protection', 2023. ↗

3871 2025 deadliest year for civilians in Ukraine since 2022, UN human rights monitors find. UN Human Rights Monitoring Mission in Ukraine, 2026. ↗; UNHCR appalled by attacks on aid operations and rising civilian toll in Ukraine. UNHCR, 2026. ↗

3872 Up to 100% destruction: following shelling, the building of the SMS in central Poltava will be inspected to determine whether it can be restored. Poltavshchyna, 2026. ↗

3873 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report within the European Union Enlargement Package for 2024, 2025, pp. 848–849. ↗

3874 Directive (EU) 2024/1346 of the European Parliament and of the Council of 14 May 2024 laying down standards for the reception of applicants for international protection. ↗

3875 Pact on Migration and Asylum. European Commission, 2024. ↗

3876 Directive (EU) 2024/1346 of the European Parliament and of the Council of 14 May 2024 laying down standards for the reception of applicants for international protection, Article 33. ↗

Digitalisation of Documents of Refugees, Persons in Need of Complementary Protection and Asylum Seekers

Documents of asylum seekers, refugees and persons in need of complementary protection within the international protection procedure remain non-digitalised and are not integrated into the Unified State Web Portal of Electronic Services 'Diia',[3877] as previously noted.[3878]

Time Limits for the Examination of Applications for International Protection

The problem remains unresolved whereby, in practice, the time limits for examining applications for international protection by the SMS significantly exceed those established by law[3879] and may extend over several years,[3880] including due to lengthy court proceedings concerning the actions or inaction of the authority.[3881]

Such delays are inconsistent with the requirements of Regulation (EU) 2024/1348,[3882] which forms part of the 2024 Pact[3883] and provides that the examination of applications for international protection must be completed **as soon as possible and, as a rule, no later than six months** from the date of submission of the application.

Use of Country-of-Origin Information (COI)

The problem persists of SMS staff relying on **unreliable sources** of country-of-origin information when examining applications for international protection,[3884] which may affect the substantiation of decisions taken.[3885]

In accordance with international standards on the use of country-of-origin information (COI), sources must be systematically assessed in terms of their reliability and balance, and competent authorities must rely on verified sources of information.[3886]

3877 Online Public Services. Unified State Web Portal of Electronic Services 'Diia'. ↗

3878 On Refugees and Persons in Need of Complementary or Temporary Protection: Law of Ukraine No. 3671-VI of 08.07.2011, Article 9.; Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report within the European Union Enlargement Package for 2024, 2025, p. 849. ↗

3879 On Refugees and Persons in Need of Complementary or Temporary Protection: Law of Ukraine No. 3671-VI of 08.07.2011, Article 9. ↗

3880 For example, decision of the Second Administrative Court of Appeal of 11.02.2021 in case No. 520/7005/2020. ↗; Ruling of the Sixth Administrative Court of Appeal of 26.02.2026 in case No. 640/7032/20. ↗; Ruling of the Lviv District Administrative Court of 05.05.2025 in case No. 640/26731/21. ↗

3881 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report within the European Union Enlargement Package for 2024, 2025, pp. 849–850. ↗

3882 Regulation (EU) 2024/1348 of the European Parliament and of the Council of 14 May 2024 establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU, Article 35. ↗

3883 Pact on Migration and Asylum. European Commission, 2024. ↗

3884 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report within the European Union Enlargement Package for 2024, 2025, pp. 850–851. ↗

3885 Interim Report 'Ensuring the Rights of Refugees, Asylum Seekers and Stateless Persons'. Charitable Foundation 'Right to Protection' [et al.], 2020. ↗

3886 Researching Country of Origin Information: Training Manual, 2024 edition / Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD). March 2024. ↗; The problem identified by civil society in the Shadow Report 2025 (pp. 850–851) remains relevant. ↗

Regulation (EU) 2024/1348,[3887] which forms part of the 2024 Pact,[3888] provides that decisions on applications for international protection must be based on an objective and impartial assessment using relevant, accurate and up-to-date information on the situation in the country of origin, obtained from national, European and international sources.

Access of Asylum Seekers to Free Legal Aid

Asylum seekers formally have the right to free legal aid within the international protection procedure.[3889]

At the same time, despite the existence of this right, its effectiveness in international protection cases remains limited. In situations where territorial bodies of the SMS refuse to accept an application for international protection without issuing a written decision, applicants are effectively deprived of access to secondary free legal aid to challenge such refusals.[3890] This situation is not in line with EU law standards, in particular Directive (EU) 2024/1346, which requires Member States to ensure that applicants have access to information on free legal assistance and effective access to free legal representation, including during judicial review of decisions.[3891]

Consideration of Applicants' Vulnerability in the International Protection Procedure

There is no systematic mechanism within the international protection procedure for identifying vulnerable categories of applicants, assessing their individual needs and ensuring that such needs are properly considered during the examination of applications and the decision-making process.[3892]

In practice, the mechanism is largely limited to the identification of unaccompanied children, while for other vulnerable categories of applicants — including elderly persons, persons with serious illnesses, persons with disabilities and those with experience of gender-based or domestic violence, torture, trafficking in human beings or other forms of psychological trauma — **no mechanisms for identification and assessment of individual needs have been established**.

The absence of a procedure for identifying vulnerability factors among asylum seekers creates a risk of a formalistic examination of applications without proper consideration of experienced violence, psychological trauma, health condition, disability, age or other vulnerability factors. This situation is not in line with EU law standards, in particular Article 24 of Directive (EU) 2024/1346, which requires Member States to take into account the special needs of applicants from vulnerable categories, including persons with disabilities, elderly persons, victims of violence, trafficking in human beings, persons with

3887 Regulation (EU) 2024/1348 of the European Parliament and of the Council of 14 May 2024 establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU, Article 34. ↗

3888 Pact on Migration and Asylum. European Commission, 2024. ↗

3889 On Free Legal Aid: Law of Ukraine No. 3460-VI of 02.06.2011. ↗

3890 Country Report: Ukraine. Update on 2025. Asylum Information Database (AIDA), 2026, p. 49-50. ↗

3891 Directive (EU) 2024/1346 of the European Parliament and of the Council of 14 May 2024 laying down standards for the reception of applicants for international protection. ↗

3892 Country Report: Ukraine. Update on 2025. Asylum Information Database (AIDA), 2026, p. 49-50. ↗

serious illnesses or mental disorders, as well as other individuals requiring a higher level of protection.[3893]

Recommendations

1. Ensure legislative alignment of the procedure for granting refugee status or complementary protection with the institution of asylum and ensure that procedures for granting refugee status or complementary protection comply with EU law standards applicable to asylum, including the principles of good administration, as set out in the Law of Ukraine 'On Administrative Procedure'.

2. Ensure unhindered access to the procedure for granting refugee status or complementary protection by discontinuing the practice of informal refusals by the SMS to accept applications for international protection without issuing and serving a written decision on applicants.

3. Restore proper acceptance and examination of applications for international protection and ensure that any refusal to accept an application is carried out exclusively on the grounds, in accordance with the procedure and in compliance with the requirements set out in Article 5 of the Law of Ukraine 'On Refugees and Persons in Need of Complementary or Temporary Protection'.[3894]

4. Strengthen the institutional capacity of the SMS by increasing staffing levels, ensuring adequate budgetary funding, improving the professional qualifications of staff and enhancing the functioning of units responsible for examining applications for international protection, to ensure timely and effective procedures in line with the EU acquis.

5. Restore the possibility of submitting applications for international protection directly at the state border of Ukraine and review legislative restrictions on the acceptance of such applications during martial law, to ensure access to the international protection procedure in line with Ukraine's international obligations, the principle of non-refoulement, international standards and the EU acquis.

6. Regulate the proper documentation of asylum seekers in Ukraine by recognising the certificate confirming an application for protection in Ukraine as an identity document for the duration of the procedure for granting refugee status or complementary protection, to ensure the exercise of their fundamental rights.

7. Review the practice of mandatory confiscation of original passport and other identity documents from asylum seekers or introduce alternative mechanisms for their storage or use during the examination of applications, ensuring proper administration of the international protection procedure without creating obstacles for applicants in confirming their identity and exercising their rights.

8. Improve the availability of interpretation services in the international protection procedure by expanding the Reference and Information Register of Interpreters and

3893 Directive (EU) 2024/1346 of the European Parliament and of the Council of 14 May 2024 laying down standards for the reception of applicants for international protection. ↗

3894 Recommendations 3, 6, 8, 9 and 11, previously provided by civil society in the Shadow Report 2025 (p. 851), remain relevant.

ensuring adequate budgetary funding for interpretation services for asylum seekers, including for rare languages.

9. Introduce the digitalisation of documents of asylum seekers, refugees and persons in need of complementary protection within the international protection procedure, by integrating relevant data into electronic state services and ensuring interagency electronic interoperability.

10. Ensure compliance with time limits for the examination of applications for international protection and introduce a mechanism for informing applicants about the progress of their case and the reasons for delays.

11. Ensure the use of reliable, up-to-date and verified sources of information on the situation in applicants' countries of origin to improve the quality and substantiation of decisions within the international protection procedure.

12. Expand access of asylum seekers to secondary free legal aid at all stages of the international protection procedure, including during appeals against refusals to accept applications before courts of all instances.

13. Introduce an effective mechanism within the international protection procedure for the timely identification of vulnerable categories of asylum seekers, including children, unaccompanied children, persons with disabilities, elderly persons, pregnant women, persons belonging to the LGBTIQ+ community, single parents with minor children, victims of trafficking in human beings, persons with serious illnesses or mental disorders, as well as persons who have been subjected to torture, rape or other forms of physical or psychological violence, including gender-based violence, and ensure that their individual needs are taken into account and that they have access to appropriate support.

EUROPE WITHOUT BARRIERS

Visa Policy



Visa policy tasks are included in the drafts of two key strategic documents in the field of migration and borders — the Integrated State Border Management Strategy (ISBM Strategy) and the State Migration Policy Strategy for the period after 2025. The previous strategies expired in 2025, while the draft ISBM Strategy that has been developed has been under consideration by the NSDC and the Government for a year. The slowdown in the approval process was due to the change of Government in July 2025[3895] and the need for the Strategy and Action Plan to undergo the approval procedure again with all integrated border management actors and relevant public authorities. The formation of the new Government in July 2026[3896] will also affect the timeframe for completing the approval procedures. The absence of a new Strategy in force has slowed the implementation of integrated border management tasks, which has also resulted in a *lack of progress*, including in the visa field.

The Ukraine 2025 Report within the EU Enlargement Package notes that Ukraine's visa policy is largely aligned with EU legislation, particularly with regard to the processing of applications, the criteria and the visa issuance process, while the visa-free regime with the EU remains in place.

Progress and issues

The Rule of Law Roadmap contains a separate task on determining the **model/format of Ukraine's visa policy in accordance with EU visa policy. This task is assigned to the MFA, with implementation due in the fourth quarter of 2025**. However, as of the reporting period, the **task has not been completed, and no progress has been recorded.**[3897]

Visa modality involves amending the requirements for obtaining visas to enter Ukraine. When checks are carried out on the intentions of foreign nationals and stateless persons to enter Ukraine, a **list of migration risk countries** is also applied. This list **includes 70 countries** whose nationals are subject to closer scrutiny at the stage of obtaining visas to enter Ukraine or when crossing the border.

The issue described in the Shadow Report 2025[3898] regarding the need to **update the Methodology for Risk Analysis for the Purpose of Countering Illegal Migration**,[3899] on the basis of which the relevant authorities determine which countries are migration risk countries, **has not been resolved**.

The list of migration risk countries is defined by MFA Order No. 34 of 18 April 2019 'On Approval of the List of Migration Risk Countries'. It is determined on the basis of

3895 Government reshuffle 2025: new Prime Minister, Shmyhal's resignation and personnel changes in the Cabinet of Ministers. Newssky.com.ua, 2025. ↗

3896 On the Formation of the Cabinet of Ministers of Ukraine and the Dismissal of Members of the Cabinet of Ministers of Ukraine That Has Resigned: Resolution of the Verkhovna Rada of Ukraine No. 4942-IX of 16.07.2026. ↗

3897 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report within the European Union Enlargement Package 2024, 2025, p. 851. ↗

3898 Ibid.

3899 On Approval of the Methodology for Risk Analysis for the Purpose of Countering Illegal Migration: Order of the Ministry of Internal Affairs of Ukraine, the Ministry of Foreign Affairs of Ukraine, the Ministry of Social Policy of Ukraine, the Ministry of Education and Science of Ukraine, the Foreign Intelligence Service of Ukraine and the Security Service of Ukraine No. 494/132/467/497/141/281 of 29.04.2015. ↗

an analysis of various factors affecting migration processes and includes the results of risk analyses conducted by the SMS, the SBGS Administration, the SSU and the NPU.[3900] At the same time, direct cooperation measures in countries of origin or transit of illegal migration are not carried out within the scope of the SBGS Administration's activities due to the absence of its representatives — liaison officers — at the relevant Ukrainian embassies.

Where foreigners who have violated Ukrainian legislation on the state border are detained, measures are taken to identify and document them through cooperation with the diplomatic missions and consular offices of their countries of origin. For this purpose, official requests and notifications are sent regarding the detention of such persons and the need to document them with travel documents.

Thus, the identification of migration risk countries is a complex process that takes into account both domestic and international aspects of migration mechanisms.

At the same time, the **legislative uncertainty in Ukraine regarding the concept of a 'migration risk country' remains problematic. Therefore, the legislative definition of the concept of 'migration risk countries' remains relevant, particularly in the field of identification of citizens of Ukraine, foreigners and stateless persons**.

The criteria according to which a country is included in such a list also need to be defined. These may include, for example, violations by nationals of other countries of the established periods of stay in Ukraine, the number of decisions banning entry to Ukraine, decisions on forced return or forced expulsion from the territory of Ukraine, or the number of administrative penalties imposed for violations of legislation on the legal status of foreigners and stateless persons. In addition, it is important to designate the public authority or other entity responsible for compiling this list. **The criteria for removing a state from the list of 'migration risk countries' also need to be defined**.

At the same time, in the context of European integration processes, Ukraine seeks to **integrate its approaches in the visa field with the relevant EU rules**. This means the gradual unification of Ukraine's visa and migration policy with that of the EU, including the **alignment of lists of countries subject to visa and visa-free regimes**. In other words, changes should also apply to the list of 'migration risk countries', particularly in terms of its security synchronisation with the EU.

Bringing Ukraine's visa policy into line with EU visa policy also requires **competent public communication** explaining the need to introduce visa regimes for nationals of countries that are popular or traditional destinations for people-to-people contacts or travel. Examples include Azerbaijan, Armenia, Türkiye and other countries with which Ukraine has a visa-free regime, while the EU requires nationals of these countries to obtain visas.

The issue of establishing direct cooperation with countries of origin or transit of illegal migration by introducing the institution of 'liaison officers' responsible for countering illegal migration at the relevant Ukrainian diplomatic missions also remains relevant.

3900 Report of the Administration of the State Border Guard Service of Ukraine on the results of the analysis of the state of integrated state border management for 2025. The report is not publicly available and was obtained as part of the preparation of this report.

Recommendations

1. The MFA should develop the modality of Ukraine's visa policy in accordance with EU visa policy.[3901]

2. The MoIA and the SMS should amend the Law of Ukraine 'On the Legal Status of Foreigners and Stateless Persons' to define the concept of a 'migration risk country'.

3. The MFA, the SSU, the SMS and the SBGS should update the Methodology for Risk Analysis for the Purpose of Countering Illegal Migration.

4. The MFA and the SBGS should establish cooperation with countries of origin or transit of illegal migration by introducing the institution of 'liaison officers' responsible for countering illegal migration at the relevant Ukrainian diplomatic missions.

3901 The recommendation previously provided by civil society in the Shadow Report 2025 (p. 857) remains relevant.

EUROPE WITHOUT BARRIERS

Integrated Border Management



Notable progress has been recorded in the field of integrated border management, particularly in the attempt to strengthen interaction and coordination between public authorities and other stakeholders. The relevant tasks were included in the draft objectives of two strategic documents — the ISBM Strategy and the State Migration Policy Strategy for the period after 2025.

On 20 April 2026, at its meeting, the Interagency Working Group on Integrated Border Management summarised the implementation of the Integrated Border Management Strategy until 2025,[3902] while the SBGS Administration presented a report on the implementation of this Strategy and its key achievements. At the same time, as of July 2026, the new Integrated Border Management Strategy for the period after 2025 had not yet been approved due to the change in the composition of the Government in July 2026 and still had to undergo the full approval cycle, including consideration by the NSDC. This somewhat diminishes the positive momentum recorded before July 2026, as integrated border management actors have been operating without a strategic document for more than six months.

During the reporting period, the key development in the field of integrated border management was the **establishment, on 28 January 2026, of the Interagency Working Group on Coordination of Measures in the Field of Schengen Management.**[3903] This development was a clear indicator of progress in the field of Schengen and external borders. The task of starting work on the National Schengen Strategy was set out in the Rule of Law Roadmap (subsection 'Schengen and External Borders') and recorded in the Ukraine 2025 Report within the EU Enlargement Package, which noted the need to create a solid foundation for the Schengen system.[3904]

In the context of developing the national Schengen management system, the SBGS Administration has begun drafting the National Schengen Strategy and the Action Plan on the Schengen Agreement in accordance with the recommendations received from the European Commission on Schengen management and the action plan model.[3905]

On 26 February 2026, the Interagency Working Group on Coordination of Measures in the Field of Schengen Management established four temporary working groups (TWGs), divided by areas of Schengen management according to the remit of public authorities. On 18 March 2026, the first meeting of TWG 1, established as part of the formation of the National Schengen Management System, was held at the SBGS Administration.[3906]

On 3 July 2026, a meeting of TWG 1 was held on Schengen management, external border management, the functioning of authorities applying the Schengen acquis, evaluation and monitoring and judicial cooperation in criminal matters. During the meeting,

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3902 Interagency Working Group on Coordination of Integrated State Border Management Defines the Work Plan for 2026. State Border Guard Service of Ukraine, 2025. ↗

3903 On the Establishment of the Interagency Working Group on Coordination of Measures in the Field of Schengen Management: Resolution of the Cabinet of Ministers of Ukraine No. 86 of 28.01.2026. ↗

3904 Ukraine 2025 Report. Communication on EU Enlargement Policy. ↗

3905 Ukraine Has Begun Preparations for Establishing a National Schengen Management System. State Border Guard Service of Ukraine, 2026. ↗

3906 The SBGS Administration Coordinates the Establishment of the National Schengen Management System: Results of the Meeting of Temporary Working Group No. 1. State Border Guard Service of Ukraine. 2026. ↗

the SBGS Administration presented the interim results of the screening of the Schengen acquis and the specialised 'SchengenUA' web resource.[3907]

During the reporting period, the issue of establishing a legal obligation for carriers in the field of international passenger transport to transfer passenger data to authorised authorities remained unregulated. **In Ukraine, the issue of obtaining such information from air carriers is partially regulated, but there is no legislative mechanism for collecting it**. The issue of information exchange and cooperation with international partners within the European Border Surveillance System (Eurosur[3908]) **also remains legally unregulated**, in particular regarding risk analysis and ensuring the planning and conduct of border control operations.[3909] The task of **adopting a law on the processing of passenger data (API/PNR**[3910]) in order to improve the national system for combating terrorism and organised crime **remains unfulfilled**.[3911]

Positive developments took place in the digitalisation of customs procedures and the establishment of customs information exchange mechanisms. In particular, the State Customs Service introduced Phase 6 of the NCTS, which concerns the new structure of the electronic declaration.[3912]

Further work is needed on customs reform, the integration of customs systems with European systems, strengthening anti-corruption prevention and control mechanisms and improving interagency and international cooperation.

In the field of customs and border control, the international road border crossing point 'Nyzhankovychi–Malkhowice'[3913] became operational in December 2024, with control introduced at a joint border crossing point. At the same time, **the negotiation process with Romania on the introduction of joint control has not yet begun, and agreements on joint customs and border control with neighbouring EU Member States have not been signed**.[3914]

Schengen and External Borders

Progress and issues

During the reporting period, the **main achievement was the establishment of a high-level Interagency Working Group**[3915] **to prepare the National Schengen Strategy and**

3907 Information obtained following a consultation with representatives of the SBGS Administration on 03.07.2026.

3908 EUROSUR. ↗

3909 The issue described in the Shadow Report 2025 (pp. 861–862) remains relevant. ↗

3910 Ibid.

3911 For details, see the section 'Fight against Terrorism and Prevention of Radicalisation and Violent Extremism' of this report.

3912 Ukraine Switches to NCTS Phase 6. State Customs Service of Ukraine. 2026. ↗

3913 Agreement in the Form of an Exchange of Notes between the Cabinet of Ministers of Ukraine and the Government of the Republic of Poland on the Opening of the Nyzhankovychi–Malkhowice Road Border Crossing Point across the State Border and Determining the Types of Traffic through It. 19–20.12.2024. ↗

3914 The issue described in the Shadow Report 2025 (pp. 882–883) remains relevant. ↗

3915 On the Establishment of the Interagency Working Group on Coordination of Measures in the Field of Schengen Management: Resolution of the Cabinet of Ministers of Ukraine No. 86 of 28.01.2026. ↗

the Action Plan for Ukraine's accession to the Schengen Agreement, as well as four TWGs: TWG 1 on Schengen management and external border management; TWG 2 on the situation and development at future internal borders and cooperation between law enforcement authorities; TWG 3 on the common visa policy and return policy; and TWG 4 on information systems and data protection in the context of the Schengen system.

The areas regulated by Schengen include the following: Schengen management, external border management, return policy and information systems.

Schengen management provides for the establishment and formalisation of a governance structure led by an appointed National Schengen Coordinator, ensuring coordinated planning, decision-making and implementation of measures across all ministries and agencies involved in Schengen-related areas.

The external border management system envisages the functioning of a national integrated border management system in interaction with European Integrated Border Management (EIBM), including a national capability development plan covering risk analysis, interagency cooperation in border management, the implementation of fundamental rights standards in border management and cooperation with the European Border and Coast Guard Agency (Frontex) in border control and border checks.

In the area of return policy, provision is made for the introduction of effective asylum and return procedures for illegal migrants, compliance with EU human rights standards and cooperation with Frontex[3916] and the European Union Agency for Asylum (EUAA).[3917]

Large-scale information systems provide for connection and integration with SIS[3918] (the Schengen Information System), VIS[3919] (the Visa Information System) and Eurodac (European Dactyloscopy),[3920] as well as ensuring cybersecurity and data protection and legal, technical and operational readiness for the implementation of the Schengen Information System.

On 26 February 2026, the inaugural meeting of the Interagency Working Group on Coordination of Measures in the Field of Schengen Management was held,[3921] followed by a meeting of the relevant TWGs.

In view of the European Commission's recommendations on the need to establish a Schengen management system in Ukraine and introduce systematic planning across all its areas, the SBGS Administration developed an indicative plan for structuring this process.[3922]

3916 FRONTEX. ↗

3917 EUAA. ↗

3918 EU-LISA.SIS. ↗

3919 EU-LISA. VIS. ↗

3920 EU-LISA. Eurodac. ↗

3921 Ukraine Has Begun Preparations for Establishing a National Schengen Management System. EU/UA, 2026. ↗

3922 Ukraine Has Begun Preparations for Establishing a National Schengen Management System. State Border Guard Service of Ukraine, 2026. ↗

At the same time, the indicative plan for establishing the national Schengen management system identifies the first key task — conducting screening, **developing the National Schengen Strategy and preparing the Action Plan on the Schengen Agreement**.

The first stage of screening was planned to be conducted from February to June 2026 inclusive. The list of tasks concerned the functioning of authorities applying the Schengen acquis, evaluation, monitoring and judicial cooperation in criminal matters. The screening also covered cooperation between law enforcement authorities and internal security, as well as control over the illicit trafficking of weapons and ammunition. Screening was also carried out with regard to the compliance of Ukrainian legislation with the Schengen acquis. The interim screening results were presented **on 3 July 2026** during a meeting of TWG 1 on Schengen management.[3923] Representatives of the SBGS Administration presented the findings of the screening report for the 'External Border Management' section and the need for expert support under the TAIEX instrument.[3924] During the presentation, it was noted that 53 acts in the areas within the remit of TWG 1 had been analysed and that 30 acts still required analysis.[3925]

During the second stage (July–December 2026), the **development of the draft National Schengen Strategy is planned**, which will define the vision and strategic objectives for applying the full scope of the Schengen rules.

Implementation of the tasks set out in the indicative plan requires the involvement of international experts with relevant experience and knowledge in assessing Schengen legal acts and the necessary institutional and legislative changes.

There is also an **urgent need for an official list of Schengen legislation**. The relevant Ukrainian public authorities have developed an unofficial list of Schengen legislation, with general and special parts, which may serve as a basic reference point for moving forward.[3926] However, there is a risk that once central executive authorities begin work, conduct screening and develop the draft National Schengen Strategy, adjustments may later be needed after certified international experts start assessing the work carried out.

The designation of the state authority responsible for performing the functions of the national contact point and national coordination centre for cooperation with Frontex, as well as ensuring the legal, organisational, technological and staffing capacities of the Integrated Border Management Coordination Centre, requires legislative regulation (Regulation (EU) 2019/1896).[3927]

On 9 July 2026, representatives of the SBGS met with Frontex and EU partners to strengthen cooperation and prepare for the launch of a capacity-building project in

3923 Information obtained following a consultation with representatives of the SBGS Administration on 03.07.2026.

3924 TAIEX (Technical Assistance and Information Exchange) is a short-term technical assistance and information exchange instrument provided by the European Commission to build institutional capacity, approximate and implement national legislation in line with European Union law (acquis communautaire) and ensure its subsequent effective application.

3925 Information obtained following a consultation with representatives of the SBGS Administration on 03.07.2026.

3926 Ukraine Has Begun Preparing for the Implementation of the Schengen Acquis: First Steps and Challenges. Europe without Barriers, 2026. ↗

3927 Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624. ↗

the areas of integrated border management and asylum procedures, define common approaches and agree further steps to deepen the partnership.[3928]

Recommendations

1. The SBGS and the MoIA should involve international experts with an appropriate level of knowledge of legislative screening in accordance with Schengen requirements in the work of the TWGs established by the Interagency Working Group on Coordination of Measures in the Field of Schengen Management.

2. The SBGS Administration and the SMS should analyse the EU legal acts that remain unreviewed to determine whether they should be transposed into the national legislation of Ukraine and reanalyse the consolidated conclusions on the acts already reviewed.

3. The MoIA should designate the state authority responsible for performing the functions of the national contact point and national coordination centre for cooperation with Frontex.

4. The Government Office for Coordination of European and Euro-Atlantic Integration should provide TWG members with consultations on Schengen-related issues and translation of Ukrainian legislation being adapted to the Schengen acquis.

Implementation of Strategic Documents in the Field of Border Management

Progress and issues

On 20 April 2026, a meeting of the Interagency Working Group on Integrated Border Management[3929] was held, at which the key presentation concerned the assessment of the implementation of the Integrated Border Management Strategy until 2025[3930] and plans for implementing the draft relevant Strategy for the period after 2025.

The key achievements in the implementation of the Integrated Border Management Strategy until 2025 included the following measures:[3931]

1) amendments were introduced to the CC of Ukraine and the CPC of Ukraine regarding the criminalisation of smuggling of goods and excisable goods, as well as the submission of false information during the declaration of goods;[3932]

3928 The SBGS Strengthens Cooperation with Frontex and EU Partners: Capacity-Building Project Set to Launch. State Border Guard Service of Ukraine. 2026. ↗

3929 A meeting of the Interagency Working Group on Coordination of Integrated State Border Management of Ukraine was held. State Border Guard Service of Ukraine, 2026. ↗

3930 On Approval of the Integrated Border Management Strategy for the Period until 2025: Order of the Cabinet of Ministers of Ukraine No. 687 of 24.07.2019. ↗

3931 The list of key achievements is provided selectively. The full list of results is contained in the Report of the Administration of the State Border Guard Service of Ukraine on the implementation of the Integrated Border Management Strategy for the period until 2025. The report is not publicly available and was obtained as part of the preparation of this report.

3932 On Amendments to the Criminal and Criminal Procedure Codes of Ukraine Regarding the Criminalisation of Smuggling of Goods: Law of Ukraine No. 3513-IX of 09.12.2023. ↗

2) the use of criminal analysis in criminal proceedings was regulated by amending Article 8 of the Law of Ukraine 'On Operational-Search Activities';[3933]

3) provisions were introduced on the integrated interagency information system for the control of persons and means crossing the state border;

4) within the common transit procedure, the transition was made to the use of the NCTS Phase 5 electronic transit system;

5) joint border and customs control was extended to 14 border crossing points on the border with the Republic of Poland and the Republic of Moldova;

6) the Strategy for the Development and Improvement of Border Infrastructure with the Countries of the European Union and the Republic of Moldova until 2030 and the operational action plan for its implementation in 2024–2030 were approved;[3934]

7) a Memorandum on the introduction of an advance notification system for emergencies at border crossing points on the border with the Slovak Republic was signed and entered into force on 26 July 2024.[3935] Preparations for the signing of a Memorandum on the introduction of an advance notification system for emergencies on the border with Romania have been completed;[3936]

8) the Coordination Centre for Countering the Illicit Trafficking of Firearms, Their Essential Components and Parts, as well as Ammunition, was established;[3937]

9) the Integrated State Border Management Coordination Centre was established.[3938]

To implement the European components of border security, the draft ISBM Strategy for the period after 2025 takes into account **15 nationally adapted components of integrated state border management** provided for by Regulation (EU) 2019/1896[3939] of the European Parliament and of the Council on the European Border and Coast Guard Frontex and repealing Regulation (EU) No 1052/2013[3940] and Regulation (EU) 2016/1624,[3941] Management Board Decision No. 30/2023 adopting the Technical and Opera-

3933 On Operational-Search Activities: Law of Ukraine No. 2135-XII of 18.02.1992. ↗

3934 On Approval of the Strategy for the Development and Improvement of Border Infrastructure with the Countries of the European Union and the Republic of Moldova until 2030 and Approval of the Operational Action Plan for its Implementation in 2024–2030: Order of the Cabinet of Ministers of Ukraine No. 1337 of 24.12.2024. ↗

3935 Integrated State Border Management Strategy of Ukraine. State Border Guard Service of Ukraine. ↗

3936 Ibid.

3937 For details, see the subsection 'Circulation of Firearms and Ammunition and Control over Them' of the section 'Fight against Serious Crime and Organised Crime' of this report.

3938 On the Establishment of the Integrated State Border Management Coordination Centre: Resolution of the Cabinet of Ministers of Ukraine No. 426 of 12.04.2024. ↗

3939 Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624. ↗

3940 Regulation (EU) No 1052/2013 of the European Parliament and of the Council of 22 October 2013 establishing the European Border Surveillance System (Eurosur). ↗

3941 Regulation (EU) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard and amending Regulation (EU) 2016/399 of the European Parliament and of the Council and repealing Regulation (EC) No 863/2007 of the European Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/EC. ↗

tional Strategy for European Integrated Border Management 2023–2027,[3942] Regulation (EU) 2016/399[3943] of the European Parliament and of the Council on a Union Code on the rules governing the movement of persons across borders, as well as the EU legal and policy requirements concerning the Schengen acquis.

A notable area of progress was the inclusion of tasks to strengthen interaction and coordination between public authorities and other stakeholders **in the draft objectives of two Strategies — the ISBM Strategy and the State Migration Policy Strategy for the period after 2025**.

In particular, the draft ISBM Strategy contains two separate objectives out of 15 — **Objective 5**, 'Development of interaction and information exchange between integrated state border management actors' and **Objective 6**, 'Development of interaction with public authorities, local self-government bodies and civil society in the performance of tasks by integrated state border management actors'.[3944] Objective 6 of the Strategy is an entirely new attempt to ensure sustainable interaction between public authorities, local self-government bodies and civil society organisations.

Such joint initiatives as the planning, monitoring and implementation of measures in the field of border protection and development are envisaged among all stakeholders.

The inclusion of issues concerning interaction between public authorities and other stakeholders in key strategic documents in the field of migration and borders indicates moderate progress and a proper understanding by the authorities of the need to improve coordination, as well as their readiness to develop relevant mechanisms for practical implementation in the Action Plans of both Strategies.[3945]

Recommendations

1. The NSDC and the Government should approve the Integrated State Border Management Strategy and the relevant Action Plan for the period after 2025.

2. The Ministry for Restoration, Infrastructure and Transport of Ukraine should intensify work on concluding agreements on joint customs and border control with neighbouring parties.

3942 Management Board Decision 43/2024 amending Management Board Decision 30/2023 of 20 September 2023 adopting the Technical and Operational Strategy for European Integrated Border Management 2023-2027. FRONTEX. ↗

3943 Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) (codification). ↗

3944 Integrated State Border Management Strategy of Ukraine. State Border Guard Service of Ukraine. ↗

3945 See, for example: Countering Illegal Migration and Offences in the Migration Field Discussed in Kyiv. State Migration Service of Ukraine, 2026. ↗

Annex 1 to the Report



Information on Progress Achieved During August 2026 in the Areas Covered under Chapter 23 'Judiciary and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of Negotiating Cluster 1 'Fundamentals of the EU Accession Process'

CHAPTER 23 'JUDICIARY AND FUNDAMENTAL RIGHTS'

RULE OF LAW

Judicial Reform

Judicial Reform Strategy: Progress, Issues and Prospects

As of the end of August 2026, the Strategy for the Development of the Justice System and Constitutional Court Proceedings for 2025–2029 remained unapproved.

Meanwhile, Iryna Mudra, the Deputy Head of the Office of the President of Ukraine (Office of the President) responsible for legal policy, and Viktor Dubovyk, Director General of the Directorate for Legal Policy of the Office of the President, who were involved in developing the draft Strategy, were notified of suspicion of committing a number of criminal offences.[3946] Iryna Mudra was dismissed from office.[3947]

Given that both Deputy Heads of the Office of the President who were responsible for judicial reform — Iryna Mudra and her predecessor Andrii Smirnov — are suspected of committing a number of criminal offences, including corruption offences, allegedly committed while serving in the Office of the President,[3948] the appropriateness of retaining responsibility for the judiciary within the remit of a Deputy Head of the Office of the President should be reconsidered.

3946 Preventive Measure Imposed on Former Deputy Head of the Office of the President of Ukraine. High Anti-Corruption Court, 2026. ↗; HACC Imposes Preventive Measure on Director General of the Department of Legal Policy of the Office of the President of Ukraine. High Anti-Corruption Court, 2026. ↗

3947 On Dismissal of I. Mudra from the Position of Deputy Head of the Office of the President of Ukraine: Decree of the President of Ukraine No. 734/2026 of 19.08.2026. ↗

3948 Case of Former Deputy Head of the Office of the President Andrii Smirnov concerning Laundering of Illegally Acquired Funds and Acceptance of an Offer of a Bribe. HACC Decided, 2026. ↗

Recommendations

1. Given the lack of interest on the part of the President of Ukraine (President) in approving and implementing the Strategy for the Development of the Justice System and Constitutional Court Proceedings, the assignment of responsibility for developing such a Strategy to the Office of the President should be reconsidered. A more appropriate option would be for a strategy for the development of the judiciary to be developed and approved by the High Council of Justice (HCJ), following consultations with the Supreme Court (SC).[3949]

2. To minimise the risk of influence by the Office of the President over judges and the judiciary, it would be advisable to review the remit of Deputy Heads of the Office of the President and exclude responsibilities relating to the judiciary.[3950] The President's participation in developing strategic documents concerning the judiciary should instead be ensured through the establishment of temporary collegial advisory and consultative bodies.

Institutional Capacity and Competitive Selection to Key Judicial Institutions

High Council of Justice

Staffing of the HCJ

As of 31 August 2026, the HCJ was operating with 17 of its 21 members.[3951] On 27 August 2026, the Congress of Representatives of Higher Legal Education Institutions and Scientific Institutions elected a new HCJ member under its quota.[3952] At the same time, the four-year terms of office of three HCJ members expired in August 2026.[3953]

The 21st Extraordinary Congress of Judges of Ukraine has been postponed, and a new date will be determined after the Council of Judges of Ukraine (CJU) receives the Ethics Council's conclusions on whether 71 candidates meet the criteria of professional ethics and integrity, together with recommendations on their election as HCJ members.[3954]

Exercise of the HCJ's Powers

The HCJ approved its Strategy of Activities for 2026–2030,[3955] which identifies the following priorities: reorganising the court network, addressing staff shortages, developing predictable and transparent disciplinary practice, advancing e-justice and intro-

3949 Systematised Corruption vs the Rule of Law. Agency for Legislative Initiatives, 2026. ↗

3950 Ibid.

3951 Composition of the High Council of Justice. High Council of Justice, 2026. ↗

3952 Oleksandr Zhytnyi Elected HCJ Member by the Congress of Academics. High Council of Justice, 2026. ↗

3953 Two HCJ members under the quota of the Verkhovna Rada of Ukraine and one HCJ member under the quota of the Congress of Representatives of Higher Legal Education Institutions and Scientific Institutions were elected to office in August 2022.

3954 Council of Judges of Ukraine Postpones the 21st Extraordinary Congress of Judges of Ukraine. Council of Judges of Ukraine, 2026. ↗

3955 High Council of Justice Approves the HCJ Strategy of Activities for 2026–2030. High Council of Justice, 2026. ↗

ducing modern digital technologies, including artificial intelligence as an auxiliary tool in the work of justice system bodies, strengthening cybersecurity and creating a reserve of judges and court staff, among other measures.

In August 2026, the HCJ held two judges of the Criminal Cassation Court within the SC disciplinarily liable (these judges are currently suspects in criminal proceedings opened in relation to former SC President Vsevolod Kniaziev)[3956] and one judge of the liquidated District Administrative Court of Kyiv (DACK),[3957] imposing disciplinary sanctions in the form of motions for dismissal.

At the end of August 2026, Draft Law No. 15567 was registered in Parliament.[3958] It proposes abolishing the special appeal procedure, including appeals to the Grand Chamber of the SC against HCJ decisions adopted following consideration of disciplinary complaints. Instead, the draft law provides that such decisions, as well as other acts, actions or omissions of the HCJ, would be challenged under the general rules of administrative proceedings.

Recommendations

1. The HCJ should develop an Action Plan for the implementation of the HCJ Strategy of Activities for 2026–2030.

2. The Verkhovna Rada of Ukraine (Verkhovna Rada, Parliament) should refrain from adopting Draft Law No. 15567.

High Qualification Commission of Judges of Ukraine

Selection Commission for the Appointment of HQCJ Members

The Venice Commission is currently preparing an urgent opinion on the Draft Law of Ukraine 'On Amendments to the Law of Ukraine "On the Judiciary and the Status of Judges" and Certain Other Laws of Ukraine on Improving Competitive Selection Procedures for the Positions of a Member of the High Qualification Commission of Judges of Ukraine and a Member of the High Council of Justice'.[3959] The draft law addresses, inter alia, the involvement of international experts in the Selection Commission for the appointment of HQCJ members, the conditions for announcing competitions for HQCJ or HCJ member positions and the term of office of the Selection Commission. A

3956 On Holding Judges I. V. Hryhorieva and Zh. M. Yelenina of the Criminal Cassation Court within the Supreme Court Disciplinarily Liable: Decision of the Third Disciplinary Chamber of the High Council of Justice No. 1635/3dp/15-26 of 12.08.2026. ↗

3957 On Holding Judge V. V. Ameliokhin of the District Administrative Court of Kyiv Disciplinarily Liable: Decision of the Third Disciplinary Chamber of the High Council of Justice No. 1639/3dp/15-26 of 12.08.2026. ↗

3958 On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' and Other Legislative Acts of Ukraine on Introducing the General Procedure for Judicial Appeal against Decisions, Actions and Omissions of the High Council of Justice: Draft Law of Ukraine, registration No. 15567 of 27.08.2026. ↗

3959 'On the Judiciary and the Status of Judges' and Certain Other Laws of Ukraine on Improving the Selection Procedures for the Positions of a Member of the High Qualification Commission of Judges and a Member of the High Council of Justice: Draft Law, Explanatory Note and Comparative Table on Amendments to the Law of Ukraine. Venice Commission of the Council of Europe, 2026. ↗

preliminary analysis of the draft law indicates that it contains a number of problematic proposals.

Most importantly, instead of resolving the legislative conflicts described previously, the draft law creates new ones by adding hybrid models to those already in place, broadening the scope of legal uncertainty and increasing corruption risks in competitive procedures. This concerns, inter alia, the terms of operation of the Selection Commission and the Ethics Council, the timing for launching competitive procedures, eligibility requirements for candidates and the operating models of the secretariats of the Selection Commission and the Ethics Council.

Recommendations

The new competitive procedures proposed by the Draft Law of Ukraine 'On Amendments to the Law of Ukraine "On the Judiciary and the Status of Judges" and Certain Other Laws of Ukraine on Improving Competitive Selection Procedures for the Positions of a Member of the High Qualification Commission of Judges of Ukraine and a Member of the High Council of Justice' should not be introduced. Instead, the procedures for selecting HCJ and HQCJ members should be brought into line with common standards and rules, approaches to candidate assessment should be unified, the terms of operation of the Selection Commission and the Ethics Council should be extended and approaches to the work of their secretariats should be harmonised.

Once a revised version of the draft law has been developed, it should be discussed with all relevant stakeholders, including civil society representatives.

Staffing Procedures in the Judiciary

Competition for 25 Vacant Judicial Positions at the High Anti-Corruption Court (HACC) and the Appeal Chamber of the HACC (AC HACC)

In August 2026, the President appointed 12 judges to the HACC and five judges to the AC HACC.[3960]

Competition to the Specialised District Administrative Court and the Specialised Administrative Court of Appeal

At the end of August 2026, the HQCJ approved the results of the first stage of qualification assessment (the qualification examination) within the selection procedure for judges of the Specialised District Administrative Court (SDAC) and the Specialised Administrative Court of Appeal (SACA).[3961] The HQCJ plans to conduct the second stage of qualification assessment during the fourth quarter of 2026.[3962]

3960 President of Ukraine Supports HCJ Submissions on the Appointment of 29 Judges. High Council of Justice, 2026. ↗; President of Ukraine Supports HCJ Submissions on the Appointment of Five Judges. High Council of Justice, 2026. ↗

3961 Overall Results of the First Stage of Qualification Assessment Approved within Competitions for Vacant Judicial Positions at the Specialised District Administrative Court and the Specialised Administrative Court of Appeal. High Qualification Commission of Judges of Ukraine, 2026. ↗

3962 Ibid.

Declarations of Integrity and Family Ties

At the end of August 2026, Draft Law No. 15564 was registered in Parliament.[3963] It proposes establishing at legislative level a unified approach to assessing the integrity of judges and candidates for judicial office, to be applied consistently by different assessment bodies. The draft law provides for the concept of integrity to be expressly enshrined in law, defines its components, specifies the circumstances indicating compliance or non-compliance with each component and establishes uniform rules for assessing financial integrity.[3964]

Recommendations

Enshrining the concept of integrity and its components in legislation requires broad public discussion and consideration of international experience.

High Anti-Corruption Court

Logistical Support for the HACC

The premises allocated to the HACC during the reporting period at 35 Mytropolyta Vasylia Lypkivskoho Street, Kyiv, are currently unsuitable for the administration of justice and require renovation.[3965] However, as of the end of August 2026, the necessary funding was unavailable, and the HACC and AC HACC therefore continued to operate from their previous premises.[3966]

Recommendations

Ensure sufficient funding for the HACC to carry out renovation and other works required to adapt the building transferred to the HACC to the needs of the Court.

State Judicial Administration of Ukraine

In August 2026, the HCJ appointed two Deputy Heads of the State Judicial Administration of Ukraine (SJA), Violeta Myshkina and Ruslan Kholod.[3967]

As of 3 August 2026,[3968] 194 premises of courts and judicial bodies had sustained varying degrees of damage as a result of the Russian Federation's armed aggression, of which 170 premises belonged directly to courts. Compared with the data as of 3 June 2026,[3969] the number of damaged premises had increased.

3963 On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' on Establishing Unified Legislative Criteria for Assessing the Integrity of a Judge and a Candidate for Judicial Office: Draft Law of Ukraine, registration No. 15564 of 27.08.2026. ↗

3964 Ibid.

3965 Information provided by a representative of the HACC at working level.

3966 Ibid.

3967 Newly Appointed Deputy Heads of the SJA of Ukraine Take Up Their Duties. State Judicial Administration of Ukraine, 2026. ↗

3968 Analytical Note on Court and Judicial Body Premises Damaged and Destroyed as a Result of the Armed Aggression of the Russian Federation and Their Restoration, as of 3 August 2026. State Judicial Administration of Ukraine, 2026. ↗

3969 Analytical Note on Court and Judicial Body Premises Damaged and Destroyed as a Result of the Armed Aggression of the Russian Federation and Their Restoration, as of 3 June 2026. State Judicial Administration of Ukraine, 2026. ↗

At the same time, three new court premises were opened during August 2026: the Dolynskyi District Court of Kirovohrad Region, the Kyiv-Sviatoshynskyi District Court of Kyiv Region and the Smila City District Court of Cherkasy Region.[3970]

Constitutional Court of Ukraine: Institutional Capacity and Competitive Selection

Staffing of the Constitutional Court of Ukraine (CCU)

On 4 August 2026, the Selection Commission under the President announced the launch of a competitive selection for one vacant CCU judicial position under the President's quota.[3971] Applications for participation in the competition will be accepted until 8 September 2026.

On 19 August 2026, the CJU announced a competition for one CCU judicial position[3972] under the quota of the Congress of Judges of Ukraine.[3973] The term of office of Judge Viktor Horodovenko, appointed under the quota of the Congress of Judges, will expire on 21 November 2026. Applications for participation in the competition will be accepted until 21 September 2026.

At the end of August, the Advisory Group of Experts completed its assessment of candidates within the competitive selection launched by the CJU on 22 January 2026 and formed a ranked list of five candidates.[3974]

State of Judicial Independence

At the end of August 2026, Draft Resolution No. 15568[3975] was registered in Parliament. It provides for the re-establishment of the Temporary Investigative Commission of the Verkhovna Rada of Ukraine to investigate possible facts of corruption or corruption-related offences in law enforcement bodies, courts and judicial bodies (TIC). The need for such a commission is justified by the need to continue parliamentary oversight of the activities of the relevant bodies and to continue parliamentary investigations initiated by the previous TIC.[3976] However, given the previous TIC's interference with judicial

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3970 A Journey through Years and Challenges: New Building of the Dolynskyi District Court Officially Opened in Kirovohrad Region. State Judicial Administration of Ukraine, 2026. ↗; New Premises for the Kyiv-Sviatoshynskyi District Court. State Judicial Administration of Ukraine, 2026. ↗; Three Old Buildings Replaced by One Modern Facility: New Building for the Smila City District Court. State Judicial Administration of Ukraine, 2026. ↗

3971 Announcement on the Launch of a New Competitive Selection for a Vacant Position of a Judge of the Constitutional Court of Ukraine among Persons Appointed by the President of Ukraine. Official Internet Representation of the President of Ukraine, 04.08.2026. ↗

3972 Council of Judges of Ukraine Announces the Launch of a New Competition for the Position of Judge of the Constitutional Court of Ukraine. Council of Judges of Ukraine, 2026. ↗

3973 The term of office of Judge Viktor Horodovenko (quota of the Congress of Judges) will expire on 21 November 2026.

3974 Publication by the Advisory Group of Experts on the social network Facebook, 2026. ↗

3975 On the Establishment of the Temporary Investigative Commission of the Verkhovna Rada of Ukraine to Investigate Possible Facts of Corruption or Corruption-Related Offences in Law Enforcement Bodies, Courts and Judicial Bodies: Draft Resolution of the Verkhovna Rada of Ukraine, registration No. 15568 of 27.08.2026. ↗

3976 On the Establishment of the Temporary Investigative Commission of the Verkhovna Rada of Ukraine to Investigate Possible Facts of Corruption or Corruption-Related Offences in Law Enforcement Bodies, Courts and Judicial Bodies: Resolution of the Verkhovna Rada of Ukraine No. 4511-IX of 19.06.2025. ↗

independence, re-establishing a commission with the same functions and a similar composition appears questionable.

As of the end of August 2026, the issue of implementing Law No. 4905-IX[3977] remained unresolved. This concerns the use, in determining the basic judicial salary, of the subsistence minimum for able-bodied persons in the amount established by the Law on the State Budget for the relevant year (State Budget).[3978] Judicial salaries have been brought into compliance with this Law only at the CCU[3979] and the HACC,[3980] due to judicial vacancies remaining unfilled during the previous seven months and the resulting savings in the general fund of the allocated budget.[3981]

Judicial self-governance continues to emphasise[3982] that implementing the requirements of Law No. 4905-IX does not require additional expenditure from the general fund of the State Budget, as it can be financed from accumulated resources in the special fund of the judiciary budget. However, the Ministry of Finance of Ukraine has not approved this approach.[3983] As a result, different approaches to calculating and paying judicial remuneration have been artificially created, placing judges in unequal positions and undermining guarantees of judicial independence.

The Ministry of Finance of Ukraine is currently calculating the 2027 expenditure ceilings for judicial remuneration using a subsistence minimum for able-bodied persons of UAH 2,102.[3984] At the same time, the State Budget parameters should be calculated using the subsistence minimum for able-bodied persons applicable in 2027, which is UAH 3,691.[3985] Accordingly, a violation of guarantees of judicial independence is already being embedded at the stage of preparing the 2027 State Budget.

Recommendations

1. Parliament should reject Draft Resolution of the Verkhovna Rada No. 15568. The issue of interference by MPs in the activities of the judiciary through the establishment and operation of temporary investigative commissions should be subject to broad professional discussion.

2. The Cabinet of Ministers of Ukraine (Government) should implement the provisions of Law No. 4905-IX concerning the amount of judicial remuneration and elimi-

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3977 On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' and the Law of Ukraine 'On the High Council of Justice' Regarding Improvement of Judicial Integrity Declarations and Declarations of Family Ties: Law of Ukraine No. 4905-IX of 09.06.2026. ↗

3978 Council of Judges of Ukraine Adopts an Appeal to the President of Ukraine on Restoring Guarantees of Judicial Independence. Council of Judges of Ukraine, 2026. ↗

3979 Based on an analysis of notifications of significant changes in property status.

3980 Ibid.

3981 Council of Judges of Ukraine Adopts an Appeal to the President of Ukraine on Restoring Guarantees of Judicial Independence. Council of Judges of Ukraine, 2026. ↗

3982 Ibid.

3983 Ibid.

3984 HCJ Adopts a Public Appeal to the Cabinet of Ministers of Ukraine and the Ministry of Finance of Ukraine. High Council of Justice, 2026. ↗

3985 Ibid.

nate the situation in which different methods are used to calculate judicial remuneration for judges of different courts.

3. When calculating judicial remuneration in preparing the parameters of the 2027 State Budget, the subsistence minimum for able-bodied persons applicable in 2027, amounting to UAH 3,691, should be used.

Prosecution Reform

Activities of Prosecutorial Self-Governance Bodies

All-Ukrainian Conference of Prosecutors

In August 2026, measures were taken to ensure the continued functioning of prosecutorial self-governance bodies. On 2 June 2026, the Council of Prosecutors of Ukraine (CPU) had adopted a decision to hold the regular All-Ukrainian Conference of Prosecutors.

The All-Ukrainian Conference of Prosecutors was held on 27 August 2026, during which 11 new CPU members were elected.[3986] At the same time, **one CPU member representing the SAPO and two academics continue to exercise their powers, as their** five-year terms have not yet expired. For unknown reasons, one member representing a regional prosecution office was not elected. **Vasyl Martyniuk**, a representative of the Rivne Regional Prosecution Office, was elected **Head of the CPU.**[3987]

At the Conference, amendments were also approved to the Regulation on the CPU, the Code of Professional Ethics and Conduct of Prosecutors, the Regulation on the Procedure for the Operation of the Body Conducting Disciplinary Proceedings and the Rules of Procedure of the All-Ukrainian Conference of Prosecutors.

At the previous All-Ukrainian Conference of Prosecutors in 2024, as part of a pilot project, a relevant working group conducted a preliminary assessment of candidates for the Qualification and Disciplinary Commission of Prosecutors (QDCP).[3988] This practice was not applied at the 2026 Conference. Accordingly, the new CPU was elected for five years under the previous rules, without a preliminary assessment of its members' compliance with professional and integrity criteria.

It had previously been announced that the All-Ukrainian Conference of Prosecutors would also consider the **election of two HCJ members.**[3989] As of 31 August 2026, neither the website of the Prosecutor General's Office nor the HCJ website contained information on the results of voting on candidates for HCJ membership under the prosecution authorities' quota. At the same time, the HCJ website published a list of 15 can-

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3986 All-Ukrainian Conference of Prosecutors Appoints Members of the Council of Prosecutors of Ukraine. Prosecutor General's Office, 2026. ↗

3987 On the Election of the Head, Deputy Head and Secretary of the Council of Prosecutors of Ukraine: Decision of the Council of Prosecutors of Ukraine No. 119 of 28.08.2026. ↗

3988 With the support of the EU Project 'Pravo-Justice', the working group assessed candidates for the QDCP, including against the integrity criterion, at the request of the CPU.

3989 Information for Candidates for Delegates from the Prosecutor General's Office and Elected Delegates to the All-Ukrainian Conference of Prosecutors. Prosecutor General's Office, 2026. ↗

didates for election to the HCJ by the regular All-Ukrainian Conference of Prosecutors,[3990] specifying that the Conference was to be held on 27 August 2026.

During the All-Ukrainian Conference of Prosecutors, the **CPU presented a report on the implementation of the tasks of prosecutorial self-governance bodies for 2021–2026**.[3991] During the term of the previous CPU composition, 531 recommendations were made concerning the appointment of prosecutors to administrative positions, 13 clarifications were issued on compliance with conflict-of-interest legislation in prosecutorial activities and 50 reports of threats to prosecutorial independence were considered, with such threats established in nine cases. Among its achievements, the CPU noted the adoption by the Cabinet of Ministers of Ukraine of Resolution No. 794,[3992] which extended eligibility for affordable mortgage lending to prosecutors within Ukraine's prosecution service.

Selection of Prosecutors

On 26 August 2026, the QDCP determined the ranking of candidates for 121 district prosecutor positions following the selection procedure launched in December 2025.[3993] These candidates were included in the reserve for filling vacant positions of prosecutors in district prosecution offices. **On 31 August 2026, the QDCP** also announced **a new selection for 71 district prosecutor positions**.[3994]

Legal Education Reform

State-Funded Legal Education and State Grants for Legal Studies

On 18 August 2026, the Verkhovna Rada adopted at second reading and in entirety Law No. 4946-IX[3995] on the financing of higher education and the provision of state targeted support to higher education students (Draft Law No. 10399). The Law introduces a permanent mechanism of state financial support for higher education students alongside state-funded places. The main forms of state support include academic, social and special grants, Heroes' grants and preferential long-term loans for higher education.

The Law is relevant to state policy on legal education because it creates a legislative basis for financing tuition for fee-paying students through personalised state grants, the amount of which will depend on the results of external assessment and the chosen speciality.

3990 Candidates for the HCJ. High Council of Justice. ↗

3991 Report of the Council of Prosecutors of Ukraine on the Implementation of the Tasks of Prosecutorial Self-Governance Bodies for 2021–2026. 2026, 20 p. ↗

3992 On Amendments to Resolutions of the Cabinet of Ministers of Ukraine No. 856 of 2 August 2022 and No. 1176 of 22 September 2025: Resolution of the Cabinet of Ministers of Ukraine No. 794 of 17.06.2026. ↗

3993 On Determining the Ranking of Candidates for the Position of District Prosecutor in the Selection of Candidates for 121 District Prosecutor Positions: Decision of the Qualification and Disciplinary Commission of Prosecutors No. 332dk-26 of 26.08.2026. ↗

3994 On Conducting the Selection of Candidates for the Position of District Prosecutor: Decision of the Qualification and Disciplinary Commission of Prosecutors No. 336dk-26 of 31.08.2026. ↗

3995 On Amendments to Certain Laws of Ukraine Regarding the Financing of Higher Education and the Provision of State Targeted Support to Higher Education Students: Law of Ukraine No. 4946-IX of 18.08.2026. ↗

On 19 August 2026, the Cabinet of Ministers of Ukraine adopted Resolution No. 1030,[3996] approving the Procedure for implementing an experimental project on the provision of academic grants for higher education and regulating the main conditions for awarding academic grants to applicants in 2026. In 2026, grant support was extended for the first time to persons entering master's programmes on the basis of a bachelor's degree. Eligibility for a grant and its amount for such applicants are determined based on the results of the Unified Entrance Examination (UEE), the Unified Professional Entrance Examination (UPEE) and/or the Unified State Qualification Exam (USQE).

For applicants to specialities in the field of knowledge D 'Business, Administration and Law', which includes D8 Law and D9 International Law, a first-level grant is not available at either bachelor's or master's level. Applicants to legal specialities may qualify for a second-level grant: at bachelor's level, UAH 27,000 per academic year, provided they score at least 170 points in each of two subjects of the National Multi-Subject Test; at master's level, UAH 40,000 per academic year, provided they score at least 160 points in two entrance examinations selected from the UEE General Academic Competence Test, the UEE foreign language test and the UPEE or USQE, where provided for by law.[3997]

No special coefficient increasing the grant amount is provided for D8 Law or D9 International Law; accordingly, a speciality coefficient of 1 applies when determining the grant amount for these specialities. Irrespective of the speciality coefficient, a regional coefficient of 1.5 may apply to applicants who completed full general secondary education in 2026 in Zaporizhzhia, Mykolaiv, Sumy or Kharkiv region and enrolled in a higher education institution located in the same region.

Accordingly, Resolution of the Cabinet of Ministers of Ukraine No. 1030 regulated the main conditions for awarding academic grants to applicants in 2026, which as of 31 July 2026 had not been defined separately for the new intake. At the same time, grant support for applicants to D8 Law and D9 International Law is limited to the second-level grant, and no special sectoral coefficient increasing its base amount applies.

Licensing and Accreditation of Law Schools

On 25 August 2026, the National Agency for Higher Education Quality Assurance amended the List of Significant Shortcomings used by expert panels when assessing educational programmes against the Criteria for Assessing the Quality of Educational Programmes.[3998] The updated List expressly classifies as significant shortcomings a higher education institution's failure to analyse whether students' learning outcomes are confirmed by USQE results, or its failure to take measures to identify and eliminate the causes of an established discrepancy. The List also includes failure to comply with requirements for publishing qualification papers and non-compliance of the internal academic integrity assurance system with legislative requirements.

3996 On the Implementation of an Experimental Project on the Provision of Academic Grants for Higher Education: Resolution of the Cabinet of Ministers of Ukraine No. 1030 of 19.08.2026. ↗

3997 New Grants and Support for Master's Students: What Is Changing for 2026 Applicants. Ministry of Education and Science of Ukraine, 2026. ↗

3998 List of Significant Shortcomings: Annex 1 to the Expert Panel Report, approved by Decision of the National Agency for Higher Education Quality Assurance of 27.08.2024 (Minutes No. 15 (65)), as amended by Decision of the National Agency for Higher Education Quality Assurance of 25.08.2026 (Minutes No. 14 (105)). ↗

These changes are directly relevant to the accreditation of educational programmes in D8 Law and D9 International Law, as they strengthen the link between students' external assessment results, the internal education quality assurance system and the consequences of accreditation review. At the same time, the amendments to the List of Significant Shortcomings do not introduce a special accreditation procedure for legal education programmes, mandatory consideration of graduate employment indicators or mandatory participation of representatives of the legal professions in expert panels.

The draft order amending the Regulation on the Accreditation of Educational Programmes for the Training of Higher Education Students, published by the Ministry of Education and Science of Ukraine (MoES) for public consultation on 2 July 2026, was not approved during August. Accordingly, as of 31 August 2026, the amendments proposed by the MoES remained at the draft stage, while the Regulation on the Accreditation of Educational Programmes for the Training of Higher Education Students, approved by MoES Order No. 686 of 15 May 2024,[3999] remained unchanged in the relevant part.

Updating Curricula and Professional Standards

In August 2026, work on the professional standards 'Advocate' and 'Advocate's Assistant' moved to the organisational stage. On 7 August 2026, the first meeting of the Ukrainian National Bar Association Committee on Standards of the Legal Profession was held, at which the establishment of a working group to develop the relevant professional standards was supported.[4000] The working group is expected to include representatives of employers, the academic community, educational institutions and a trade union. The draft professional standards are expected to be prepared within one year.

This development continues the work on professional standards for advocates and assistants to advocates launched in February 2026. Developing the relevant standards could provide a basis for further aligning higher education standards for D8 Law and D9 International Law with the requirements of the professional environment, including as regards professional, digital and ethical competences.

At the same time, during August 2026, the draft professional standards 'Advocate' and 'Advocate's Assistant' had not yet been developed, submitted for public consultation or approved. No new higher education standards for D8 Law or D9 International Law were approved either.

FIGHTING CORRUPTION

Institutional Framework

On 5 August 2026, during the hearing on a preventive measure for former Deputy Prime Minister for European and Euro-Atlantic Integration and former Ambassador of Ukraine to the United States Olha Stefanishyna, who had been notified by the National Anti-Corruption Bureau of Ukraine (NABU) and the Specialised Anti-Corruption Prosecutor's

3999 On Approval of the Regulation on the Accreditation of Educational Programmes for the Training of Higher Education Students: Order of the Ministry of Education and Science of Ukraine No. 686 of 15.05.2024. ↗

4000 Professional Standards for Advocates and Assistants to Advocates to Be Prepared by the UNBA. Ukrainian National Bar Association, 2026. ↗

Office (SAPO) of suspicion of illicit enrichment and submitting false information in an asset declaration, a SAPO prosecutor disclosed correspondence indicating her alleged influence over the competition for the position of Head of the National Agency on Corruption Prevention (NACP).[4001] The correspondence concerned instructions to Oleksandr Bukhanevych, State Secretary of the Ministry of Justice of Ukraine (MoJ), regarding the composition of the selection commission, the identification of preferred candidates and the exchange of colour-coded candidate lists with commission members delegated by the Government. Similar interaction was also mentioned in relation to the selection of the leadership of the Economic Security Bureau of Ukraine (ESBU) and the NABU Director. These circumstances confirm that the participation of international experts with a decisive vote in selection commissions remains a critically important safeguard against the politicisation of selections for senior positions in anti-corruption and judicial bodies.

On 19 August 2026, the NABU and the SAPO published the results of the 'Forrest Gump' special operation. According to the investigation materials, former Deputy Head of the Office of the President Iryna Mudra, former MP Maksym Mykytas and other persons allegedly organised the laundering of UAH 150 million in cash to pay bail for one of the suspects in the 'Midas' case, using JSC 'Sense Bank', 100% of whose shares are owned by the state.[4002] In the published recordings, the Deputy Head of the Office of the President also discussed the need for a 'personnel reserve' for future competitions to anti-corruption bodies and a request to facilitate the election of preferred members of the NABU Public Oversight Council. These facts provide further evidence that the renewal of public authorities declared to international partners has not been accompanied by an end to attempts to influence the operation of the anti-corruption infrastructure, although the Deputy Head of the Office of the President was dismissed following publication of the investigation details.

Staffing progress was made during the reporting period. In August 2026, Presidential decrees appointing the winners of the competition to the HACC and the AC HACC were published on the website of the Office of the President.[4003] Twelve judges were appointed to the court of first instance and five to the AC HACC. The staffing of the HACC has not yet been completed. At the same time, the HCJ adjourned interviews with two serving HACC first-instance judges applying for positions in the AC HACC. Three further candidates are awaiting HQCJ recommendations to fill vacancies that may arise in the HACC as a court of first instance.

On 19 August 2026, the Competition Commission for Organising and Conducting Competitions for Administrative Positions in the SAPO announced an open competitive selection for the position of Deputy Head of the SAPO.[4004] The competition will follow

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4001 Independent International Experts Must Retain the Decisive Vote on Selection Panels. Transparency International Ukraine, 2026. ↗

4002 Operation 'Forrest Gump' / National Anti-Corruption Bureau of Ukraine and Specialised Anti-Corruption Prosecutor's Office. YouTube, 2026. ↗

4003 On the Appointment of Judges of the High Anti-Corruption Court: Decree of the President of Ukraine No. 782/2026 of 21.08.2026. ↗; On the Appointment of Judges of the Appeals Chamber of the High Anti-Corruption Court: Decree of the President of Ukraine No. 783/2026 of 21.08.2026. ↗; On the Appointment of a Judge of the High Anti-Corruption Court: Decree of the President of Ukraine No. 843/2026 of 31.08.2026. ↗

4004 SAPO Competition: Applications Open for the Deputy Head Position. Transparency International Ukraine, 2026. ↗

an updated procedure: the Commission consists of six rather than 11 members, and the possibility of blocking its decisions by preventing a quorum has been eliminated. Given that the term of office of SAPO Head Oleksandr Klymenko expires in July 2027 and that the successful candidate may subsequently perform the duties of SAPO Head, the transparency and timeliness of this selection are of particular importance.

Recommendations

The Verkhovna Rada should establish in legislation the mandatory participation of international experts with a decisive vote in competitive procedures for selecting the leadership of law enforcement and anti-corruption bodies and judicial institutions.

Asset Declaration Verification and Lifestyle Monitoring

In July 2026, the NACP completed automated verification of declarations submitted for 2025. During the declaration campaign, public officials submitted more than 634,000 declarations to the Unified State Register of Declarations of Persons Authorised to Perform the Functions of the State or Local Self-Government, of which 607,708 were eligible for automated verification. A total of 244,659 declarations, or 40.26% of those subject to verification, received confirmation of successful automated verification. By comparison, this indicator stood at 28% for 2021, 26% for 2022, 24% for 2023 and 40% for 2024. The NACP attributes the increase to improved quality of declaration completion and the effectiveness of the Agency's digital services, namely the 'Data for Declaration' and 'Autofill' functions.[4005]

However, these figures do not demonstrate the effectiveness of the financial control system in detecting illicit enrichment or unjustified assets. Automated verification can establish only that the automated process has not identified discrepancies exceeding 150 subsistence minimums.

Another illustrative example of the limitations of this tool is the case of former Deputy Prime Minister for European and Euro-Atlantic Integration, later Minister of Justice and Ambassador of Ukraine to the United States, Olha Stefanishyna. On 5 August 2026, the NABU and the SAPO notified her of suspicion under Article 368^5 of the Criminal Code of Ukraine (CC of Ukraine) (illicit enrichment of UAH 13.9 million) and Part 2 Article 366^2 of the CC of Ukraine (intentional submission of knowingly false information in an asset declaration in a particularly large amount). According to investigators, the official owned and used assets registered in the names of close associates and subordinates.[4006] None of this property was disclosed in her declarations. At the same time, all Olha Stefanishyna's declarations for 2022–2026 successfully passed the NACP's automated verification.[4007] As in the case of Herman Halushchenko, signs of corruption offences were identified not by the financial control system but in the course of a NABU investigation.

4005 NACP Completes Automated Verification of Declarations for 2025. National Agency on Corruption Prevention, 2026. ↗

4006 Between EU Integration, the United States and Corruption Suspicions: Two Cases Concerning Olha Stefanishyna. Transparency International Ukraine, 2026. ↗

4007 Unified State Register of Declarations of Persons Authorised to Perform the Functions of the State or Local Self-Government. ↗

State Financing of Political Parties

The political parties' reporting campaign for the second quarter of 2026 ended on 10 August 2026. More than 110 of the 399 parties registered in Ukraine, including 71 parties undergoing termination, failed to submit reports on property, income, expenditure and financial liabilities to the NACP. A similar figure was recorded for the first quarter of 2026, indicating the persistence of the problem.[4008] At the same time, 286 reports were submitted for the first quarter of 2026 — the highest number since mandatory reporting was restored in 2023 — and 287 reports for the second quarter.[4009]

Pursuant to Part 20 Article 17 of the Law of Ukraine 'On Political Parties in Ukraine',[4010] within 10 calendar days after the reporting deadline, the NACP publishes on its official website a list of parties that failed to submit reports on time and must ensure that those responsible are held liable. Failure to submit a report entails liability under Article 212^{21} of the Code of Ukraine on Administrative Offences (CUAO), in the form of a fine ranging from 300 to 400 non-taxable minimum incomes of citizens (UAH 5,100–6,800). The sanction remains disproportionately low and does not have a sufficient deterrent effect, as confirmed by the consistently high number of parties that systematically disregard the reporting obligation.

Legal Framework

On 19 August 2026, the Verkhovna Rada Committee on Law Enforcement recommended that five draft laws related to European integration and the reform of law enforcement and anti-corruption bodies not be included in the agenda of Parliament's 16th session, formally citing their 'loss of relevance':[4011] Draft Law No. 15343,[4012] which introduces a competitive selection procedure for the position of Prosecutor General; Draft Law No. 15334,[4013] which expands the investigative jurisdiction of the NABU, including by allowing the Bureau to investigate the leadership of the Office of the President and the State Bureau of Investigation (SBI), and grants the SAPO Head the right to independently submit extradition requests; Draft Law No. 15354,[4014] which suspends limitation periods in corruption cases after an indictment is referred to court and where the accused is mobilised; Draft Law No. 15333,[4015] which introduces mechanisms to counter artificial delays in court proceedings and repeals the so-called 'Lozovyi amend-

4008 More Than 110 Political Parties Failed to Submit Reports for the Second Quarter of 2026. National Agency on Corruption Prevention, 2026. ↗

4009 Ibid.

4010 On Political Parties in Ukraine: Law of Ukraine No. 2365-III of 05.04.2001, Part 20 Article 17. ↗

4011 Publication by the Verkhovna Rada Committee on Law Enforcement on the social network Facebook, 2026. ↗

4012 On Amendments to Certain Legislative Acts of Ukraine to Strengthen the Independence of the Position of the Prosecutor General: Draft Law of Ukraine No. 15343 of 22.06.2026. ↗

4013 On Amendments to the Criminal Procedure Code of Ukraine on Improving the Procedure for Determining Investigative Jurisdiction and Procedural Support for International Cooperation: Draft Law of Ukraine, registration No. 15334 of 16.06.2026. ↗

4014 On Amendments to Article 49 of the Criminal Code of Ukraine on Improving the Procedure for Calculating Limitation Periods for Criminal Liability: Draft Law of Ukraine, registration No. 15354 of 26.06.2026. ↗

4015 On Amendments to the Criminal Procedure Code of Ukraine on Strengthening the Effectiveness of Criminal Proceedings upon Expiry of Pre-Trial Investigation Time Limits and Preventing Abuse of Procedural Rights by Participants in Criminal Proceedings: Draft Law of Ukraine, registration No. 15333 of 16.06.2026. ↗

ments'; and Draft Law No. 13602,[4016] which provides for a reset of the SBI and a competition for the position of its Director in which independent international experts have a prevailing vote.

The Committee effectively recommended removing all five draft laws from further consideration without discussing them on the merits. The arguments advanced by Committee members — that these initiatives 'concern politics, not law', that their authors are not members of the Government working group on EU accession negotiations and that 'Government versions' of the draft laws are expected — do not alter the fact that the initiatives concern the implementation of specific European integration commitments rather than arbitrary initiatives by individual MPs. Anastasiia Radina, Chair of the Verkhovna Rada Committee on Anti-Corruption Policy, noted that the decision that Draft Law No. 15334 had 'lost relevance' — despite expanding NABU and SAPO investigative jurisdiction to cover the leadership of the Office of the President and the SBI Director — was taken against the backdrop of the 'Forrest Gump' special operation, in which the now former Deputy Head of the Office of the President features.[4017]

Recommendations

The Verkhovna Rada should review the decision of the Verkhovna Rada Committee on Law Enforcement and ensure that Draft Laws Nos. 15343, 15334, 15354, 15333 and 13602 are included in the agenda of the 16th session for substantive consideration.

Lobbying

The second lobbying activity reporting campaign ended on 1 August 2026. As of the end of the reporting period, 202 lobbying entities were registered in the Transparency Register (98 legal entities, including three foreign entities, and 104 individuals), of which 174 (86.1%) continued their activities, five had suspended them and 23 had ceased them. Reports for the first half of 2026 recorded 624 lobbying subjects, 277 lobbying targets, 505 officials approached by lobbyists, 1,216 interactions (including 335 meetings), 24 contracts for lobbying services and 545 clients and beneficiaries.[4018]

Compared with the first reporting campaign, substantial growth was recorded: the number of lobbying subjects more than doubled (from 298 to 624), the number of contracts increased from 10 to 24, and the number of clients and beneficiaries rose from 168 to 545. The highest number of interactions was recorded with representatives of the Verkhovna Rada (476), the Ministry of Economy, Environment and Agriculture of Ukraine (166), the Ministry of Health of Ukraine (72), the Ministry of Digital Transformation of Ukraine (50) and the Cabinet of Ministers of Ukraine (48).[4019]

4016 On Amendments to Certain Legislative Acts of Ukraine on Improving the Operation of the State Bureau of Investigation: Draft Law of Ukraine, registration No. 13602 of 06.08.2025. ↗

4017 Publication by Anastasiia Radina, Chair of the Verkhovna Rada Committee on Anti-Corruption Policy, on the social network Facebook, 2026. ↗

4018 Second Lobbying Activity Reporting Campaign Completed: Number of Lobbying Subjects and Clients More Than Doubled. National Agency on Corruption Prevention, 2026. ↗

4019 Ibid.

At the same time, reporting discipline remains problematic: of the 185 entities required to submit lobbying activity reports, only 153 (82.7%) did so within the prescribed time-frame, one submitted a late report and 31 entities (16.8%) failed to submit a report. Legal entities demonstrated better reporting compliance than individuals (89.1% compared with 76.3%).[4020]

PROTECTION OF FUNDAMENTAL RIGHTS AND FREEDOMS

Reintegration of Temporarily Occupied Territories and Protection of the Rights of Persons Affected by Russian Aggression (IDPs, Residents of Temporarily Occupied Territories, etc.)

In early August 2026, by Resolution No. 1003,[4021] the Government completed the distribution of powers between ministries, including in relation to the population affected by the aggression. The main powers concerning internally displaced persons (IDPs), temporarily occupied territories of Ukraine (TOT of Ukraine), deported persons and the return of citizens from abroad were concentrated in the newly established Ministry for Communities, Territories and Internally Displaced Persons of Ukraine, while social protection and the integration of IDPs remain within the remit of the Ministry of Social Policy, Family and Unity of Ukraine (Ministry of Social Policy). This creates potential risks for the consistent implementation of state policy, as the Ministry for Communities, Territories and Internally Displaced Persons of Ukraine is still at the stage of institutional establishment and, as of the reporting period, lacks the necessary resources. In addition, certain powers were omitted in the course of this distribution, namely the restoration of infrastructure, logistics and transport links in the TOT of Ukraine during reintegration, and the analysis and coordination of measures to create conditions for persons to enter and leave the TOT of Ukraine, including access for the population to humanitarian and logistics centres.[4022]

Recording Damage to the Personal Non-Property Rights of Persons Affected by the Russian Federation's Armed Aggression and the System of Support for Such Persons

In August 2026, the Register of Damage for Ukraine, established under the auspices of the Council of Europe, opened new categories for legal entities under which claims for damage may be submitted. The new categories concern damage to or destruction of immovable property belonging to the State of Ukraine (Category B) and legal entities (Category C), namely: B1.3 and C1.3 — Damage to or destruction of residential immovable property — residential premises; B1.4 and C1.4 — Damage to or destruction of residential immovable property — common areas; B1.5 — Damage to or destruction of public buildings and structures; C1.5 — Damage to or destruction of non-residential

4020 Ibid.

4021 Certain Issues of Optimising the Activities of Central Executive Bodies: Resolution of the Cabinet of Ministers of Ukraine No. 1003 of 06.08.2026. ↗

4022 Distribution of Powers between the Updated Ministry for Restoration and the Newly Established Ministry for Communities, Territories and Internally Displaced Persons in Protecting the Rights of People and Territories Affected by Armed Aggression. NGO 'Vplyv Group', 2026. ↗

immovable property (not related to business losses);[4023] C3.2 — Loss of control over property in temporarily occupied territories;[4024] and A3.4 — Loss of paid employment.[4025] Categories have also been opened allowing the State of Ukraine to claim compensation for documented expenditure incurred in supporting the affected population and restoring the safety of territories contaminated by mines and unexploded ordnance, and to build the evidentiary basis required for such claims.[4026]

Social Protection and Pension Payments

The Cabinet of Ministers of Ukraine, including the Ministry of Social Policy, was expected to begin work on bringing secondary legislation into line with Law No. 4924-IX,[4027] including by preparing a new version of Resolution of the Cabinet of Ministers of Ukraine No. 509 of 1 October 2014 'On Registration of Internally Displaced Persons'.[4028] The new version should ensure the practical implementation of the updated IDP registration model, including confirmation of registration status, updating of information, electronic interoperability and grounds for deregistration. At the same time, non-governmental organisations emphasise[4029] the need to adopt the new procedures in advance, maintain continuity of registration and related rights, remove digital and bureaucratic barriers and prevent deregistration from being used as a mechanism of indirect coercion to return to the TOT of Ukraine or to territories deemed safe.

In addition to the above Resolution, the Government must also develop and approve three new secondary normative legal acts: a procedure for establishing that conditions have been restored for safe, voluntary and dignified return to an abandoned place of residence; a procedure for assessing IDP needs, the extent to which those needs are met and integration at the place of residence at all stages of internal displacement; and a procedure for providing one-off assistance to IDPs upon voluntary return to an abandoned place of residence. Amendments must also be made to at least four other secondary normative legal acts.

Recommendations

Ensure the timely development, with public participation, and adoption of all secondary normative legal acts necessary to implement Law of Ukraine No. 4924-IX of 1 July 2026 'On Ensuring the Rights and Freedoms of Internally Displaced Persons' before it enters into force on 22 October 2026.

4023 Register of Damage for Ukraine Announces New Claim Categories for Compensation for Damaged or Destroyed Immovable Property for Legal Entities and the State of Ukraine. Register of Damage for Ukraine, 2026. ↗

4024 Register of Damage for Ukraine Announces New Claim Category for Legal Entities concerning Property in Temporarily Occupied Territories. Register of Damage for Ukraine, 2026. ↗

4025 Register of Damage for Ukraine Announces the Launch of Claim Category A3.4 concerning Loss of Paid Employment. Register of Damage for Ukraine, 2026. ↗

4026 Register of Damage for Ukraine Announces the Launch of Claim Categories B4 and B5 for the State of Ukraine. Register of Damage for Ukraine, 2026. ↗

4027 On Ensuring the Rights and Freedoms of Internally Displaced Persons: Law of Ukraine No. 4924-IX of 01.07.2026. ↗

4028 On Registration of Internally Displaced Persons: Resolution of the Cabinet of Ministers of Ukraine No. 509 of 01.10.2014. ↗

4029 Recommendations on Bringing Resolution of the Cabinet of Ministers of Ukraine No. 509 of 1 October 2014 'On Registration of Internally Displaced Persons' into Compliance with Law of Ukraine No. 4924-IX of 1 July 2026 'On Ensuring the Rights and Freedoms of Internally Displaced Persons'. Donbas SOS, 2026. ↗

Countering Discrimination and Hate Crime

No significant legislative changes addressing the previously identified gaps in anti-discrimination legislation were made in August 2026. At the same time, practical implementation continued of the new mechanism for responding to cases of sex-based discrimination, gender-based violence and sexual harassment.[4030]

During spring and summer 2026, commissions for considering complaints concerning sex-based discrimination, gender-based violence and sexual harassment began to be established within central executive bodies, their territorial bodies, local state administrations and local self-government bodies. In particular, on 8 April 2026, such a commission was established within the State Statistics Service of Ukraine.[4031] The mechanism is also being implemented at local level. On 4 August 2026, the Secretariat of the Kyiv City State Administration announced the establishment of the relevant commission.[4032]

The information published to date demonstrates only the formal establishment of a decentralised network of commissions across different types of public authorities and does not yet allow for an assessment of their accessibility to victims or the effectiveness of their work. Open sources contain no systematised information on the total number of commissions established within central and local authorities, the number of complaints received, the outcomes of their consideration, the duration of procedures, the implementation of commission recommendations or measures applied to persons found to have committed violations. Nor is there yet sufficient practice to assess how commissions apply the reversal of the burden of proof provided for in the Procedure for Responding to Cases of Sex-Based Discrimination.

As of the end of August 2026, no legislative amendments had been adopted to establish a fully-fledged mechanism for shifting the burden of proof in court cases concerning discrimination. In particular, the Government has still not submitted to Parliament a draft law substantively similar to the previously withdrawn Draft Law No. 15107.[4033]

For more than a year, the Verkhovna Rada Committee on Law Enforcement has been considering Draft Law No. 13597,[4034] which provides for amendments to the Code of Ukraine on Administrative Offences and the Criminal Code of Ukraine to combat manifestations of discrimination, as well as alternative Draft Laws Nos. 13597-1 and 13597-2.[4035]

4030 On Approval of the Procedure for Responding to Cases of Sex-Based Discrimination: Resolution of the Cabinet of Ministers of Ukraine No. 226 of 18.02.2026. ↗

4031 Regulation on the Commission for Considering Complaints concerning Sex-Based Discrimination, Gender-Based Violence and Sexual Harassment within the State Statistics Service of Ukraine: Order of the State Statistics Service of Ukraine No. 85 of 08.04.2026. ↗

4032 Commission for Considering Complaints concerning Sex-Based Discrimination Established within the Kyiv City State Administration. Kyiv City State Administration, 2026. ↗

4033 On Amendment to Article 81 of the Civil Procedure Code of Ukraine on Implementation of the Provisions of Council Directive 2004/113/EC: Draft Law of Ukraine, registration No. 15107 of 30.03.2026. ↗

4034 On Amendments to the Code of Ukraine on Administrative Offences and the Criminal Code of Ukraine on Combating Manifestations of Discrimination: Draft Law of Ukraine, registration No. 13597 of 04.08.2025. ↗

4035 On Amendments to Article 161 of the Criminal Code of Ukraine on Strengthening Liability for Violations of Citizens' Equality on Grounds of Race, Nationality, Regional Affiliation, Religious Beliefs, Disability and Other Characteristics: Draft Law of Ukraine, registration No. 13597-1 of 18.08.2025. ↗; On Amendments to the Code of Ukraine on Administrative Offences and Certain Other Laws of Ukraine on Combating Manifestations of Discrimination: Draft Law of Ukraine, registration No. 13597-2 of 20.08.2025. ↗

A draft law developed by the State Service of Ukraine for Ethnopolitics and Freedom of Conscience (DESS) to define and prohibit hate speech has progressed to the inter-agency consultation stage.[4036] On 6 August 2026, the National Council of Television and Radio Broadcasting of Ukraine considered the draft law and proposed refining the definition of hate speech to align it with the Law of Ukraine 'On Media'. This demonstrates further progress of the legislative initiative, although it does not resolve the issues previously identified regarding alignment of the different mechanisms of liability for manifestations of hate speech and is not harmonised with Draft Law No. 13597. As of the end of August 2026, the draft law had not been submitted to the Verkhovna Rada.

Recommendations

1. The Cabinet of Ministers of Ukraine and the National Social Service of Ukraine should ensure systematic monitoring of implementation of the Procedure for Responding to Cases of Sex-Based Discrimination, approved by Government Resolution No. 226, as regards the establishment of mechanisms for responding to cases of sex-based discrimination, gender-based violence and sexual harassment. This should include collecting and publishing information on the number of bodies in which commissions have been established, the number of complaints received and considered and the outcomes of their consideration.

2. The National Social Service of Ukraine should ensure uniform methodological approaches to the application by commissions of the reversal of the burden of proof, the assessment of facts of discrimination and consideration of cases in which sex-based discrimination intersects with other protected characteristics.

Freedom of Religion and Belief. Protection of the Rights of Indigenous Peoples and Persons Belonging to National Minorities

DESS continued its efforts to recognise structural units of the Ukrainian Orthodox Church (UOC), which de jure are separate religious organisations, as affiliated with a foreign religious organisation whose activities are prohibited in Ukraine, namely the Russian Orthodox Church. In August 2026, DESS identified signs of affiliation of the Administration of the Zaporizhzhia Eparchy of the UOC,[4037] and also launched a similar examination concerning the Administration of the Boryspil Eparchy of the UOC.[4038]

In August 2026, the text of amendments to the Action Plan on the Protection of the Rights of Persons Belonging to National Minorities (Communities) of Ukraine was published, although the Cabinet of Ministers of Ukraine had adopted the Order introducing those amendments in June 2026.[4039]

4036 Russian Blogger Added to the List of Prohibited Persons, New Competitions and Response Measures — Results of the National Council Meeting. National Council of Television and Radio Broadcasting of Ukraine, 2026. ↗

4037 Three Signs of Affiliation of the Zaporizhzhia Eparchy of the UOC Identified. State Service of Ukraine for Ethnopolitics and Freedom of Conscience, 2026. ↗

4038 DESS Launches Examination of the Affiliation of the Administration of the Boryspil Eparchy of the UOC with a Foreign Religious Organisation. State Service of Ukraine for Ethnopolitics and Freedom of Conscience, 2026. ↗

4039 On Amendments to the Action Plan on the Protection of the Rights of Persons Belonging to National Minorities (Communities) of Ukraine: Order of the Cabinet of Ministers of Ukraine No. 570 of 12.06.2026. ↗

Protection of the Rights of Persons with Disabilities

No systemic changes were made during August 2026 in the area of protecting the rights of persons with disabilities that would comprehensively address the problems previously identified in this report, and overall progress remained fragmented.

At the same time, a positive development was the adoption in August 2026 of the Law of Ukraine 'On Amendments to Certain Laws of Ukraine on Establishing Comprehensive State Support and Increasing Social Guarantees for Families with Persons with Disabilities'.[4040] The Law provides for the introduction, from 1 January 2027, of a base amount for determining state payments (not less than UAH 4,000) and guarantees state financing of early intervention services and respite services for parents of children with disabilities. However, systemic gaps in access to services remain for other categories of adults with disabilities. As of the end of August 2026, the Law was awaiting the President's signature.

A critical step backwards in reforming the disability determination system was the adoption of Law No. 4954-IX,[4041] which amended Law No. 4170-IX[4042] and postponed the introduction of a new system for assessing individual functioning based on the biopsychosocial model until 2030. This decision effectively removed the Ministry of Social Policy from conducting such assessments and entrenched the outdated medical model. Law No. 4954-IX will enter into force at the end of November 2026.

As of the end of August 2026, the Government had still not submitted to Parliament a draft law introducing a new system for assessing individual functioning based on the biopsychosocial model, despite strong criticism from a coalition of more than 20 human rights organisations.[4043] At the same time, the World Bank's SPIRIT project (Social Protection for Inclusion, Resilience, Innovation and Transformation), approved in May 2026 and implemented by the Ministry of Social Policy,[4044] should provide a strategic foundation for properly carrying out the reform. One of the project's three main areas is disability assessment reform: a shift from a purely medical assessment to a human-centred approach and an assessment of a person's actual needs.

Recommendations

Reverse the postponement of disability assessment reform until 2030 and involve the Ministry of Social Policy in developing a mechanism for assessing individual functioning based on the biopsychosocial model.

4040 On Amendments to the Law of Ukraine 'On State Social Assistance to Persons with Disabilities since Childhood and Children with Disabilities' on Establishing Comprehensive State Support and Increasing Social Guarantees for Families with Persons with Disabilities: Draft Law of Ukraine, registration No. 14191 of 05.11.2025. ↗

4041 On Amendments to Certain Laws of Ukraine on Ensuring the Right of Service Members, Veterans and Prisoners of War Released from Captivity to Adequate Medical Care, Rehabilitation and Prosthetics: Law of Ukraine No. 4954-IX of 19.08.2026. ↗

4042 On Amendments to Certain Legislative Acts of Ukraine on Reforming Medical and Social Expert Assessment and Introducing Assessment of a Person's Daily Functioning: Law of Ukraine No. 4170-IX of 19.12.2024. ↗

4043 Civil Society Appeal to MPs concerning Attempts to Postpone Disability Reform until 2030. Patients of Ukraine, 2026. ↗

4044 World Bank Approves USD 880 Million SPIRIT Project to Transform Ukraine's Social Protection System. Ministry of Social Policy, Family and Unity of Ukraine, 2026. ↗

Gender Equality and Protection of LGBTIQ+ Rights

No significant legislative changes were made during August 2026 in the area of gender equality and protection of LGBTIQ+ rights. At the same time, on 21 August 2026, the Cabinet of Ministers of Ukraine registered Draft Law No. 15545,[4045] which substantively reproduces the main provisions of the previously withdrawn Draft Law No. 14036.[4046] The draft law proposes amendments to the Disciplinary Statute of the National Police of Ukraine aimed at integrating the principles of equality and non-discrimination into the service discipline system: establishing an obligation for police officers to refrain from discrimination and sexual harassment, introducing responsibility of managers for ensuring equal rights of women and men within units and establishing procedural response mechanisms, including internal investigations by disciplinary commissions with due regard to gender balance in their composition.

Recommendations

The Verkhovna Rada should adopt the Draft Law 'On Amendments to the Disciplinary Statute of the National Police of Ukraine on Regulating the Prevention of Sex-Based Discrimination and Sexual Harassment in the Workplace' (registration No. 15545).

CHAPTER 24 'JUSTICE, FREEDOM AND SECURITY'

COMBATING SERIOUS CRIME AND ORGANISED CRIME

Status of Implementation of Strategic Documents on Law Enforcement Reform

The third meeting of the expert-level working group of the Coordination Council for Monitoring the Implementation of the Action Plan aimed at implementing the Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027 (OAS) was held on 27 August 2026.[4047] The working group approved the draft concept for a law 'On Law Enforcement Agencies', reviewed implementation of measures under the OAS Action Plan and identified a list of 15 priority draft laws on law enforcement reform. The main elements of the draft concept are: (1) the status and exhaustive list of law enforcement agencies; (2) the powers and competence of each agency, ensuring a clear division of areas of responsibility; (3) the status of law enforcement officers; (4) disciplinary liability; and (5) democratic civilian oversight. Work on preparing the Draft Law 'On Law Enforcement Agencies' is expected to be completed in December 2026.[4048]

4045 On Amendments to the Disciplinary Statute of the National Police of Ukraine on Regulating the Prevention of Sex-Based Discrimination and Sexual Harassment in the Workplace: Draft Law of Ukraine, registration No. 15545 of 21.08.2026. ↗

4046 On Amendments to the Disciplinary Statute of the National Police of Ukraine on Regulating the Prevention of Sex-Based Discrimination and Sexual Harassment in the Workplace: Draft Law of Ukraine, registration No. 14036 of 12.09.2025. ↗

4047 Deputy Minister of Internal Affairs Oleksii Serhieiev Holds Another Meeting of the Coordination Council's Expert-Level Working Group. Ministry of Internal Affairs of Ukraine, 2026. ↗

4048 Information presented during the event, which was attended by representatives of the Agency for Legislative Initiatives.

State of Legislation on Combating Organised Crime. Establishment of a Permanent National Coordination Body for Combating Organised Crime

In early August 2026, a group of MPs registered in the Verkhovna Rada a draft law establishing an Inter-Agency Coordination Commission on Combating Organised Crime (National Coordinator).[4049] The draft law is substantively similar to the previously withdrawn Government Draft Law No. 13676.[4050] At the same time, under the Rule of Law Roadmap, such legislation was to be adopted in the first quarter of 2026.

Strengthening the Institutional Capacity of the Economic Security Bureau of Ukraine

On 29 July 2026, the ESBU approved **a new Procedure for Conducting Integrity Checks and Lifestyle Monitoring of ESBU Employees**.[4051] It establishes the principles for conducting integrity checks and lifestyle monitoring of ESBU employees, defines integrity criteria, details the powers and duties of employees of the Internal Control Department and the rights of ESBU employees subject to such control measures, and provides a mechanism for appealing the results of checks. The previous Procedure[4052] did not contain such provisions.

In August 2026, the Regulation on Departmental Incentive Awards of the ESBU was also approved,[4053] introducing a system of departmental awards for ESBU employees. However, the new act is inconsistent with the Regulation on Incentives for ESBU Employees,[4054] which does not provide for this type of incentive for ESBU employees holding special ranks.

Countering Money Laundering (Legalisation of Proceeds)

The package of draft laws intended to enable Ukraine to join the Single Euro Payments Area (SEPA) was automatically withdrawn from the Verkhovna Rada following the change in the composition of the Cabinet of Ministers in July 2026, with the exception of the alternative parliamentary Draft Law No. 14327-d, which is awaiting consideration by Parliament.

4049 On Amendments to the Law of Ukraine 'On the Organisational and Legal Foundations of Combating Organised Crime' on Establishing an Inter-Agency Coordination Commission on Combating Organised Crime (National Coordinator): Draft Law of Ukraine, registration No. 15493 of 07.08.2026. ↗

4050 On Amendments to the Law of Ukraine 'On the Organisational and Legal Foundations of Combating Organised Crime' on Establishing an Inter-Agency Coordination Commission on Combating Organised Crime (National Coordinator): Draft Law of Ukraine, registration No. 13676 of 21.08.2025. ↗

4051 On Approval of the Procedure for Conducting Integrity Checks and Lifestyle Monitoring of Employees of the Economic Security Bureau of Ukraine: Order of the Economic Security Bureau of Ukraine No. 368 of 29.07.2026. ↗

4052 On Approval of the Procedure for Conducting Integrity Checks and Lifestyle Monitoring of Employees of the Economic Security Bureau of Ukraine: Order of the Economic Security Bureau of Ukraine No. 19 of 19.11.2021. (no longer in force). ↗

4053 On Departmental Incentive Awards of the Economic Security Bureau of Ukraine: Order of the Economic Security Bureau of Ukraine No. 402 of 13.08.2026. ↗

4054 Regulation on Incentives for Employees of the Economic Security Bureau of Ukraine: Order of the Economic Security Bureau of Ukraine No. 238 of 17.08.2023. ↗

On 10 August 2026, the newly formed Government resumed work in this area by registering two new draft laws in the Verkhovna Rada. Draft Law No. 15501[4055] proposes amendments to the CUAO and the CC of Ukraine to protect whistleblowers in the field of prevention and counteraction of money laundering (legalisation of proceeds), terrorist financing and proliferation financing. Specifically, it provides for administrative liability of officials for coercing a whistleblowing employee to resign or taking other adverse measures in response to reporting violations of financial monitoring legislation, for unlawful disclosure of information about a whistleblower, as well as criminal liability for the unlawful dismissal of such an employee.

Draft Law No. 15503[4056] supplements the Civil Code of Ukraine with provisions extending the existing mechanism protecting whistleblowers from liability for false or inaccurate reports — previously applicable only in the anti-corruption field — to the field of financial monitoring.

Reform of the National Agency of Ukraine for Finding, Tracing and Management of Assets Derived from Corruption and Other Crimes

On 10 August 2026, a coalition of civil society organisations — Transparency International Ukraine, D7 Foundation, ID Ukraine, Center for Financial Integrity, CASE Ukraine, Centre for Public Control and the Ukrainian Legal Society — supported the decision of the National Agency of Ukraine for Finding, Tracing and Management of Assets Derived from Corruption and Other Crimes (ARMA) to postpone the first election to its Public Council due to technical problems: voting started nine hours late and participants encountered further technical difficulties.[4057] The coalition expects a new vote free from doubts regarding its transparency and legitimacy.

Circulation of Firearms and Ammunition and Control over Their Circulation

The Ministry of Internal Affairs of Ukraine published a **draft Order of the Cabinet of Ministers of Ukraine 'On Approval of the Roadmap for Countering Illicit Trafficking in Weapons until 2030 and Approval of the Operational Plan for Its Implementation'**.[4058] The draft act provides for the creation of a comprehensive and coherent system of legal regulation of weapons circulation through codification of legislation and its harmonisation with EU law; the establishment of mechanisms for continuous accounting, supervision, documentation and traceability of weapons throughout their lifecycle, from manufacture or import to disposal; a clear division and formalisation of the powers of bodies responsible for state control over weapons circulation; the establishment of a permanent

4055 On Amendments to the Code of Ukraine on Administrative Offences and the Criminal Code of Ukraine on Ensuring Compliance with European Union Law and the Relevant Criteria Established by the European Payments Council for the Purpose of Ukraine's Accession to the Single Euro Payments Area (SEPA): Draft Law of Ukraine, registration No. 15501 of 10.08.2026. ↗

4056 On Amendments to the Civil Code of Ukraine on Ensuring Compliance with European Union Law and the Relevant Criteria Established by the European Payments Council for the Purpose of Ukraine's Accession to the Single Euro Payments Area (SEPA): Draft Law of Ukraine, registration No. 15503 of 10.08.2026. ↗

4057 CSOs Support Postponing the Vote for Candidates to the Civil Oversight Council under ARMA. Transparency International Ukraine, 2026. ↗

4058 Draft Order of the Cabinet of Ministers of Ukraine 'On Approval of the Roadmap for Countering Illicit Trafficking in Weapons until 2030 and Approval of the Operational Plan for Its Implementation'. Ministry of Internal Affairs of Ukraine, 2026. ↗

inter-agency coordination system; and strengthening of personnel, organisational and analytical capacity.

It also provides for the creation of an integrated information and analytical system for management decision-making and the identification of risks related to illicit trafficking in weapons, the introduction of preventive mechanisms, strengthened control over compliance with established circulation rules, promotion of voluntary declaration and surrender of weapons and the development of responsible conduct among persons involved in weapons circulation. Electronic public consultations on the draft Order are currently ongoing.

COOPERATION IN THE FIELD OF DRUG CONTROL

Activities of the Public Health Centre of the Ministry of Health of Ukraine

On 19 August 2026, the Cabinet of Ministers of Ukraine approved the **Procedure for Organising the Early Warning System for New Psychoactive Substances.**[4059] The Procedure is the result of the work of the Coordination Inter-Agency Working Group on the Development and Coordination of the Implementation of the Early Warning System for New Psychoactive Substances, established in October 2025.

The key provisions of the Procedure are aimed at establishing inter-agency exchange by defining a clear algorithm for collecting and exchanging information between the Ministry of Health of Ukraine, law enforcement bodies, expert institutions and laboratory networks. The establishment of this system enables authorised bodies to respond promptly to the emergence of new synthetic drugs and substitutes for controlled substances. Based on the data collected, the Government can add such compounds to the official lists of narcotic drugs, psychotropic substances and precursors as quickly as possible, restricting their circulation and creating the conditions for holding persons responsible for distributing dangerous substances liable.

Status of Improvement and Implementation of Legislation on the Control of Narcotic Drugs and Psychotropic Substances

On 14 August 2026, the Government registered **Draft Law No. 15514**[4060] concerning narcotic drugs, psychotropic substances and precursors, which implements **Council Framework Decision 2004/757/JHA**.[4061] The Framework Decision establishes a common approach to combating illicit drug trafficking in national legislation. The draft law, inter alia, defines the terms ‘new psychoactive substance’ and ‘early warning system for new psychoactive substances’ and establishes provisions governing the operation of the early warning system for new psychoactive substances. In addition to the Rule of Law Roadmap, the development of such legislation is also envisaged by the Drug

4059 On Approval of the Procedure for Organising the Early Warning System for New Psychoactive Substances: Resolution of the Cabinet of Ministers of Ukraine No. 1038 of 19.08.2026. ↗

4060 On Amendments to the Law of Ukraine ‘On Narcotic Drugs, Psychotropic Substances and Precursors’: Draft Law of Ukraine, registration No. 15514 of 14.08.2026. ↗

4061 Council Framework Decision 2004/757/JHA of 25.10.2004 laying down minimum provisions on the constituent elements of criminal acts and penalties in the field of illicit drug trafficking. European Union. ↗

Policy Strategy until 2030 and the Operational Action Plan for its Implementation in 2025–2027.[4062]

Analysis of the draft law indicates that, inter alia, it establishes a criminal-law prohibition on the 'circulation of new psychoactive substances'. The Constitution of Ukraine provides that the grounds for legal liability, including criminal liability, are determined exclusively by laws of Ukraine. At present, liability is established for acts involving narcotic drugs, psychotropic substances and their analogues, and precursors. A new psychoactive substance is defined as 'a substance of natural or synthetic origin, in pure form or as a mixture, which is not included in the list of narcotic drugs, psychotropic substances and precursors, but is capable of posing risks to public health and/or other risks similar to those arising from the use and/or circulation of narcotic drugs or psychotropic substances included in the list of narcotic drugs, psychotropic substances and precursors'.[4063] Analogues of narcotic drugs and psychotropic substances are also excluded from the definition of new psychoactive substances. Accordingly, this is a new category of substances for which liability for relevant acts is not currently established.

Recommendations

The Government should submit to the Verkhovna Rada a draft law amending the CC of Ukraine to establish a prohibition on the circulation of new psychoactive substances.

Activities of Law Enforcement Bodies and International Cooperation in Countering Illicit Drug Trafficking

In its **Programme of Activities**,[4064] which as of 31 August 2026 had not been approved, the Government proposes measures to counter crime in **priority areas**, including organised crime, cyber fraud and illicit trafficking in weapons and **drugs** in 2026–2027. These are, in substance, criminal policy objectives forming part of legal policy. Accordingly, law enforcement bodies should take them into account in their activities if Parliament endorses the Government's proposed vision for further development.

4062 Task 3 of Operational Objective 1 of Strategic Objective 5 of the Operational Action Plan for the Implementation of the Drug Policy Strategy until 2030 in 2025–2027 provides for the introduction of an early warning system for the emergence of new psychoactive substances and approval of the procedure for its operation, which requires the relevant terms to be defined in legislation.

4063 On Approval of the Procedure for Organising the Early Warning System for New Psychoactive Substances: Resolution of the Cabinet of Ministers of Ukraine No. 1038 of 19.08.2026. ↗

4064 On the Programme of Activities of the Cabinet of Ministers of Ukraine: Draft Resolution of the Verkhovna Rada of Ukraine, registration No. 15521 of 17.08.2026. ↗

Annex 2 to the Report



Overview of key issues and recommendations in Chapter 23 'Judiciary and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of Negotiating Cluster 1 'Fundamentals of the Accession Process'

№	Issues	Recommendations
	CHAPTER 23 'JUDICIARY AND FUNDAMENTAL RIGHTS '	
	RULE OF LAW	
	Judicial Reform	
1	The absence of a unified strategy for the development of the judiciary — the justice sector and constitutional court proceedings — as a basic document that would define the key tasks and expectations for the next stages of reform in this area, which negatively affects the reform of the entire justice sector.	Adopt a strategic document on the development of the judiciary for the next five years, 2026–2030, taking into account all international obligations and existing capacities, and develop and approve an action plan for its implementation. If the relevant strategic document is not approved by the President in the third quarter of 2026, it would be advisable to consider the possibility of its adoption jointly by the High Council of Justice (HCJ) and the Supreme Court (SC) in the part concerning the judiciary by the end of 2026.
2	The incomplete staffing of vacant positions in the HCJ negatively affects its full-fledged functioning.	To ensure the continuity of competition procedures conducted by the Ethics Council, the issue of launching competitions at least one year before the expiry of the terms of office of the current HCJ members under the relevant quota should be addressed.
3	The excessive duration of competitions for vacant positions of HCJ members leads to quorum-related problems.	Introduce legislative amendments providing that special background checks of candidates for HCJ membership are conducted in parallel with the competition, rather than before its launch. For candidates for HCJ membership who have already undergone a special background check and whose status has not changed, it is necessary to provide for

		the possibility of using previous conclusions issued by the authorities that conducted such checks. Through amendments to the Laws of Ukraine 'On the High Council of Justice' and 'On Judiciary and the Status of Judges', provide that, during special background checks conducted by the Ethics Council, the analytical unit of the HCJ may be involved in obtaining information on candidates, with the authority to independently collect the necessary information and documents through state registers.
4	The provision of the Law of Ukraine 'On the High Council of Justice' requires that the number of candidates recommended by the Ethics Council for election to the position of HCJ member be at least twice the number of vacant HCJ member positions under the quota of the relevant electing or appointing authority. This leads to repeated candidate selection procedures, while vacancies remain unfilled for a long time, which in turn negatively affects the HCJ's exercise of its powers.	Introduce legislative amendments clarifying the procedure for electing or appointing HCJ members as regards the number of candidates recommended for election to the position of HCJ member, based on the formula of at least two candidates for each individual vacancy.
5	The failure to fill the quota of the Congress of Advocates of Ukraine in the HCJ for almost four years, and the failure of the legal profession to take measures to fulfil its constitutional obligation to elect HCJ members, negatively affects the quorum and the HCJ's exercise of its powers.	Develop, at the legislative level, an alternative mechanism for convening the Congress of Advocates and provide for liability of the Ukrainian National Bar Association (UNBA) leadership if it is not convened. It would be advisable to hold a professional legal discussion on initiating future amendments to the Constitution of Ukraine to transfer the power to fill the quota of the Congress of Advocates to professional civil society associations, such as associations or unions whose members are predominantly advocates.
6	Lowering the quorum of the HCJ may undermine public trust in judicial governance institutions and entail corruption risks and risks of political pressure.	Remove from Draft Law No. 13137 the provisions concerning changes to the quorum. In the future, refrain from making any changes to the quorum of the HCJ.
7	Problems related to mechanisms for responding to interference with judicial independence, the role of the HCJ in the budget process, ensuring the institutional continuity of the HCJ's functioning and other issues negatively affect the effectiveness of the HCJ's work.	Support the legislative amendments proposed by the HCJ, including those aimed at improving mechanisms for responding to interference with judicial independence, strengthening the role of the HCJ in the budget process, ensuring the institutional continuity of the HCJ's functioning, improving procedures for selecting HCJ members and taking into account HCJ advisory opinions on draft laws concerning the establishment, reorganisation or liquidation of courts, the judiciary and the status of judges. Taking into account the provisions of the Constitution of Ukraine, develop the relevant draft law and submit it to the Venice Commission for an expert opinion.

8	Draft Laws No. 13137 and No. 13137-1 contain provisions whose implementation would undermine the HCJ's existing achievements in disciplinary procedures and make the grounds for disciplinary liability of judges even less clear, negatively affecting legal certainty in such cases.	Parliament should substantially revise Draft Law No. 13137 and the alternative Draft Law No. 13137-1, with mandatory consideration of the Joint Opinion of the Venice Commission and the Directorate General of Human Rights and Rule of Law of the Council of Europe.
9	The practice of the HCJ Disciplinary Chambers in holding judges disciplinarily liable remains inconsistent. There are no unified approaches, either among the three Disciplinary Chambers or within the plenary composition of the HCJ, to the qualification of judges' actions. This leads to different decisions in similar disciplinary misconduct cases, or to different types of disciplinary sanctions being imposed on judges in similar circumstances, thereby undermining the principle of legal certainty. The problem of clearly defining the grounds for holding judges disciplinarily liable remains unresolved.	To develop consistent and predictable disciplinary practice within the HCJ, and to consolidate it, it would be advisable to: • develop disciplinary practice taking into account the positions of the Grand Chamber of the Supreme Court (GC SC) in cases concerning complaints against HCJ decisions in disciplinary cases; • periodically summarise disciplinary practice by type of disciplinary misconduct and in terms of the approaches of each Disciplinary Chamber, both regarding decisions and rulings, in order to identify discrepancies; • take measures to unify its approaches, for example through periodic rotation of HCJ members between Disciplinary Chambers, which would help consolidate best practices; • when considering disciplinary cases against judges, be guided directly by the principle of legal certainty and provide a precise and reasoned qualification of judges' actions in decisions.
10	Draft Law No. 13137 proposes changing the number of votes required to submit a motion to the President for the appointment of a judge to office: instead of 14 votes, it is proposed that a decision on appointment be supported by at least two-thirds of elected or appointed HCJ members. This would strengthen political influence over the HCJ, increase corruption risks and lead to the appointment of politically dependent judges.	Remove from Draft Law No. 13137 the provisions lowering the number of votes required for the appointment of a judge to office, as they entail corruption risks and risks of political pressure on the judiciary. In the future, refrain from making any changes to the quorum of the HCJ.
11	The Law of Ukraine 'On Judiciary and the Status of Judges' does not provide for the participation of international or foreign experts in the competition commission for the selection of High Qualification Commission of Judges of Ukraine (HQCJ) members.	To ensure that the next composition of the HQCJ is formed by a competition commission that includes, among others, three international or foreign experts, Parliament should revise and adopt Draft Law No. 13382 as soon as possible.

	Draft Law No. 13382, which proposes extending the participation of international experts in the selection of HQCJ members for another three years, has not yet been adopted. Refusing the participation of international or foreign experts in the competition commission is premature and would lower the standards for selecting candidates established during the previous competition, as well as the level of transparency in the selection of candidates for HQCJ membership.	
12	The HCJ did not form the competition commission for the selection of HQCJ members after the expiry of the mandate of the previous composition of the competition commission. This may negatively affect the timeframe for selecting new HQCJ members after the expiry of the term of office of the current composition. There are risks that the HQCJ may cease functioning after May 2027 for a period exceeding three months due to the absence of an appointed composition of the competition commission for the selection of HQCJ members and the length of the selection procedures.	The HCJ should form a new composition of the competition commission for the selection of HQCJ members, including international (foreign) experts, immediately after the relevant law enters into force. To this end, preliminary preparatory consultations should be held with all relevant stakeholders. To ensure the continuity of staffing and qualification procedures in the judiciary, it would be advisable to amend the Law of Ukraine 'On Judiciary and the Status of Judges' to provide, as an exception, that the current composition of the HQCJ continues to exercise its powers until a new authorised composition of the HQCJ is appointed.
13	A significant staffing shortage in appellate general courts, which negatively affects citizens' access to justice.	Complete interviews for vacant positions in appellate general courts for the second group in the third quarter of 2026. Conduct interviews for vacant positions in appellate general courts for the third group during the third quarter of 2026 – the second quarter of 2027.
14	Legislation has not been adopted to eliminate the duplication of interviews with winners of competitions to local courts at the level of the HQCJ and the HCJ. This negatively affects the timeframe of judicial appointment procedures, legal certainty and the proportionality of interference with the private life of judicial candidates and their family members.	Amend the legislation to transfer the power to conduct interviews with winners of competitions to local courts from the HQCJ to the HCJ, by expanding at the HCJ level the legally prescribed procedure for appointing judges and eliminating its duplication with the HQCJ.
15	The absence of clear requirements for collecting personal data of judges, candidates, their family members, close persons and third parties results in such	Clarify the legislative requirements concerning the discretion of the HQCJ in checks of judges, candidates, their family members and third parties, as well as regarding the protection of their personal data.

	persons being automatically subject to checks where, for example, there is a joint business, or where property has been purchased from them by judges or candidates, or by them from judges or candidates, etc.	
16	The inability of the so-called 'five-year judges' to administer justice for a prolonged period, where their qualification assessment for compliance with the position held has been delayed, negatively affects citizens' access to justice. Around 100 such judges hold positions in courts but, without a completed qualification assessment procedure, are deprived of the right to administer justice.	Complete the qualification assessment for compliance with the position held for all 'five-year judges' by the end of 2026.
17	The HQCJ has not announced a competition to any of the cassation courts within the SC due to its workload in other procedures, which negatively affects the timeframe for case consideration at the SC level and, accordingly, the unity of judicial practice across the entire system.	Announce a competition to the SC in the third and fourth quarter of 2026. Complete the qualification examination for candidates to the SC by the end of the HQCJ's term of office in May 2027.
18	A significant shortage of judges in local general courts negatively affects citizens' access to justice and the timeframes for case consideration in courts. The absence of a functioning administrative court in Kyiv that would consider cases of Kyiv residents within appropriate timeframes negatively affects their access to justice in administrative cases.	Conduct competitions in 2026 for judicial positions in district courts of the city of Kyiv, the most overloaded courts in frontline regions and the Kyiv City District Administrative Court (KCDAC).
19	The term of office of the current composition of the Public Council of International Experts (PCIE) expires in May 2026. No decision has been taken on the future mandate of the PCIE, which affects the fulfilment of Ukraine's commitments under the Ukraine Facility Plan and the Rule of Law Roadmap.	Involve the PCIE in future competitions for positions in the High Anti-Corruption Court (HACC) and the SC, as well as in the verification of integrity declarations of judges of the SC and higher courts, applying a risk-based approach. Consider introducing amendments to the law to grant international partners the right to delegate both international and Ukrainian experts to future compositions of the PCIE, as well as to determine their quantitative ratio. It is also advisable to abandon the mechanism of a predominant vote of international experts, since all members of the PCIE will be delegated by international partners.

20	The lack of an adequate level of remuneration for Public Integrity Council (PIC) members leads to their dependence on donor funding and on the organisations through which such funding is provided.	To ensure the independence of PIC members from the state, as well as equality and financial stability for PIC members, Parliament should regulate the following issues: • remuneration for PIC members at the level of judges of local courts, to be transferred through the State Judicial Administration of Ukraine (SJA) to the civil society organisations that delegated PIC members, for subsequent payment of this remuneration to PIC members directly by those civil society organisations; • a prohibition on a PIC member, during the period of performing functions as a Council member, receiving any other income except income from their primary employer or income received for their work in the PIC from the civil society organisation that delegated them.
21	The continued influence of one civil society organisation over the formation of the PIC's composition and the further financing of its activities makes PIC members dependent on that organisation and creates monopolistic influence over the PIC's activities, undermining its independence.	Parliament should prevent any civil society organisation from exercising monopolistic influence both over the formation of the PIC's composition, with no more than three representatives from one civil society organisation, and over the financing of the PIC's activities.
22	Given that the remuneration of the PIC Secretariat is financed exclusively through donor assistance, the risk that such funding may be discontinued remains.	Parliament should ensure full state funding for the PIC Secretariat, for example through the SJA as the administrator of such funds, and allow, for the duration of martial law, direct involvement of international technical assistance project funding, following the model used to finance the secretariats of the Ethics Council, competition commissions, the AGE etc.
23	The PIC effectively analyses the same body of data as the HQCJ. The limitation of the PIC Secretariat's functions to analysing only information from open sources, and the lack of access for PIC Secretariat staff to the full dossiers of candidates and judges, often leads to errors in data analysis, duplication of analysts' functions by PIC members and, accordingly, an additional workload.	Parliament should review the model of the PIC's functioning in order to move away from duplicating the analysis of the same body of data as the HQCJ and instead shift to a model of risk-based analysis of the dossiers of all judges and candidates.
24	The PIC's work on processing the dossiers of candidates and judges is slow, currently at 40–55 dossiers per month. PIC information or opinions are submitted to the HQCJ and the candidate or judge on the day of the interview or the day before, forcing the HQCJ to	The PIC should: • take measures to accelerate the processing of at least 60 dossiers of candidates and judges to ensure that interviews scheduled by the HQCJ are held and to avoid technical postponements due to the late submission of opinions or information by the PIC;

	reschedule such interviews. Some PIC opinions and information on judges and candidates are published with a significant delay beyond the established deadline, which is within 10 days after adoption.	• ensure the timely publication of opinions or information on judges and candidates; • standardise approaches to 'negative' opinions; • unify the practice of its participation in interviews with judges and candidates; • ensure the use of unified approaches to organising the PIC's work in all staffing procedures and avoid activities not provided for by law. In order to enable the PIC to perform its organisational functions, provide it with fully fledged premises for work, equipment etc. and digitalise all processes.
25	'Negative' opinions on judges and candidates remain publicly available on the PIC website without any indication that they have been cancelled, with cancellation recorded in a separate, technically unlinked document. This may mislead website users.	The PIC should mark 'negative' opinions in respect of which a decision on cancellation has been adopted or remove such opinions from the PIC website altogether.
26	There is a need for effective mechanisms to ensure the unity of SC case law, primarily in cases that are not subject to cassation appeal, in order to ensure legal certainty and the unity of judicial practice across the entire judicial system. The existence of a significant number of conflicting legal positions at the level of cassation courts and even within the GC SC, caused by the variability of legislation, requires constant response, as this negatively affects the unity of judicial practice.	Introduce a preliminary reference mechanism allowing appellate courts and courts of first instance to apply to the SC where there is no SC position on the relevant issue. Strengthen the reasoning of SC judgments, as regards the similarity of legal relations, the admissibility or inadmissibility of cassation appeals for consideration in view of cassation filters etc. To ensure the stability of case law, it would be advisable to hold a discussion on the possibility of introducing a qualified majority rule for departures from previous legal positions of the GC SC, joint chambers and chambers within cassation courts. Review the approach to the use of model cases, intensify their application and consider the possibility of extending this mechanism to other jurisdictions, taking into account their specific features. Introduce, at the level of the GC SC, mechanisms similar to ECtHR practice — the adoption of 'pilot judgments' with subsequent extension of their conclusions to similar cases, as well as the possibility of joining similar proceedings and considering them under a simplified procedure.
27	The disregard of SC case law by state authorities and local self-government bodies is a systemic problem that has remained unresolved for a long time, leading to the	Provide the SC with appropriate tools to respond to the disregard of SC case law by state authorities and local self-government bodies.

	SC being overloaded with similar cases. This situation prevents the full development of strategic approaches to the evolution of case law.	
28	The SC's overload with administrative cases negatively affects the timeframes for case consideration, the unity of case law and the even distribution of workload among judges, including at the level of the GC SC.	Determine the feasibility of considering certain categories of administrative cases, in respect of which SC legal positions have already been established, under order proceedings, for example various categories of pension disputes. Change the approach to the allocation of certain categories of cases, in particular disciplinary proceedings against judges, by providing for their allocation among all judges of the GC SC.
29	The trend of excessive recourse to the SC by individuals and legal entities continues. At the same time, the number of SC judges decreased in 2025. This leads to the SC's overall overload with court cases.	Consider systematising approaches to filtering cases submitted for consideration by the SC, in line with the model applied by the European Court of Human Rights (ECtHR). Move away from excessive formalism and overregulation in procedural documents that do not require detailed reasoning. Optimise cassation proceedings and expand the categories of cases that may be considered in written proceedings.
30	The current system in Ukraine, under which the court fee is fully refunded if a case is not admitted for cassation review, does not act as a deterrent and leads to the SC being overloaded. In most cases, the court fee was refunded because cassation appeals lodged by public authorities were inadmissible. This indicates abuse by public authorities of the right to apply to the SC as a court of cassation and failure to take into account the provisions of procedural codes on cassation filters.	Ensure the formation of financial reserves by adopting amendments to the Law of Ukraine 'On Court Fee', under which 100% of the court fee would remain with the SC in the event of refusal to admit a cassation appeal.
31	If Parliament adopts a new Civil Code of Ukraine, the problem of legislative instability will deepen further, which will negatively affect the unity of case law.	Parliament should review the approach to drafting the provisions of the new Civil Code of Ukraine. To preserve the stability of at least that part of case law formed on the basis of provisions whose substance is not changed in the new Civil Code of Ukraine, such provisions should be left unchanged, including without any technical changes to article numbers, punctuation, location in the Code, wording etc. The provisions proposed by the draft new Civil Code of Ukraine should be introduced through amendments to specific articles of the current Civil Code of Ukraine, supplements to it etc., without the need to adopt a new version of the Code.

32	The HACC continues to operate in three premises located at a considerable distance from one another and is physically unable to accommodate 19 new judges, as expected, and 120 court staff members.	Provide the first instance of the HACC with a single fully fledged premises for work: • relocate the first instance of the HACC to the new premises located at 35 Vasyl Lypkivskyi Street, Kyiv, in 2026, and relocate the AC HACC to the HACC premises at 41 Beresteiskyi Avenue, Kyiv, 01601; • abandon the idea of continuing to locate the first instance of the HACC in separate premises, two or more, situated at a considerable distance from one another, as this negatively affects the court's work; • provide the HACC and the Appeal Chamber of the HACC with the necessary technical equipment and allocate funds for urgent repair works.
33	The rapid increase in the number of cases submitted to the HACC negatively affects the timeframes for case consideration and the ability to hold perpetrators accountable for committed crimes.	Transfer the powers to consider administrative cases concerning the application of sanctions from the HACC to the SDAC and SACA after they begin operating, with a view to reducing the workload of the HACC and ensuring an effective delineation of jurisdiction between courts within the judicial system. Refrain from expanding the jurisdiction of the HACC at least until the HACC shifts from accumulating a backlog of pending cases to its steady and consistent reduction. Introduce a comprehensive strategy to ensure the effective consideration of cases by the HACC and reduce the number of pending cases. Adopt legislation in 2026 on single-judge consideration of civil and administrative cases by the HACC. Adopt legislation in 2026 to prevent abuse of procedural rights by parties to proceedings.
34	Excessive workload of courts negatively affects the efficiency of the administration of justice, in particular the timeframes for case consideration.	To balance the workload in courts, it would be advisable to consider: • introducing extraterritorial jurisdiction for minor cases and cases considered in written proceedings; • changing the jurisdiction of certain civil cases and transferring them to commercial courts, including disputes involving individuals in the areas of construction, financial and credit relations, mortgages and consumer protection; • expanding the categories of cases that may be considered in written proceedings as a temporary tool.

		In the medium term, the optimal option for balancing workload would be the simultaneous introduction of remote case consideration and the general redistribution of cases between courts, which should be implemented alongside the process of court optimisation and consolidation.
35	The issue of temporarily seconded judges due to changes in the territorial jurisdiction of court cases as a result of the war remains unresolved. Most of these judges continue to face uncertainty regarding their future careers and permanent place of residence.	Develop amendments to the Law of Ukraine 'On Judiciary and the Status of Judges' to regulate permanent transfers, without a competition, of judges of courts whose territorial jurisdiction was changed as a result of the war, meaning all courts except the DACK. Provide judges who have successfully completed the qualification assessment with the opportunity to choose up to five courts for transfer. If more than one judge applies for one vacancy, priority should be given to the judge with the higher score obtained following the qualification assessment.
36	The development of a new court network, which was intended to address these problems, has been suspended due to the ongoing Russian aggression. Delays in the optimisation of the court network further destabilise the judicial system.	As part of the first wave of court optimisation and consolidation, an audit should be conducted in 2026 of courts where the workload of judges is less than or equal to the minimum level. Based on the results, decisions should be taken on the liquidation of courts and the transfer of judges and court staff to courts with a higher workload within the district or region, with the necessary legislative amendments adopted for this purpose. To develop and implement a new court map, it would be advisable to: • conduct a comprehensive study in the government-controlled territory of Ukraine, taking into account internal migration of the population and businesses, and develop a new concept for optimising the court network; • develop a baseline workload indicator per judge; • prepare comprehensive technical specifications for the future optimisation, including a map of courts in government-controlled regions and model court premises designs for districts where appropriate court premises are currently unavailable etc.; • develop an effective methodology for identifying a 'hub court'; • after completion of the new court map, begin implementing the pilot project developed on the basis of work carried out by the EU Project 'Pravo-Justice' in previous periods.

37	Significant unevenness in the workload of local general courts negatively affects citizens' access to justice and the timeframes for case consideration.	Review the staffing schedules of court administrations whose workload deviates from, or is equal to, the minimum established level. Reduce the number of staff positions for judicial assistants and court hearing secretaries in courts with a low workload and redistribute them to critically overloaded courts. Recalculate judge workload standards to establish objective indicators of staffing needs across the entire judicial system and in specific courts.
38	In 2023–2024, the SJA failed to ensure the effective functioning of the system of organisational, staffing, logistical and financial support for local and appellate courts. Systemic shortcomings were identified in the planning and allocation of budgetary resources, which led to a low level of needs coverage, uneven financing, the accumulation of accounts payable and the return of unused funds to the budget. Problems also remain unresolved with providing newly appointed judges with offices and equipment, carrying out repairs to offices etc. There are also negative consequences arising from the ongoing aggression due to the lack of proper electricity, heating and water supply in courts, which negatively affects the working conditions of judges and court staff, as well as citizens' overall access to justice.	Establish an effective system of liability for failure, or improper performance, by officials of the SJA and its territorial departments of their powers to ensure the proper condition of courts. Establish the liability of heads of the SJA territorial departments for delays in repairing premises where judges are located and in providing them with furniture and equipment. Ensure the systematic and prompt collection of information on the state of court support, its processing and the adoption of relevant decisions. Optimise the work of the SJA and its territorial departments, and accelerate their interaction with, and response to, requests from court representatives in order to avoid situations where problems remain unresolved for a long period of time. Forecast potential negative scenarios in the provision of logistical resources, electricity, heating and water supply to courts, and put in place a rapid response system to these challenges in order to reduce the negative impact on the administration of justice.
39	Duplication of powers and the lack of a clear delineation of competences between the SJA and the HCJ, the outdated structure of the SJA and its territorial departments and the absence of effective mechanisms for allocating budgetary funds destabilise the judicial system and negatively affect the administration of justice, especially at the level of local general courts.	Complete the functional audit of the SJA and its territorial departments in 2026 and, based on its results, begin updating the model of the system for ensuring the functioning of the judiciary, including by planning the reorganisation of the SJA and its territorial departments in 2027. All changes should be implemented on the basis of a separate law.

40	In 2025 and as of March 2026, no law was developed or adopted to introduce the possibility of holding the Congress of Judges online, as an exception where it is impossible to hold the Congress offline, which constitutes non-implementation of the Rule of Law Roadmap.	Regulate the issue of holding meetings of judges, CJU meetings and the Congress of Judges online, as well as voting during them, using secure electronic services. In this connection, review the concept of the 'Congress of Judges' at the legislative level: if online voting is introduced, all judges of Ukraine will be able to participate in the Congress of Judges, rather than delegates under the quota-based principle, as currently regulated.
41	There has been no progress in regulating the issue of court presidents holding office for no more than six years, meaning two three-year terms. Work on the relevant draft law has effectively stopped, which effectively 'preserves' the old system for years and prevents the elimination of corruption risks and the influence of old judicial elites and politicians on judges, including those selected under new procedures.	In 2026, develop a draft law on the terms of office of court presidents and deputy court presidents in such a way as to prevent judges from holding these positions for more than six years. The 'cooling-off' period between positions of the same level for each judge should be at least one year, except in courts with fewer than three judges.
42	The existence of the Testology Centre within the structure of the National School of Judges of Ukraine (NSJU) entails corruption risks, a potential conflict of interest and adds functions to the NSJU that are not inherent to it.	Review the structure, including regional branches, and functions of the NSJU, in particular by excluding functions that are not inherent to judicial schools. After the functional audit of judicial governance and self-government bodies, determine the place of the Testology Centre within the structure of judicial authorities. If the Testology Centre remains within the structure of the NSJU, introduce mandatory declaration of income and assets by the management and staff of the NSJU whose work involves corruption risks. If the Testology Centre is transferred to the HQCJ, or its status is otherwise regulated outside the NSJU, the issue of the need for income and asset declarations by the management and staff of the NSJU should be resolved with the involvement of the National Agency on Corruption Prevention (NACP, Agency) in the discussion.
43	The Constitutional Court of Ukraine (CCU) continues to operate at the threshold of its competence. Five positions of CCU judges remain vacant. The high quorum and voting threshold for adopting decisions, in the context of the incomplete composition of the CCU, complicate decision-making.	Appointing authorities should respond without delay to the need to fill vacancies of CCU judges under their quotas and announce the relevant competition procedures as quickly as possible.

44	The changes proposed by Draft Law No. 14321 and the alternative Draft Law No. 14321-1 on amendments to the Law of Ukraine 'On the Constitutional Court of Ukraine' raise a number of structural, constitutional and legal concerns that may affect the independence and effective functioning of the CCU.	Submit Draft Laws No. 14321 and No. 14321-1 on improving the legislative regulation of certain aspects of the functioning of the CCU and establishing disciplinary liability of CCU judges to the Venice Commission for an expert opinion on their compliance with European standards. After receiving such an opinion, Parliament should revise one of the draft laws with the proper involvement of the CCU, legal professionals and civil society in this process, and adopt the revised draft law by the end of 2026.
45	The duration of proceedings before the CCU negatively affects the timeframes for resolving the most complex state problems.	Conduct an audit of the existing processes within the CCU, including the administrative, financial, logistical and procedural components of the CCU's functioning, and then initiate the relevant discussions and procedures for legislative amendments. In this context, revise Draft Law No. 4533, taking into account the recommendations previously provided by civil society. Taking into account the needs identified as a result of the audit, it is necessary to resolve the issue of logistical support for the CCU, in particular with regard to the introduction of internal electronic document management and ensuring conditions for communication between judges in electronic format while exercising their powers.
46	The implementation of CCU decisions by Parliament, in terms of the timeframes for implementing the relevant legislative amendments, often results in the CCU decision being undermined or in Parliament re-adopting provisions that the CCU has already declared unconstitutional.	Conduct an audit of Parliament's implementation of CCU decisions. Based on its results, amend the legislation and ensure effective control over the implementation of CCU decisions.
47	Despite the statutory introduction in 2017 of the mechanism for dispute settlement with the participation of a judge, the use of alternative dispute resolution tools remains low.	Conduct a broad information campaign and ensure proper information for participants in court proceedings on the procedure for considering a case with the participation of a judge.
48	The mechanism of arbitration by arbitral tribunals in Ukraine is stagnant and effectively absent. Society remains unaware of the opportunities to protect rights through such proceedings. The functioning of arbitral tribunals is characterised by insufficient effectiveness, due to the de facto lack of transparency of the results of their activities.	Conduct a study on the activities of arbitral tribunals and based on its results, hold a broad public discussion on the need for such tribunals to operate in Ukraine. Taking into account the results obtained, determine the feasibility of adopting Draft Law No. 3411, which could partially address the above problems. If its adoption is deemed appropriate, revise the existing version of the draft law. Determine the feasibility of promoting the use of arbitral tribunals for dispute resolution or abandon this form of alternative dispute resolution as one that is not inherent to the Ukrainian legal tradition.

49	The Temporary Investigative Commission (TIC) of the Verkhovna Rada on verifying information on possible facts of corruption or corruption-related offences interferes with the independence of the judiciary and exerts pressure on the civil society sector.	Parliament should consider liquidating the TIC and initiate the relevant legislative amendments to regulate the cases, limits and procedure for MPs' requests to judicial governance bodies for explanations, clarifications or comments regarding ongoing competition procedures for forming the judiciary. The possibility of exercising control over HQCJ decisions in the course of the Commission's performance of its functions should remain exclusively within the jurisdiction of the court. The issue of interference by MPs in the activities of the judiciary through the establishment and functioning of a parliamentary temporary investigative commission should be the subject of a broad professional discussion.
50	There are no legislative guarantees of independence for HQCJ members who are not judges and, accordingly, they may be questioned about their activities as ordinary citizens.	Mechanisms for responding to interference with a judge's activities should be improved by developing the relevant draft law. HQCJ and HCJ members who are not judges should enjoy the same guarantees of independence as HQCJ and HCJ members who are judges. To this end, the relevant amendments should be introduced to the Laws of Ukraine 'On Judiciary and the Status of Judges' and 'On the High Council of Justice'.
51	The current level of digitalisation in the justice sector does not meet the real needs of the judiciary, which negatively affects citizens' access to justice.	Ensure the full development, integration and interoperability of the key subsystems of the Unified Judicial Information and Communication System (UJICS) to create a seamless process, including automated data exchange and access to state registers. Until the new UJICS is introduced and systemic management of IT solutions in line with European standards is implemented, the priority remains the modernisation of infrastructure and ensuring the stable functioning of the Unified Judicial Information and Telecommunication System (UJITS) subsystems.
52	During 2025, numerous technical failures were recorded, primarily in the operation of the videoconferencing subsystem, which led to disruptions of court hearings as well as meetings of judicial governance bodies. The main causes of technical failures were identified as system overload, outdated equipment and software and the fragmented nature of IT infrastructure. The overall level of provision of local and appellate courts with information technology equipment ranges from 70% to 89%.	Modernise the courts' technical infrastructure, including server equipment, videoconferencing facilities and court hearing recording systems. Ensure adequate funding from the State Budget of Ukraine for the renewal and development of the hardware component and physical IT infrastructure of the judiciary not covered by international technical assistance projects.

53	The lack of regulation of the use of the UJITS in the Code of Ukraine on Administrative Offences (CUAO) places participants in court proceedings in an unequal position.	Improve the legislative regulation of the UJITS, in particular by: • initiating amendments to the CUAO to enable the use of UJITS modules during the consideration of administrative offence cases by videoconference; • providing for the mandatory use of the 'Electronic Court' subsystem by state authorities for submitting materials to court and exchanging procedural documents in administrative offence cases; • establishing unified procedural rules on the participation of all participants in court proceedings in hearings by videoconference, as well as an obligation for courts to provide the parties to court proceedings with the relevant technical capability.
54	In the area of combating corruption in judicial authorities, trends are still observed that negatively affect the functioning of the relevant institutions as a whole and public trust in them, namely: • a high level of implementation under the area 'Fair Trial, Prosecution Service and Law Enforcement Agencies' of the State Anti-Corruption Programme is observed only in respect of nine measures; • the SJA has still not addressed the problems identified by the NACP following a scheduled inspection; • patronage service staff do not declare their income and assets; • inconsistent practice persists in applications by the Specialised Anti-Corruption Prosecutor's Office (SAPO) and the Prosecutor General's Office (PGO) to the HCJ, where in one case the prosecution submits motions simultaneously for suspending a judge from the administration of justice and for holding the judge in custody, while in another case it submits a motion only for holding the judge in custody.	It would be advisable for the HCJ to: • introduce effective mechanisms for monitoring the judiciary's implementation of the provisions of the State Anti-Corruption Programme and accelerate the implementation of the measures provided for therein; • strengthen control over the activities of the SJA and its territorial departments in order to eliminate corruption risks; • jointly with the Verkhovna Rada Committee on Legal Policy and the NACP, consider the issue of patronage service staff, primarily judicial assistants, submitting declarations of persons authorised to perform the functions of the state or local self-government, integrity declarations and declarations of family ties; • streamline the practice of suspending judges from the administration of justice, which would contribute to legal certainty; • respond promptly to journalistic investigations by initiating the opening of disciplinary proceedings against judges who are subjects of such investigations; • introduce quarterly public reporting on cases where judicial authorities, primarily courts, independently identify and eliminate corruption risks in their activities. In 2026, the NSJU, jointly with the NACP, should conduct mandatory anti-corruption training for all court staff without exception.

55	The speed and effectiveness of the enforcement of court decisions are affected, in particular, by: • the absence of a unified concept for the effective digitalisation and automation of the enforcement of court decisions; • the failure to ensure the functioning of the Unified State Register of Enforcement Documents; • the strengthening of the regulatory role of the Ministry of Justice of Ukraine (MoJ) in the activities of the institution of private enforcement officers; • limited access of private enforcement officers to state registers; • the absence of equal powers for private and state enforcement officers; • the existence of a large number of current moratoria on the compulsory recovery of property or funds from certain categories of debtors.	Revise the concept for the digitalisation of enforcement proceedings, which should include practical measures for transitioning all levels of enforcement proceedings to electronic format. Ensure the proper functioning of the Unified State Register of Enforcement Documents. Review the regulatory role of the MoJ with a view to balancing it, which would make it possible to expand the powers of private enforcement officers and improve the effectiveness of their work. Regulate at the legislative level the equalisation of the powers of private and state enforcement officers, which would be in line with European approaches to the effective functioning of these two institutions. Regulate the issue of moratoria on the compulsory recovery of property or funds from certain categories of debtors and, accordingly, repeal those that are clearly no longer relevant. Refrain from expanding the number of moratoria.
56	Low remuneration of state enforcement officers creates a risk of reduced staff motivation and staff departures, which in turn may lead to prolonged enforcement of court decisions and decisions of other bodies or officials.	Ensure an adequate level of remuneration for state enforcement officers, effectively equalising the remuneration levels of state and private enforcement officers, by revising the official salaries of state enforcement officers and improving the system for paying their remuneration.
57	Ukraine's low level of addressing systemic problems identified by the ECtHR in its judgments negatively affects the execution of ECtHR judgments and national court decisions and leads to the continuation of violations of human rights guaranteed by the ECHR.	Take appropriate measures to ensure the timely and effective execution of ECtHR judgments, through the priority and fastest possible implementation of these judgments in terms of compensation payments, as well as the introduction of the necessary legislative amendments to address complex problems that lead to the systematic lodging of applications in identical groups of cases.
	Prosecution Reform	
1	The procedural independence of prosecutors is threatened primarily by unsubstantiated decisions of a head to remove or exclude a prosecutor from criminal proceedings.	Introduce an obligation to duly substantiate decisions on the removal or exclusion of a prosecutor from criminal proceedings, as well as a mechanism for appealing such decisions.

	In July 2025, Law No. 4555-IX significantly expanded the procedural powers of the Prosecutor General, making it possible to manage criminal proceedings 'bypassing' the prosecutor acting as procedural supervisor, thereby undermining the prosecutor's procedural independence. The procedure for prosecutors' exercise of the function of representing the State's interests in court requires legislative regulation. The CCU pointed to vague and insufficiently specific grounds for representing the State's interests, which creates a risk of abuse by the prosecution authorities.	Abolish the practice of unjustified establishment of groups of prosecutors in each criminal proceeding. Repeal the amendments introduced by Law No. 4555-IX, which introduced non-competitive mechanisms for the selection, appointment and transfer of prosecutors, significantly restricted the scope of prosecutors' procedural independence and unjustifiably expanded the procedural role of the Prosecutor General. Eliminate instruments of concealed pressure on prosecutors through staffing mechanisms, in particular the dismissal of a prosecutor due to the liquidation or reorganisation of a structural unit without adequate safeguards. Clarify the legislative framework governing the representation of the State's interests by prosecutors in court, clearly defining the list of cases and the limits of the application of such powers.
2	Prosecutorial self-governance is overly dependent on the PGO and lacks the powers necessary to perform its tasks effectively. The institutional capacity of the Council of Prosecutors of Ukraine (CPU) is weak.	Strengthen the role of prosecutorial self-governance. Finalise the functional audit of the CPU and the Qualification and Disciplinary Commission of Prosecutors (QDCP). Prepare draft legislative amendments to ensure the institutional capacity, independence and effectiveness of the CPU and the QDCP, and to improve disciplinary practice.
3	Prosecutors at the local level are unable to properly realise their potential in matters of prosecutorial self-governance. Assemblies of prosecutors at the local level are absent.	Define in the Law of Ukraine 'On the Public Prosecutor's Office' that prosecutorial self-governance is exercised through assemblies of prosecutors at all levels, the All-Ukrainian Conference of Prosecutors, the CPU and the QDCP. Establish the procedure for forming such assemblies and vest them with the relevant powers to address issues in the interests of the prosecutorial community.
4	The political procedure for appointing and dismissing the Prosecutor General negatively affects the independence of this official and the entire prosecution system.	Reduce political influence over the procedure for appointing and dismissing the Prosecutor General, specifically: 1) *during martial law (without amending the Constitution of Ukraine)*: introduce a mechanism whereby the prosecutorial self-governance body provides the appointing authority (the President) with an opinion (assessment) on a candidate for the position of Prosecutor General before the nomination is submitted to Parliament; 2) *after martial law is terminated or lifted (following amendments to the Constitution of Ukraine)*: require the appointing authority (the President) to take into account the opinion of independent prosecutorial self-governance bodies

		on a candidate for the position of Prosecutor General before the nomination is submitted to the Verkhovna Rada. Both options should be introduced only after the institutional capacity of the CPU has been strengthened, as planned for the fourth quarter of 2026. Depoliticise the procedure for dismissing the Prosecutor General by providing for dismissal exclusively on professional grounds defined by law. Pending the relevant amendments to the Constitution of Ukraine, partial depoliticisation should be ensured as a transitional mechanism by clarifying the procedure for dismissing the Prosecutor General and involving the mechanism of a temporary investigative commission of the Verkhovna Rada.
5	Prosecutors are appointed to managerial positions without a competitive procedure, resulting in a lack of objectivity in appointments, favouritism within the prosecution authorities and the absence of integrity checks. In June 2025, the new Prosecutor General cancelled the pilot project on forming a personnel reserve, which preceded the introduction of mandatory competitions for managerial (administrative) positions in the prosecution authorities, making it impossible to take into account the experience of the relevant Commission, which had almost completed its work as of the date of its dissolution.	Introduce mandatory competitive selection for managerial (administrative) positions within the prosecution authorities, including heads of structural units of the PGO, regional and district prosecutor's offices. Entrust the responsibility for conducting the relevant competition to the CPU after strengthening its institutional capacity, taking into account the experience of implementing the cancelled pilot project on forming a personnel reserve in the prosecution authorities. Define the list of such positions, taking into account the optimisation of the number of prosecutors and the structure of prosecution authorities. Establish, in the Law of Ukraine 'On the Public Prosecutor's Office', clear criteria for evaluating candidates for managerial positions, including professional competence and integrity.
6	The extraordinary vetting procedure for prosecutors, which was introduced for a period of two years, has already continued for more than five years. There is no strategic vision for completing vetting after the problems raised in judicial practice and by two CCU decisions.	Complete the vetting of prosecutors by adopting the necessary legislative and institutional changes. The responsible structural units of the PGO should thoroughly examine possible ways to complete the vetting process, with the involvement of experts and international partners who can support this process.
7	Most recommendations of the GRECO Fourth Evaluation Round (2017) remain unimplemented, while the disciplinary procedure for prosecutors has shortcomings, in particular regarding the elements of disciplinary offences, proportionality of sanctions, limitation periods for disciplinary liability etc.	Adopt legislative amendments to implement the recommendations of the GRECO Fourth Evaluation Round concerning the disciplinary procedure and the composition of the QDCP, including ensuring a prosecutorial majority, as well as the European Commission's recommendations regarding the disciplinary procedure and the institutional capacity of the QDCP to perform its functions.

8	Prosecutors' knowledge of EU law is minimal, and no systematic training has ever been conducted. Cooperation between the Prosecutors' Training Centre of Ukraine (PTCU) and the NSJU is weak, and prosecutors spend insufficient time with judges as part of their professional development. Training programmes are too narrowly specialised and shaped by prosecutors' practical needs. At the same time, in the absence of awareness of the importance of knowledge of the rule of law, professional ethics, leadership and management, prosecutors' requests do not always adequately reflect their needs as professionals. Information on the activities of the PTCU is limited, and there is no practice of publishing annual reports. The Director of the PTCU is appointed at the discretion of the Prosecutor General on non-transparent and non-meritocratic grounds.	Publish and take into account the recommendations resulting from the EU (TAIEX) mission assessing the legal status, content and forms of activity of the PTCU for compliance with the requirements and standards of EU training institutions for prosecutors. Establish cooperation between the PTCU and the NSJU, in particular by introducing joint training programmes for judges and prosecutors. The PTCU should publish an annual report on its activities, including information on the number and professional background of engaged trainers, the list of training activities conducted and the results of their evaluation. Clarify the procedure for the appointment and dismissal of the Director of the PTCU by introducing an open competition.
9	In November 2025, the Regulation on the System for Evaluating the Quality of Prosecutors' Work was repealed, which led to the discontinuation of the implementation of a unified regular system for evaluating prosecutors. Despite the development of a new draft law to regulate this area, Ukraine currently lacks a fully fledged mechanism for objectively evaluating the quality of prosecutors' work, while only a temporary annual evaluation system for bonus payments remains in force. The pilot projects conducted since 2023 have not been properly communicated, and their results remain unknown even to professionals working in the field of prosecution service activities. The CPU is not involved in prosecutors' evaluation.	Prepare and publish a report on the results of the pilot project on the implementation of the 'permanent' evaluation system in 2023–2025. Ensure legislative regulation of a unified system for evaluating the quality of prosecutors' work, with a clear definition of objective criteria, evaluation procedures and mechanisms for appealing evaluation results to the CPU.
10	Despite the launch of pilot operation of the electronic criminal proceedings system 'SMEREKA', the system has not yet been introduced as a fully fledged mandatory tool for managing criminal proceedings for all pre-	Continue implementing the electronic criminal proceedings system 'SMEREKA', taking into account the measures set out in strategic documents and their implementation plans, in particular the Action Plan for the Implementation of the Overarching Strategic Plan for Law Enforcement Reform for 2023–2027.

	trial investigation bodies and prosecution authorities. At the same time, the prosecution authorities lack a mechanism for the random allocation of criminal proceedings among prosecutors, while the preservation of the Prosecutor General's excessive powers to influence proceedings outside the procedural supervisor undermines guarantees of prosecutors' procedural independence and the anti-corruption effect of future automation of case allocation.	Provide for the integration of related modules into the 'SMEREKA' system, primarily the E-Case Management System, including the pilot project in anti-corruption bodies, the random automated allocation of criminal proceedings within the prosecution service, and the functioning of groups of prosecutors and investigators with safeguards against the unlawful alteration of such groups at any stage of proceedings etc. Introduce a system for the random allocation of criminal proceedings within the prosecution service, which will reduce the risk of manipulation by heads of prosecution offices when assigning a prosecutor in criminal proceedings and mitigate corruption risks in this process.
Bar Reform		
1	The Government working group on improving legislation on the Bar, established on 12 January 2026, held only one meeting during the reporting period, at which no substantive issues were considered. Its planned expansion creates a risk of the body subject to reform dominating the process of preparing amendments.	The Cabinet of Ministers of Ukraine should ensure a balanced and public composition of the working group, preventing the body subject to reform from dominating it. The MoJ should develop state policy in the field of the Bar and submit draft laws to the Verkhovna Rada within the timeframe set out in the Rule of Law Roadmap, namely the fourth quarter of 2026.
2	The Strategy for the Development of the Justice System until 2030 and the NACP Anti-Corruption Strategy for 2026–2030 remain unapproved, blocking the systemic implementation of Bar reform.	The President should approve the Strategy for the Development of the Justice System until 2030, including a dedicated section on the Bar. The Verkhovna Rada should approve the Anti-Corruption Strategy for 2026–2030, retaining the provisions on Bar reform.
3	Elections to Bar self-governance bodies (BSG bodies) have not been held, despite the expiry of the term of office of the last composition as early as 2022. The system of elections to BSG bodies remains excessively centralised: the Bar Council of Ukraine (BCU) retains a monopoly over initiating elections and determining representation quotas, while the electoral procedure itself is based on delegation, which deprives the regions of the ability to independently initiate elections and limits the exercise of each advocate's active voting rights.	Abolish by law the quota-based system of representation and introduce a model of direct participation of advocates through online voting based on the 'one advocate — one vote' principle, using secure platforms independent of the UNBA and subject to mandatory independent audit. Guarantee equal conditions for the exercise of active and passive voting rights through open and competitive procedures for nominating candidates, the right of self-nomination, mandatory publication of candidates' programmes and professional experience, and equal opportunities for public debates.

4	Clear rules on the electoral cycle of BSG bodies and maximum timeframes for extending their powers are absent, while key leadership positions are combined, leading to the concentration of power.	Regulate by law the electoral cycle of BSG bodies, with clear timeframes for its stages and the automatic launch of elections upon expiry of the term of office, regardless of decisions of the BCU. Define an exhaustive list of grounds for extending the powers of BSG bodies where elections cannot be held, with a maximum duration of no more than one year. Reduce the term of office of BSG bodies to three years, with a prohibition on holding leadership positions for more than two consecutive terms, taking into account previous terms served under the current legislation. Prohibit the accumulation of key leadership positions within BSG bodies, including within the UNBA, the BCU and other bodies, to prevent the concentration of power.
5	The activities of BSG bodies remain closed: BCU decisions are systematically not published, some of them have been classified with reference to martial law without lawful grounds, and meetings of the BCU and the Bar Council of the Regions (BCRs) are not streamed online.	Delineate by law the competences of the BCU and the BCRs to eliminate the BCU's monopoly over electoral procedures and strengthen regional autonomy. Introduce mandatory transparency of the activities of BSG bodies, including online streaming of meetings of the BCU and the BCRs and the timely publication of minutes, decisions and voting results.
6	In 2025, the BCU, whose term of office had effectively expired, delegated three representatives to the Competition Commission for the selection of members of the HQCJ through a non-transparent and non-competitive procedure.	The Parliament should adopt Draft Law No. 13382 by May 2026, providing for the continued participation of international experts in the Competition Commission for the selection of members of the HQCJ and removing from the BCU's powers the right to delegate representatives to this Commission until democratic elections to BSG bodies are held.
7	The qualification examination is conducted in paper form by regional Qualification and Disciplinary Commissions of Bar (QDCBs) without the use of modern testing technologies, identification and video streaming, leaving the system vulnerable to corruption risks and abuses: examination tickets with answers circulate openly, while analysis of the URAU reveals regional anomalies in the issuance of certificates that have no objective explanation.	Introduce by law a unified, standardised nationwide digitalised examination in a centralised centre in Kyiv, with video recording, to ensure equal conditions for all candidates and prevent corruption practices.
8	The law does not contain requirements concerning the moral and ethical qualities of candidates seeking admission to the Bar: the formal absence of a criminal	Introduce by law moral and ethical requirements for candidates, in particular regarding impeccable reputation, with an obligation on BSG bodies to carry out a thorough assessment at the stage of admission to the examination.

	record and medical contraindications is not sufficient confirmation of a person's integrity.	Introduce the submission by candidates of a declaration of integrity as an instrument of personal accountability.
9	Traineeship is formalistic in nature and does not ensure proper preparation of candidates seeking admission to the Bar for independent practice.	Improve the traineeship procedure, taking into account best practices of EU Member States, to ensure a balance between the educational, practical and ethical components.
10	The Higher School of the Bar of the UNBA (UNBA HSB) retains a de facto monopolistic position as the administrator and dominant provider of professional development services, which has no analogue in EU Member States and restricts competition.	Enshrine in law the right of advocates to freely choose the forms and providers of professional development services, including the possibility of undertaking training with foreign providers, except those from aggressor states.
11	Disciplinary decisions are systematically not published, depriving advocates of the ability to understand law enforcement practice and the limits of permissible professional conduct, making academic research and analysis of disciplinary approaches impossible, and preventing the formation of a unified and predictable. practice of the disciplinary body. The rate of overturning decisions of regional QDCBs reaches approximately 75%, indicating the absence of established approaches.	Establish a public electronic register of disciplinary proceedings against advocates, including all decisions of QDCBs and the High Qualification and Disciplinary Bar Commission (HQDC), modelled on registers of disciplinary decisions in the judiciary and the prosecution.
12	The current regulation of disciplinary liability of advocates contains systemic gaps: the concept of a disciplinary offence is not defined, the range of sanctions is narrow, an appeal against a decision before a court does not suspend its execution, and the Rules of Legal Ethics contain evaluative provisions, which allows them to be used as a tool of pressure on advocates.	Suspend the execution of a decision in a disciplinary case for the duration of its appeal before a court. Define the concept of a disciplinary offence and establish an exhaustive list of entities entitled to lodge complaints. Expand the range of disciplinary sanctions to allow for differentiated and proportionate application of disciplinary measures. Revise the Rules of Legal Ethics by removing evaluative provisions and establishing the principle of freedom of expression for advocates.
13	The Head of the HQDC was appointed by the BCU in November 2024 in violation of the Law of Ukraine 'On the Bar and Practice of Law', which provides that the Head is elected exclusively by the Congress of Advocates of Ukraine. The unilateral allocation of complaints among regional QDCBs creates risks of	Guarantee the independence of disciplinary bodies and introduce clear and transparent criteria for allocating complaints among regional QDCBs where necessary.

	targeted selection of a disciplinary body, or forum shopping. Disciplinary bodies are also administratively and organisationally dependent on BSG bodies.	
14	Disciplinary proceedings are used as a tool of pressure on advocates, including against members of the HCJ and the HQCJ whose right to practise law has been suspended due to the exercise of powers incompatible with the status of a practising advocate. The closed nature of QDCB disciplinary hearings exacerbates these risks and deprives advocates of protection tools.	Clarify Article 34 of the Law of Ukraine 'On the Bar and Practice of Law': actions of persons whose right to practise law has been suspended, performed outside the scope of legal practice and in the course of exercising powers in positions incompatible with the status of a practising advocate, cannot be subject to disciplinary proceedings. Ensure openness of disciplinary proceedings by providing for the streaming of QDCB hearings upon the advocate's request.
15	The financial activities of BSG bodies remain non-transparent: financial reporting has not been published since 2022, budgets and justifications for the amount of contributions are not disclosed, procurement is carried out outside competitive procedures and there is no external independent audit, depriving advocates of the ability to verify the justification for the use of the funds they have paid.	Introduce mandatory annual publication of detailed budgets of BSG bodies at all levels and justification of the amount of the annual contribution payable by advocates and oblige the BCU to publish the financial reports of BSG bodies for 2022–2025 within three months from the date of entry into force of the amendments. Introduce transparent and competitive procurement procedures for BSG bodies, based on principles analogous to public procurement, with advocates' access to the key terms of contracts and primary documents. Introduce a mandatory annual external independent audit of the financial reporting of BSG bodies, with publication of its results. Maintain the statutory cap on the maximum amount of the annual contribution payable by advocates at the level of one subsistence minimum.
16	Courts systematically take a position of non-interference in the substance of decisions of BSG bodies, limiting themselves to reviewing the procedure for their adoption. This effectively removes the rule-making activity of BSG bodies from effective judicial control and creates risks of abuse and the adoption of decisions that violate advocates' rights.	Amend the Law of Ukraine 'On the Bar and Practice of Law' to provide for the possibility of judicial appeal against decisions of BSG bodies that display the characteristics of a normative legal act and for their review against the criteria set out in Part 3 Article 2 of the Code of Administrative Procedure of Ukraine.
17	Violations of advocates' professional rights are systematically recorded: obstruction of access to clients in TCR and SS, identification of advocates with their clients and the ineffectiveness of the liability mechanism for disregarding advocates' requests.	Introduce a unified interagency mechanism for interaction between TCR and SS and advocates. The President should exercise the right of veto in respect of Draft Law No. 12320 and instead ensure the inevitability of liability under Article 397 of the Criminal Code of Ukraine (CC of Ukraine).

		Hold a legal discussion on mechanisms to ensure the effective exercise of BCR powers under Part 5 Article 212[3] of the CUAO and on the advisability of transferring these powers to advocates.
18	Draft Law No. 12320 on the identification of advocates with their clients, adopted on 16 July 2025, contains vague categories and evaluative criteria, violating the principle of legal certainty and introducing mechanisms of censorship.	The President should exercise the right of veto in respect of Draft Law No. 12320, as it poses a threat to freedom of expression and does not comply with the principle of legal certainty. Ensure the inevitability of liability under Article 397 of the CC of Ukraine in cases where public identification of an advocate with a client leads to real consequences.
19	The principle of adversarial proceedings in criminal procedure remains declaratory: the defence is deprived of real tools for equal protection.	Empower advocates to independently conduct certain procedural actions, with their results recognised as evidence, and provide them with identified access to state registers, including the URPTI, the Unified State Register of Enforcement Proceedings and other registers. Guarantee unimpeded access to the client, participation in investigative actions and the absolute nature of attorney-client privilege.
20	On 9 March 2026, Ukraine signed the Council of Europe Convention for the Protection of the Profession of Lawyer, which requires subsequent ratification by Parliament. At the same time, national legislation will also need to be brought into compliance with the standards of this Convention.	The Council of Europe Convention for the Protection of the Profession of Lawyer (CETS No. 226) should be ratified simultaneously with or after the adoption of amendments to the Law of Ukraine 'On the Bar and Practice of Law' implementing its provisions. Ratification should not precede legislative reform, in order to avoid creating a gap between international obligations and national regulation.
Reform of Legal Education		
1	**The legislative framework for legal education reform has not been completed**. As of 31 July 2026, the Draft Law of Ukraine on Higher Legal Education and Initial Access to the Legal Profession had not been submitted to the Verkhovna Rada. The institutional separation of training for legal professionals and personnel for law enforcement agencies has also not been implemented.	Complete the development of and submit to the Verkhovna Rada the Draft Law of Ukraine 'On Higher Legal Education and Initial Access to the Legal Profession', which should provide, inter alia, for: a list of legal professions; requirements for institutions providing legal training; the institutional separation of training for legal professionals and personnel for law enforcement agencies; specific features of the accreditation of legal education programmes; and the principles of initial access to the legal profession.
2	**The Government Priority Action Plan for 2026 is not fully aligned with the Rule of Law Roadmap**. Some measures in the field of legal education envisaged by the Rule of Law Roadmap are not reflected as separate government tasks.	**During the next review of the Government Priority Action Plan, separately include the outstanding measures under the Rule of Law Roadmap concerning legal education**, specifying for each measure the responsible implementer, a specific deadline and a measurable result. Introduce annual public reporting by the MoES on the implementation of the relevant measures under the Rule of Law Roadmap.

3	Special licensing requirements for specialities D8 ‘Law’ and D9 ‘International Law’ have not been approved.	Complete the development and adopt amendments to the Licensing Conditions for Educational Activity. For specialities D8 ‘Law’ and D9 ‘International Law’, establish a minimum proportion of academic staff with practical experience in legal professions; staffing requirements for mandatory legal disciplines; requirements for legal clinics and internship providers; and access to professional legal databases and other information resources.
4	**A special accreditation model for legal education programmes has not been introduced**. USQE results and graduates’ career trajectories are not systematically used to assess programme quality.	Amend the Regulation on the Accreditation of Educational Programmes. For specialities D8 ‘Law’ and D9 ‘International Law’, provide for mandatory analysis of: USQE results over several years; graduate employment indicators; the quality of practical training; and the activities of legal clinics. Provide for the participation in expert panels of representatives of the Bar, the judiciary, the prosecution service, the notarial profession and other legal professions.
5	**The departmental model for allocating state-funded places for legal training remains in place**. In 2026, 60.7% of state-funded bachelor’s places in speciality D8 ‘Law’ are commissioned by bodies outside the MoES system.	**Review the procedure for determining and allocating state-funded places for speciality D8 ‘Law’**. Determine their number based on forecast demand among applicants, labour market needs, USQE results and graduate employment indicators. Separately review the appropriateness of training civilian legal professionals through state-funded places commissioned by the MoIA, the Ministry of Defence, the SSU and other agencies in the context of the planned institutional separation of legal education and the training of personnel for law enforcement agencies.
6	Draft Law No. 10399 on introducing a grant-based higher education funding system based on the principle of ‘money follows the student’ has still not been adopted by Parliament at second reading.	Parliament should adopt Draft Law No. 10399 at second reading to enshrine the grant-based system for financing higher education in legislation.
7	**New higher education standards for specialities D8 ‘Law’ and D9 ‘International Law’ have not been approved**. At the same time, the development of the National Qualifications System, the launch of the Unified Register of Qualifications — Classification of Occupations and the development of professional standards for legal professions create the preconditions for aligning educational and professional qualifications.	Develop and approve new standards for specialities D8 ‘Law’ and D9 ‘International Law’, aligning them with the professional standards for legal professions and the National Qualifications System. Provide for mandatory learning outcomes in EU law, professional ethics, legal writing and legal research, modern digital technologies and the responsible use of AI. Establish requirements for practical training and ensure that learning outcomes correspond to the competences defined in professional standards.
8	**A unified modern model of practical training for legal professionals has not been developed**. The general Regulation on Student Internships has remained in force	Adopt a new Regulation on Practical Training for Higher Education Students to replace the 1993 Regulation. For legal specialities, define minimum requirements for the duration and outcomes of internships, criteria for selecting internship providers

	since 1993, while model internship programmes regulate only certain areas of practical training.	and requirements for supervisors. Expand opportunities for internships in the Bar, the notarial profession, courts, the prosecution service, justice bodies and legal departments, and recognise a legal clinic as a fully-fledged form of practical training.
9	**External assessment programmes for future legal professionals need to be updated**. The USQE Programme was not updated during the reporting period, while the subject test of the Unified Professional Entrance Examination 'Law and International Law' continues in 2026 to be administered under the programme approved in 2022. At the same time, exemptions from the mandatory USQE remain for certain categories of students.	Comprehensively update the programmes of the USQE and the Unified Professional Entrance Examination 'Law and International Law' and align them with the new standards for specialities D8 'Law' and D9 'International Law' once these standards have been approved. Review the content of the programmes to reflect legislative changes and ensure adequate coverage of EU law, professional ethics and responsibility and the practical application of law. Introduce periodic review of external assessment programmes. Separately review exemptions from the mandatory USQE to ensure uniform requirements for the state certification of legal professionals.
		War-Related Justice
1	Unprofessional work with witnesses and victims of war crimes leads, on the one hand, to their reluctance to engage and the inability to obtain evidentiary information from them and, on the other, to their repeated and secondary victimisation. Resources are allocated only to victims of war crimes, although there are many vulnerable categories of victims. At the same time, no clear plans have been defined for scaling up the Coordination Centre for Victim and Witness Support to other categories.	Develop and adopt legislative acts aimed at establishing a comprehensive system for the support and protection of victims and witnesses in cases concerning the most serious international crimes, taking into account Directive 2012/29/EU. Develop the system of support for victims and witnesses of war crimes to obtain high-quality information from them for the further proof of these crimes, while preventing secondary or repeated victimisation of such persons. Overcome the fragmented nature of the current model of the Coordination Centre for Victim and Witness Support by establishing a unified coordination mechanism for witness protection and introducing clear standards of interaction between all authorities involved. Identify and redirect alternative sources of funding for ongoing projects to develop an electronic database of Ukrainian court decisions delivered in war crimes cases.
2	International crimes fall under the investigative jurisdiction of only the Security Service of Ukraine (SSU), although they are investigated by both the SSU and the National Police of Ukraine (NPU). Long-term institutional support for criminal prosecution in international crimes cases is absent.	Amend Article 216 of the CPC of Ukraine to provide for dual, or alternative, investigative jurisdiction of the NPU over international crimes. Define the specialisation of prosecutors and investigators at the level of the Laws of Ukraine 'On the Public Prosecutor's Office', 'On the Security Service of Ukraine' and 'On the National Police of Ukraine' to prevent a future lack of resources on the part of the Government and Parliament for restoring justice for victims of international crimes.

		Ensure implementation of the Strategy for the Exercise of Powers by Prosecution Authorities in the Field of Criminal Prosecution for International Crimes for 2026–2028 by developing a clear action plan, implementation indicators and monitoring mechanisms.
3	The provisions of criminal and criminal procedural legislation are not aligned with the Rome Statute of the International Criminal Court (Rome Statute). Procedural legislation also requires amendments, in particular to align it with the provisions of the Rome Statute of the ICC, the ECHR etc.	Continue amending the CC of Ukraine, including by clarifying definitions and ensuring the retroactive application of provisions on international crimes, on the basis of the work of the Interagency Working Group under the PGO and taking into account international criminal law standards, in order to ensure proper harmonisation of Ukrainian legislation with international criminal law, international humanitarian law and the CPC of Ukraine. This should include expanding investigative jurisdiction over the most serious international crimes, providing for the legal recognition of open-source and intelligence information as evidence and enabling the participation of international experts. To ensure the quality consideration of criminal proceedings under the in absentia procedure, it is necessary to: • review procedures for notifying a person of the conduct of a pre-trial investigation, including notification of suspicion, and of judicial consideration, including the opening of court proceedings. For example, an alternative to notices in the newspaper 'Uriadovyi Kurier' could be the creation of a dedicated international online platform where such information would be published, systematised and accumulated; • amend the CPC of Ukraine to provide for the possibility of ex novo review of a court judgment where a person in respect of whom an in absentia decision has been delivered appears on the territory of Ukraine, by analogy with default judgments in civil jurisdiction; • ensure systematic training for judges on the consideration of cases concerning international crimes, in particular with regard to drafting judgments in this category of cases.
4	The absence of a legally defined specialisation of judges in cases concerning international crimes reduces the quality of justice in this category of cases and prevents the formation of consistent judicial practice on international crimes.	Postpone consideration of Draft Law No. 7033-d to allow for a thorough expert assessment of its provisions with the involvement of specialists, including representatives of civil society. Analyse Draft Laws Nos. 11538 and 11539 for compliance with the Constitution of Ukraine and international law.

		Revise Draft Law No. 10301 on judicial specialisation to clearly distinguish between military and war crimes and to distribute judges' workload. It would be advisable to establish a minimum required level of experience in considering criminal cases, for example two years, before authorising a judge to consider international crimes. This would help avoid a situation where such a specific category of cases could be considered by a newly appointed judge with limited experience.
5	The broad definition of the criminal offence of 'collaboration activities' in the CC of Ukraine has led to legal uncertainty and prosecution for acts that do not harm national security. In particular, Ukrainian authorities continue to prosecute Ukrainians for collaboration activities for work which, under international humanitarian law, may be lawfully required by an occupying power. The SSU's policy on applying this criminal offence lacks prioritisation and consistency of approaches, which in the long term harms the reintegration of the temporarily occupied territories of Ukraine.	Amend Ukrainian legislation to ensure consideration of international humanitarian law, clarify the actus reus of the criminal offence under Article 111[1] of the CC of Ukraine and take into account the conditions and duration of occupation when qualifying the criminal offence and assessing the social harm of a person's conduct. Develop a policy on memorialisation, amnesty and lustration and consider removing the least serious category of violations within collaboration activities from the criminal justice sphere. Continue capacity building for judges at all levels, as well as for investigators and prosecutors, on international humanitarian law, including a focus on the legal regime of occupation, with a view to developing uniform standards for pre-trial investigations and judicial consideration of cases related to liability for collaboration activities.
6	The CPC of Ukraine does not define the procedure for international cooperation in sufficient detail, taking into account the EU acquis, primarily as regards the evidentiary value of information obtained and its use in judicial proceedings. Procedural legislation also does not clearly define the procedure for the functioning of joint investigation teams (JITs), and the PGO does not sufficiently inform the public about their activities.	Supplement Chapter 4 of the CPC of Ukraine with provisions defining: • the concept of digital evidence of international origin as factual data obtained in the framework of international cooperation through official mechanisms, including Eurojust, CICED, the ICC, JITs, the ICPA etc.; • the criteria for the admissibility, relevance and reliability of such evidence; • procedures for confirming authenticity, metadata and the chain of custody; • requirements for accompanying documentation, including authenticity certificates, technical reports and transfer protocols; • the procedure for the procedural inclusion of evidence in criminal proceedings through authorised channels of international cooperation. Develop JIT mechanisms by: • expanding the geographical and thematic scope of JITs, by establishing new teams with partner states; • deepening coordination within existing formats involving Eurojust, Europol and the ICC.

7	In December 2026, the composition of the ICC will be renewed, and Ukraine plans to take part in this process by nominating its first candidate for the position of judge. Ukraine's declaration under Article 124 of the Rome Statute of the ICC remains in force, which, in Ukraine's view, prevents Ukrainian service members from being held liable for international crimes for a period of seven years. However, Article 124 of the Rome Statute of the ICC has been applied only twice, in respect of France and Colombia, and is more of an international legal compromise than an effective instrument. This sends a negative signal from Ukraine regarding the inevitability of punishment for international crimes.	Ensure the procedure for nominating the competition winner as Ukraine's candidate for the position of ICC judge at the 25th session of the Assembly of States Parties, to be held in December 2026. Withdraw Ukraine's declaration under Article 124 of the Rome Statute of the ICC in accordance with the procedure set out in that Article.
8	Over more than two years, an international coalition of states has prepared the legal framework for the establishment and launch of the Special Tribunal. The Tribunal is now moving from the stage of a political decision to practical launch. Since February 2026, an advance team has been operating in The Hague and Strasbourg, preparing the organisational launch of the Tribunal. Its work involves resolving all issues preceding the establishment of the management committee that will select judges and prosecutors.	Continue active work on the establishment of the Special Tribunal for the Crime of Aggression.
FIGHTING CORRUPTION		
1	The lack of information and public communication on the enforcement of HACC verdicts does not allow for a comprehensive assessment of the effectiveness of combating high-level corruption.	The MoJ should introduce a system for assessing the effectiveness of the enforcement of HACC judgments concerning confiscation of property and compensation for damages, and publish the results of the enforcement of court decisions.
2	Although the Head of the SAPO is an independent procedural figure, certain powers concerning the initiation of criminal proceedings against specific	Strengthen the institutional autonomy of the SAPO by granting the Head of the SAPO the power to initiate criminal proceedings and approve investigative actions concerning Members of Parliament, as well as powers in the field of international

	categories of persons and some international cooperation measures still belong exclusively to the Prosecutor General. This increases the risk of delays or information leaks during the investigation of criminal cases.	cooperation, not only through amendments to the CPC of Ukraine but also to the relevant ratification laws on international treaties.
3	The participation of international experts in competition commissions for key justice and anti-corruption bodies remains one of the most important institutional safeguards. At the same time, in June 2025, the mandate of the first composition of the Selection Commission responsible for selecting members of the HQCJ expired, and under the current law international experts are no longer included in its new composition. Despite civil society's position and Draft Law No. 13382 on extending the participation of international experts, on 22 July 2025 the HCJ launched the formation of the Selection Commission without them.	Continue involving representatives of international partners in competition commissions for selection to positions in the justice and anti-corruption sectors, primarily with regard to the HQCJ.
4	Since the beginning of the full-scale invasion, competitions for civil service positions have been suspended, leading to mass appointments without competitive selection and significantly weakening the meritocratic foundations of the civil service. Although the legislative resumption of competitions is required under Ukraine's international commitments, the relevant draft law has still not been adopted, and its current version contains significant shortcomings that need to be addressed.	The Verkhovna Rada should finalise and adopt Draft Law No. 13478-1 on the resumption of competitions for civil service positions, taking into account experts' comments — in particular, as regards candidate integrity checks, the discretion of appointing authorities and internal competitions for vacant positions at the NACP.
5	Despite legislative amendments, the NABU still cannot autonomously ensure the interception of communications.	The SSU should ensure, in the near future, the NABU's autonomy in intercepting information from electronic communications networks.
6	The appointment and conduct of forensic examinations in criminal cases investigated by the NABU remain sufficiently complex due to influence on experts, disclosure of confidential information and lengthy timeframes for conducting examinations.	The Verkhovna Rada and the Government should strengthen expert support for the NABU by adopting legislation establishing an independent forensic institution that is equidistant from both NABU management and other state bodies, or by developing the MoJ institution in line with genuine independence standards: competitive selection of the director with the participation of international partners, transparent

		selection of experts, independent funding and subordination to the Cabinet of Ministers of Ukraine rather than the MoJ.
7	During the reporting period, the key development in the external audit of anti-corruption bodies was the approval, on 16 September 2025, of the Action Plan for the Implementation of the NABU Development Strategy, which incorporates the recommendations of the Commission for the External Independent Evaluation (Audit) of Effectiveness, which issued 26 recommendations. According to the Commission's overall assessment, the NABU functions as a 'moderately effective' body. Implementing these recommendations requires efforts both by the NABU itself and by Parliament — in particular, regarding the fact that the SSU has the exclusive power to grant and revoke access to state secrets for NABU undercover staff. Parliament remains passive on this issue: the legislative amendments required to implement this recommendation, as well as others, have not been adopted.	The Verkhovna Rada, as well as the NABU, should implement the recommendations of the Commission for the External Independent Evaluation (Audit) of the Effectiveness of the NABU, provided in the report of 6 May 2025.
8	The mandatory biennial external independent evaluation of the NACP has not been conducted for more than four years. The key reason is the MoJ's delay in approving the updated methodology and criteria. The current documents, approved in 2020, were developed without inclusive consultations, do not take into account wartime challenges and do not cover the Agency's new functions, in particular concerning lobbying and the personal accountability of the Head of the NACP. The Government was supposed to update these documents as early as the first quarter of 2025 but has still not done so.	The Cabinet of Ministers of Ukraine should update, as soon as possible, the Methodology and Criteria for the external evaluation of the NACP's effectiveness to conduct this evaluation for the period from 2022 to 2025 inclusive. The number of evaluation criteria should be reduced, duplication eliminated, the focus shifted to qualitative indicators of the impact of the NACP's activities on corruption prevention and an expanded list of personal evaluation criteria for the Head of the Agency should be included.
9	In December 2023, the NACP introduced the automation of full verifications of declarations, which drew criticism from civil society representatives. The purpose of this	Revert to the previous concept of full verification of declarations, which did not provide for declarations that could be fully verified through automated procedures.

	update, which is also not provided for by the specialised law, remains ambiguous and insufficiently distinguished from the artificially separated control of declaration completion.	
10	In autumn 2023, the NACP approved the procedure for conducting lifestyle monitoring of declarants and registered it with the MoJ. However, the substance of this procedure did not undergo conceptual changes, which drew criticism from civil society representatives. In particular, the procedure does not define clear time limits for conducting lifestyle monitoring, which should be time-limited so as not to become excessive interference in a declarant's private life.	The NACP's subordinate regulation on the new procedure for lifestyle monitoring should be revised to avoid excessive interference in declarants' private lives, as well as risks related to insufficient guarantees of independence in conducting this form of control.
11	The NACP is currently not included in the list of authorities that take measures to identify unjustified assets and collect evidence of their unjustified origin under Part 5 Article 290 of the CivPC of Ukraine. Including the Agency in this list, without limiting its work through special procedures, would allow the Agency's financial control practice to be aligned with the investigation practices of the NABU, the SAPO, the SBI and the PGO, without establishing any rigid limits or special procedures.	Include the NACP in the list of authorities that take measures to identify unjustified assets and collect evidence of their unjustified origin pursuant to Part 5 Article 290 of the CivPC of Ukraine.
12	In the context of the periodicity of financial reporting of the political parties, quarterly reporting, in the absence of annual automatic allocation of verifications, creates an excessive administrative burden on the NACP. In the case of parliamentary parties, the need for more frequent reporting may be justified by the link to state funding. However, for other parties, annual reporting, a precedent for which was already established in Ukraine when reporting was restored, would allow for a comprehensive assessment of a party's financial activity over a full period, the identification of recurring transactions and easier analysis.	The NACP's capacity to verify political party reports should be strengthened, in particular by introducing the annual automatic allocation of party audits among Agency staff. The practice of annual reporting for non-parliamentary parties should be continued.

13	The Agency still does not apply automated allocation of monitoring activities among its authorised officials, as noted in the report of the External Independent Assessment of the NACP's Effectiveness for 2020–2021 and in the Shadow Reports for 2024 and 2025.	Introduce the automated allocation of conflict-of-interest monitoring activities among authorised NACP officials.
14	The Unified Whistleblower Reporting Portal, whose launch by the NACP is noted in the 2025 Enlargement Package Report, continues not to comply with best practices, primarily in terms of usability.	The NACP should update the Unified Whistleblower Reporting Portal, taking into account the shortcomings identified by authorised users, in particular regarding the requirement to provide a preliminary qualification of the violation. The Portal's functionality should also be brought into line with international standards and best practices.
15	The 2025 Enlargement Package Report states that the SAP should be implemented at a 'satisfactory' level. At the same time, according to OECD indicators, an acceptable level of implementation of the current SAP is 90% of measures implemented, provided that the remaining 10% have either justifiably lost relevance or were not implemented for financial reasons.	Establish 90% as an acceptable level of implementation of the current SAP, considering potentially justified loss of relevance and underfunding of individual measures.
16	The Anti-Corruption Strategy and the SAP expired on 31 December 2025. The Government extended the SAP due to the delay in adopting new documents. The previous Strategy was adopted almost a year and a half late, which effectively reduced its duration from five to three and a half years and became one of the reasons for the low level of SAP implementation — only 52.7% of measures as of March 2026. Repeating this situation with the new cycle of strategic documents would lead to similar consequences.	Parliament and the Government should adopt without delay the new Anti-Corruption Strategy and State Anti-Corruption Programme, developed with due regard to public analysis of the corruption situation and the results of implementation of the previous strategic documents.
17	Participants in criminal proceedings abuse procedural rights in order to obstruct judicial consideration within a reasonable time.	The Verkhovna Rada should finalise and adopt legislation introducing mechanisms to counter the abuse of procedural rights in criminal proceedings, including the possibility of imposing monetary penalties on participants in proceedings and holding them liable for contempt of court.
18	At present, the court does not have the power to assess the extent to which the missed pre-trial investigation time limit affected the exercise of the accused's rights.	The Verkhovna Rada should amend the CPC of Ukraine by removing the provision requiring the court to close criminal proceedings due to the expiry of the pre-trial investigation time limit (para. 10 Part 1 Article 284 of the CPC of Ukraine), and

	As a result, criminal proceedings are closed even where the time limit has been missed only insignificantly, which is disproportionate to the nature of the procedural violation.	empower the court to do so where the accused's right to have criminal proceedings considered within a reasonable time has been violated.
19	The legal regulation of plea agreements in corruption cases does not provide for mandatory application of special confiscation, as a result of which some corruption assets may remain unrecovered. Clear criteria for judges to assess the 'public interest' are absent, and the court is not empowered to request evidence, which reduces the quality of approval of such agreements.	The SAPO should make greater use of conditions requiring the actual serving of sentences when concluding plea agreements, together with special confiscation of assets where available. It should also develop accessible policies on concluding agreements in high-level corruption cases, including a clear assessment of the public interest.
20	Violations of the NABU's exclusive investigative jurisdiction remain a problem that received no legislative or institutional solution during the reporting period. Pre-trial investigation bodies, primarily the SSU, continue to investigate and refer indictments to court in corruption cases that formally fall within the NABU's investigative jurisdiction. Cases of serving notices of suspicion in violation of investigative jurisdiction have also been recorded.	The SSU, the SBI, the NPU, the ESBU and prosecution bodies should strictly comply with the requirements of procedural legislation on the NABU's investigative jurisdiction and, for this purpose, interact effectively with each other, for example through the rapid and operational transfer of relevant materials.
21	Criminal legislation classifies some offences as corruption offences even though they are not such in substance, in particular Article 320 of the CC of Ukraine, which concerns violations of established rules for the circulation of narcotic drugs, psychotropic substances, their analogues or precursors. Some corruption-related articles, for example Article 364 of the CC of Ukraine, are formulated insufficiently clearly, allowing different interpretations under the same circumstances. The liability of legal persons introduced for bribery of foreign public officials does not provide for identical liability for bribery of national public officials. The current rules for calculating limitation periods allow persons involved in corruption cases to avoid liability.	The Verkhovna Rada should improve legislation on liability for corruption criminal offences by bringing the list of corruption criminal offences into line with the features of corruption, clarifying the disposition of Article 364 of the CC of Ukraine, extending mechanisms for the liability of legal persons for bribery not only of foreign but also national public officials and improving the rules for calculating limitation periods, in particular by changing the moment at which they expire and expanding the grounds for suspension.

22	The volume and speed of recovery of criminal assets, especially from abroad, remain low due to a number of legislative and organisational problems related to their identification, tracing, freezing and confiscation. Civil forfeiture also has a limited scope of application, as it applies only to public officials.	The Verkhovna Rada should introduce a comprehensive reform of the asset confiscation and recovery system, including improving mechanisms for extended and special confiscation of criminal assets instead of general confiscation of property as a punishment, introducing mandatory application of special confiscation when concluding plea agreements in corruption cases, expanding the range of entities empowered to bring relevant claims and implementing EU Directive 2024/1260 on asset recovery.
23	The current risk-based approach to verifying declarations does not allow for covering a significant share of declarations submitted by top officials and the highest-risk cases. This undermines the effectiveness of the asset declaration system.	The NACP should adopt new normative legal acts on the risk-based system for verifying declarations in accordance with the structural benchmark of the IMF Memorandum, ensuring that these acts not only formally comply with the Memorandum requirements but also address the identified systemic problem with verifications of top officials' declarations.
24	The European Commission's recommendation set out in the 2024 Enlargement Package Report on strengthening liability for unjustified wealth and lowering the relevant liability thresholds remains unimplemented.	Amend legislation to lower the thresholds for administrative and criminal liability for illicit enrichment and inaccurate declaration. Such lowering of thresholds should be based on the ratio between the amount of the offence and the average level of official income of public officials in different categories.
25	The limitation periods for liability for inaccurate declaration and the limitation period for civil forfeiture of unjustified assets do not comply with best European practice. The insufficiency of these periods affects the possibility of releasing persons from liability.	Amend legislation to increase the limitation periods for liability for inaccurate declaration, and consider increasing the limitation period for civil forfeiture of unjustified assets. Provide by law for the possibility of suspending or interrupting limitation periods in cases concerning corruption and corruption-related criminal offences, following European approaches.
26	There are a number of problems that reduce the effectiveness of certain aspects of financial control. These include the closed nature of procedures for verifying declarations of intelligence officers and their unlawful verification by the NACP internal control unit, the closed nature of the logical and arithmetic control (LAC) rules, as well as the artificially separated control of declaration completion, automated full verifications etc.	Conduct a comprehensive assessment of the entire system of financial control business processes, identify procedures where duplication, conflicts or discrepancies between subordinate legislation and the Law of Ukraine 'On Prevention of Corruption' may occur. Based on the results of such assessment, introduce the necessary legislative amendments to improve the financial control procedure.
27	The LAC rules remain inaccessible even to the Public Council under the NACP, making public oversight impossible as provided for by Article 14 of the Law of Ukraine 'On Prevention of Corruption'.	Amend legislation to ensure the openness of the LAC rules, including for the Public Council under the NACP.

	The 2025 Enlargement Package Report also included a requirement for the partial opening of the LAC rules.	
28	Separate procedures for full verification of declarations and lifestyle monitoring of judges and CCU judges are still absent, which may create both risks to judicial independence and gaps in proper financial control.	Develop and agree with the HCJ and the CCU separate procedures for full verification of declarations, as well as lifestyle monitoring of judges and CCU judges.
29	The need to review the entire concept of the system of state funding of political parties remains relevant, as the current system is insufficiently effective and outdated.	Parliament should adopt new draft law on the activities of political parties before the next regular elections. As well as adopt the Draft Law No. 11462 on improving the rules for financing election campaigns, exercising oversight over electoral funds and creating the 'National Elections' and 'Local Elections' modules within the POLITDATA Register system.
30	The need to improve sanctions for violations of political finance rules deserves separate attention. Such sanctions should be effective, proportionate and applicable both under the CUAO and the CC of Ukraine.	Review the system of legislative sanctions for violations of requirements by political parties, including banned parties, to make it more balanced, proportionate and broad in scope.
31	Despite the statutory obligation, as of March 2026, 12 state authorities still did not have anti-corruption programmes, while those that exist mostly remain formalistic, as confirmed by the NACP's own report. The absence of statutory liability for non-compliance with this requirement and procedural shortcomings in the approval of programmes by the NACP further reduce the effectiveness of this instrument.	State authorities and local self-government bodies should have internal anti-corruption programmes approved by the NACP, which properly reflect corruption risk analysis, with liability for their absence introduced in legislation.
32	The results of expert assessments, including those conducted by civil society, are subject to mandatory consideration by the body issuing the relevant act, pursuant to Part 8 Article 55 of the Law of Ukraine 'On Prevention of Corruption'. However, the Law does not provide clear guidance on the procedure for consideration or the timeframe for this process, allowing authorities to act at their discretion and ignore expert conclusions. Two methodologies for anti-corruption expert assessment are currently in use. The methodology developed by the MoJ almost a decade	Amend legislation to introduce measures aimed at eliminating gaps and legal uncertainty in the field of anti-corruption expert assessment, in particular by: • providing for clear timeframes and a procedure for the Verkhovna Rada to consider the results of anti-corruption expert assessments; • limiting the NACP's discretion in selecting draft normative legal acts for anti-corruption expert assessment; • introducing a unified anti-corruption expert assessment methodology that meets current needs; • shifting the focus of expert assessment to the early stages of law-making through the entry into force of the Law of Ukraine 'On Law-Making' and

	ago has proved overly complex and of limited practical use, even for experienced specialists. The failure to introduce a unified methodology and the parallel application of several approaches creates gaps in identifying corruption-prone factors and difficulties for anti-corruption authorised persons in choosing the appropriate approach. The NACP's discretion in selecting acts for expert assessment also lacks clear criteria, creating risks of a selective approach, without statutory or subordinate criteria for identifying acts that must be subject to anti-corruption expert assessment.	amendments to the Rules of Procedure of the Verkhovna Rada and the Rules of Procedure of the Cabinet of Ministers of Ukraine.
33	The current statutory definitions of conflict of interest, the substance of the relevant restrictions, their scope and duration do not comply with best European practice.	Adopt legislative amendments to further strengthen the conflict-of-interest framework and related anti-corruption requirements, including by improving the definition of conflict of interest, legislative provisions on its resolution, secondary employment and combining positions, strengthening restrictions on gifts and post-employment restrictions, as well as rules on the transfer of corporate rights by officials.
34	There is currently no law protecting whistleblowers who disclose information of public interest, for example on abuse of power, violations of food, transport or environmental safety, torture or other human rights violations etc, within the so-called 'broad definition'. Legislation in this area also does not comply with EU Directive 2019/1937.	Adopt a separate legislative act that would provide for: • a 'broad definition' of a whistleblower disclosing information of public interest; • extension of protection guarantees to persons who assisted whistleblowers and facilitated disclosure, were perceived as whistleblowers, were preparing to make a disclosure but did not have time to complete it, participate in professional organisations, as well as volunteers, trainees etc.; • ensuring the safety of participants in proceedings without linking this protection to criminal justice; • extending the definition of a regular reporting channel to public authorities whose competence includes consideration and decision-making on matters concerning which the relevant information is disclosed. Regular channels should also be mandatory for bodies responsible for supervising compliance with laws in the relevant areas, as well as other relevant state bodies, institutions and organisations; • reporting restricted-access information, including state secrets, through an external reporting channel where it is in the public interest, without liability

		for doing so. The legislature should inclusively develop and adopt legislative amendments exempting whistleblowers disclosing information of public interest, including state secrets, from liability under Articles 361, 361², 328, 330, 422 and 39 of the CC of Ukraine.
35	Draft Law No. 15089 introduces protection mechanisms for military whistleblowers, including transfer, leave and deferral of conscription, but does not resolve the fundamental problem: a service member who identifies corruption in the defence sector is effectively deprived of a safe lawful way to report it. Statutory subordination requires them to report through their commander even where the commander is the subject of the violation, while reporting through civilian channels in circumstances involving access to classified information carries the risk of criminal liability under Article 328 of the CC of Ukraine.	The Verkhovna Rada should support Draft Law No. 15089 on the protection of military whistleblowers after it has been finalised, in particular as regards the introduction of protected reporting channels that would make it impossible to require reporting through a commander where that commander is the subject of the violation, as well as exemption from liability for military whistleblowers in the event of disclosure of information, including state secrets, under Articles 361, 361², 328, 330, 422 and 39 of the CC of Ukraine.
PROTECTION OF FUNDAMENTAL RIGHTS AND FREEDOMS		
1	The Law of Ukraine 'On the Ukrainian Parliament Commissioner for Human Rights' does not comply with international standards, regarding the election/ appointment of the Ukrainian Parliament Commissioner for Human Rights (Commissioner, Ombudsman), guarantees of independence and response mechanisms. The registered Draft Law 'On the Ukrainian Parliament Commissioner for Human Rights' (No. 13181) which was adopted at first reading, does not fully meet Ukraine's international obligations.	Finalise Draft Law No. 13181 for second reading, taking into account Ukraine's international obligations, in particular by establishing, on the basis of the Verkhovna Rada Committee on Human Rights, Deoccupation and Reintegration of Temporarily Occupied Territories of Ukraine, National Minorities and Interethnic Relations, a working group involving representatives of human rights organisations.
2	Amendments introduced in 2022 to the Law of Ukraine 'On the Legal Regime of Martial Law' have created risks to the independence of the Ombudsman and the possibility of political pressure on the institution.	Amend Article 12 of the Law of Ukraine 'On the Legal Regime of Martial Law' and eliminate the possibility of dismissing the Commissioner during the period of martial law on the grounds of a vote of no confidence.
3	The National Preventive Mechanism (NPM) in Ukraine operates under the 'Ombudsman+' model. The NPM budget for 2026 remained at the 2025 level and	Ensure adequate funding for the NPM, in particular to enable compensation for civil society monitors participating in NPM visits (at least travel, accommodation and subsistence costs).

	amounted to UAH 2.39 million, which is insufficient to ensure its effective functioning.	
4	In 2025, efforts intensified to establish a system for collecting, recording and analysing information on violations of anti-discrimination legislation. The Parliament is considering Draft Law 'On Amendments to the Code of Ukraine on Administrative Offenses and the Criminal Code of Ukraine regarding combating discrimination' (No. 13597), which provides for additional powers for the Commissioner to ensure accountability for violations in the field of prevention and counteraction to discrimination. The issue of adequate resources for this activity arises, as the number of discrimination complaints submitted to the Commissioner is increasing annually.	Ensure the coordinating role of the Commissioner in the system for collecting, recording and analysing information on violations of anti-discrimination legislation. The Secretariat of the Commissioner should conduct a needs assessment in the event of adoption of Draft Law No. 13597 and ensure an increase in staff responsible for processing discrimination complaints.
5	In September 2025, the Office of the Military Ombudsman was established as a permanent auxiliary body under the President. Through the Military Ombudsman, the President exercises democratic civilian control over the security and defence sector with regard to ensuring the rights of a broad range of service members. A key issue is the absence of liability for failure to comply with the lawful demands of the Military Ombudsman. In addition, there is insufficient funding for the Office of the Military Ombudsman.	Adopt Draft Law No. 13267 in the second reading, which introduces liability for failure to comply with the lawful demands of the Military Ombudsman. Amend the Law of Ukraine 'On the State Budget of Ukraine for 2026' to increase funding for the Office of the Military Ombudsman.
6	In March 2026, the draft new National Human Rights Strategy was presented for public consultation. However, some of its objectives duplicate existing strategic documents, while issues related to the protection of the rights of service members are absent.	Revise the draft National Human Rights Strategy taking into account proposals from human rights organisations. Develop an implementation plan for the Strategy in an inclusive manner, involving representatives of state authorities, experts from human rights organisations and international partners.
7	The penitentiary healthcare system has not yet been integrated into the general healthcare system, which negatively affects access to quality and independent medical care. Existing pilot initiatives lack a systemic approach. There remains a need to incorporate	Address the problem of healthcare provision in penitentiary institutions by integrating penitentiary medicine into the general healthcare system coordinated and funded by the MoH. Improve healthcare services and ensure compliance with the principle of equivalence between healthcare in penitentiary institutions and healthcare provided within the general healthcare system.

	penitentiary medicine into the healthcare system coordinated by the Ministry of Health of Ukraine (MoH).	
8	The practice of documenting bodily injuries does not always comply with the standards of the Istanbul Protocol.	Ensure full implementation of the Istanbul Protocol, including training of medical personnel in its standards.
9	Opioid substitution therapy remains limited in places of detention.	Expand the provision of opioid substitution therapy in places of detention.
10	Cases have been recorded involving labour exploitation of prisoners, overtime work (more than 40 hours per week), improper execution of employment contracts, violations of the right to occupational safety, inadequate remuneration and failure to provide workwear and other personal protective equipment, resulting in injuries.	Ensure respect for prisoners' labour rights, including proper formalisation of employment relations, remuneration, safe working conditions and effective investigation of violations.
11	The mechanism for release from serving a sentence on health grounds is excessively formalised and does not account for the critical condition of individuals.	Review legislative approaches and simplify the procedure for release from serving a sentence on health grounds.
12	Human rights inspectors working in pre-trial detention centres and penitentiary institutions remain institutionally dependent on the administrations of these facilities.	Ensure the institutional independence of human rights inspectors by revising their reporting lines within the MoJ and strengthening guarantees of their independence.
13	The effectiveness of investigations into torture remains insufficient due to the heavy workload and limited resources of the SBI.	Ensure the effectiveness of pre-trial investigations into torture and other forms of ill-treatment, in particular by increasing the number of SBI investigators, introducing clear specialisation of investigators and publicly reporting on investigation results.
14	Places of detention are not equipped with shelters, and evacuation measures are not applied or are applied with delay in the context of threats related to Russia's full-scale armed aggression against Ukraine.	Integrate places of detention into the civil protection system and ensure timely evacuation/relocation of facilities or evacuation of persons held in places of detention located in areas of active hostilities or nearby settlements, as well as in areas located within less than 50 km from the state border with the Russian Federation, to appropriate facilities situated in safer areas.
15	Territorial Centres of Recruitment and Social Support effectively continue to operate outside systematic independent monitoring, despite the increasing number of reports of human rights violations during mobilisation measures.	Include Territorial Centres of Recruitment and Social Support in the visit plans of the National Preventive Mechanism on a regular basis, including at the regional level.

16	There is a threat to the independence of the National Council of Ukraine on Television and Radio Broadcasting (National Council) due to changes in the funding procedure.	The Verkhovna Rada should cease the practice of suspending the provisions of the Law of Ukraine 'On Media' concerning the financing of the National Council, regarding the remuneration of the Head, First Deputy Head, Deputy Head, Executive Secretary and members of the regulator and fully comply with the requirements of the Law of Ukraine 'On the Media'.
17	There is uncertainty regarding the boundaries of the media market and the advertising market, making it impossible to assess the level of media concentration in Ukraine and identify risks to media pluralism.	Amend Article 7 of the Law of Ukraine 'On Media' to define the respective powers of the National Council and the AMCU in protecting economic competition in the media sector, taking into account the European Media Freedom Act. Develop a methodology for defining the boundaries of media markets, taking into account the European Media Freedom Act and Recommendation CM/Rec(2018)1 of the Committee of Ministers of the Council of Europe on media pluralism and transparency of media ownership. Develop a methodology for defining the boundaries of the market for the distribution and consumption of advertising information, taking into account the relevant EU *acquis*.
18	Underfunding of the public broadcaster significantly hampers its development.	Ensure adequate funding of the public broadcaster in accordance with the Law of Ukraine 'On Public Media of Ukraine'.
19	The consolidation of national television channels into a single information platform under the 24-hour news marathon 'United News #UArazom' poses risks to media pluralism in digital terrestrial broadcasting in Ukraine.	Reassess the appropriateness of further consolidation of national television channels within the single information platform of the 24-hour news marathon 'United News #UArazom' and revise the format of implementing a unified information policy under martial law.
20	The draft new Civil Code of Ukraine (Draft Law No. 15150) contains provisions that may create serious risks for the work of journalists and the media, as well as for the public's exercise of the right to receive information of public interest.	Reject Draft Civil Code of Ukraine No. 15150.
21	Legal conflicts in the existing mechanism for insuring journalists and other media workers against risks related to their work in areas of hostilities make it difficult to obtain such insurance in practice.	Improve the legal regulation of insurance for journalists and other media workers and create an effective mechanism for insuring risks related to their work in areas of hostilities, bringing it into line with international humanitarian law as regards the terminology used, the Law of Ukraine 'On Insurance' and other normative legal acts.
22	There has been tangible progress in the investigation of high-profile offences committed against journalists and other media workers.	Ensure proper implementation of the ECtHR judgment in the case of 'Gongadze v. Ukraine', by increasing the effectiveness of investigations into offences committed against journalists and other media workers.

23	There is a lack of procedural safeguards for the protection of journalistic sources and confidential communications, particularly during temporary access to items and documents and the conduct of covert investigative/search actions.	Amend Ukrainian legislation to align it with the European Media Freedom Act, implement the ECtHR judgment in the case of 'Sedletska v. Ukraine', eliminate the possibility of covert access to journalists' communication data and geolocation and strengthen the protection of journalistic sources and communications.
24	Risk of excessive restrictions on freedom of expression if the Law of Ukraine 'On Amendments to the Code of Ukraine on Administrative Offences, the Criminal Code and the Criminal Procedure Code of Ukraine Regarding Ensuring Guarantees of the Practice of Law' (registration No. 12320 of 16.12.2024) enters into force.	The President of Ukraine should veto the Law of Ukraine 'On Amendments to the Code of Ukraine on Administrative Offences, the Criminal Code and the Criminal Procedure Code of Ukraine to Ensure Compliance with Guarantees of Advocacy' (reg. No. 12320 of 16.12.2024).
25	The legal framework in the field of personal data protection does not comply with modern European standards. The Law of Ukraine 'On Personal Data Protection', adopted in 2010, is outdated and does not address a significant part of the challenges associated with digital transformation, the development of electronic services, cybersecurity and the use of advanced artificial intelligence technologies.	Finalise and adopt the Draft Law 'On Personal Data Protection' (No. 8153), aimed at harmonising Ukrainian legislation with European Union standards, in particular the General Data Protection Regulation (EU) 2016/679 and Directive (EU) 2016/680. During the preparation for the second reading, it is advisable to take into account comments from experts and business representatives to ensure a balance between effective personal data protection and the development of digital services. It is also necessary to complete the ratification of the Protocol amending Council of Europe Convention No. 108 (Convention 108+).
26	The current model of state supervision in the field of personal data protection, exercised by the Commissioner, has institutional limitations and does not comply with approaches applied in EU law. The Commissioner is not vested with the authority to independently impose administrative sanctions, and decisions on liability are adopted by the court. This two-stage procedure creates a gap between the identification of a violation and the imposition of sanctions, thereby reducing the effectiveness of enforcement.	Finalise and adopt the Draft Law 'On the National Commission on Personal Data Protection and Access to Public Information' (No. 6177), providing for appropriate guarantees of independence, a transparent procedure for the formation of the composition of the public authority in this field and adequate funding. The establishment of such a body should be carried out in conjunction with the finalisation and adoption of Draft Law No. 8153, to ensure effective supervision, efficient sanctioning mechanisms and alignment of the Ukrainian data protection system with EU standards.
27	Under martial law, the risks of unlawful use of personal data have increased. Attention should be paid to the protection of individuals (service members and members of their families) who face heightened risks	Conduct a comprehensive risk assessment in the field of personal data processing under wartime conditions and develop specific data security protocols for state registers and digital services, in particular with regard to the personal data of service members and other high-risk groups.

	and whose personal data may be used for surveillance, persecution, psychological pressure, disinformation, or fraud.	
28	Ukraine's sanctions legislation continues to be used to block websites without a proper legal basis and sufficient transparency.	Review the Law of Ukraine 'On Sanctions' and its application in the area of restricting access to websites, in particular by clarifying the grounds and procedure for such restrictions and ensuring that the sanctions regime is applied exclusively to foreign natural or legal persons, stateless persons and organisations recognised as terrorist under international or national law, and not used to block the activities of domestic media outlets and civil society organisations. Following the introduction of the above legislative amendments, review previous decisions on website blocking adopted under the sanctions regime in terms of their necessity, proportionality and compliance with the law.
29	The powers of the National Centre for Operations and Technology Management of Telecommunications Networks (NTNOC) in the field of website blocking during martial law are excessively discretionary, and its activities lack transparency.	Amend the Procedure for the Establishment and Operation of the System for Operational and Technical Management of Public Electronic Communications Networks and the National Centre for Operations and Technology Management of Telecommunications Networks of Ukraine for the purposes of defence and state security under a state of emergency or martial law (Resolution of the Cabinet of Ministers of Ukraine No. 75 of 24 January 2025) to clarify the NTNOC's powers in the field of website blocking, in particular the substantive grounds for such measures and the manner of their implementation by providers. Clearly delineate the competences of the NTNOC and the State Agency of Ukraine PlayCity with regard to blocking access to websites providing unlicensed gambling services, by introducing the necessary legislative amendments. After the termination of martial law, ensure the unblocking of websites restricted on the basis of NTNOC decisions where no legal grounds for continued blocking exist. Following the introduction of the above legislative amendments, review previous website-blocking decisions adopted on the basis of NTNOC decisions in terms of their necessity, proportionality and compliance with the law.
30	In 2025, civil society in Ukraine faced complex pressure — both as a result of the Russian Federation's military actions, including shelling, targeted attacks and intelligence activities, and due to internal factors, including intimidation, online attacks, SLAPP lawsuits	Strengthen the effectiveness of the response by law enforcement bodies and the judiciary to attacks on civil society representatives, ensure the proper legal classification of offences, including those motivated by hatred, and introduce mechanisms for the protection of activists, including measures to counter SLAPP lawsuits and online attacks.

	and discreditation. This was compounded by systemic problems in access to justice, including refusals to register complaints, investigative inaction and delays in court proceedings.	
31	Draft laws intended to facilitate the regulation of the establishment and activities of CSOs are not being considered. The possibility of online registration of CSOs, which is particularly important under martial law, has not been introduced.	Adopt Draft Law No. 8084 to facilitate the activities and state registration of public associations, removing excessive bureaucratic risks for CSOs. Introduce an online registration service for public associations and other CSOs via the Diia Portal.
32	Ukraine has developed an inconsistent practice of restrictions and bans on peaceful assemblies under martial law, which does not always depend on the distance of the region from the frontline or the border with the aggressor state.	Regulate the exercise of freedom of peaceful assembly under martial law, considering risk diversification and specifying the grounds and conditions for holding assemblies, and clearly define the powers to prohibit peaceful assemblies.
33	Law No. 4576-IX, adopted in 2025, restricting access to real estate registers, significantly narrows the scope of open data, by concealing cadastral numbers and precise address references of properties, which complicates property identification. This creates disproportionate risks for public oversight, anti-corruption monitoring and journalistic investigations.	Review legislative restrictions on access to real estate registers to bring them into line with the principle of proportionality, by restoring access to key identifying data, including cadastral numbers and precise address references, for the purposes of public oversight. At the same time, introduce a differentiated approach to restrictions, considering national security interests.
34	The introduction of the status of a 'verified humanitarian organisation' establishes high requirements that may limit the participation of small and newly established CSOs in humanitarian activities. At the same time, the Government's broad discretionary powers and the absence of a clear procedure for depriving organisations of this status and restoring it create risks of selective application of the rules and loss of property.	Review legislation on the conduct of humanitarian activities by lowering barriers to access to this status for small and local organisations and clearly regulate procedures for granting, depriving and restoring the status, with proper guarantees for rights and property. Limit the Government's discretionary powers by establishing transparent and objective criteria and provide for effective mechanisms for appealing decisions.
35	The current Law of Ukraine 'On Political Parties in Ukraine', adopted in 2001, does not fully address current challenges related to national security and does not take into account the experience of its application since the beginning of Russian aggression. In particular, it does	Adopt the Draft Law of Ukraine 'On Political Parties' (registration No. 14289 of 10 December 2025), which comprehensively updates the legal regulation of the establishment, activities and termination of political parties.

	not adequately regulate the procedures for establishing and terminating political parties or the distribution of powers among state authorities when initiating their prohibition.	
36	The current Laws of Ukraine 'On Citizens' Appeals' and 'On the Ukrainian Parliament Commissioner for Human Rights', as well as Draft Law No. 13181, create risks of an unconstitutional expansion of the Ombudsman's powers over CSOs by requiring them to respond to requests and bear liability for refusal. This is already confirmed by practice, in particular the case of the Centre for Civil Liberties, and contradicts the Constitution of Ukraine, which imposes such obligations only on public authorities.	Amend the legislation to bring it into line with the Constitution of Ukraine by clearly limiting the Ombudsman's powers to public authorities and excluding the obligation of CSOs to respond to appeals and bear liability for failure to provide such responses.
37	Draft Law No. 7033-d provides for deferred access to certain court decisions related to the war and expands the list of information not subject to publication, which may disproportionately restrict the transparency of justice and complicate public oversight. Additional risks arise from granting judges broad discretionary powers to determine the scope of closed information without proper safeguards.	Narrow the scope of restrictions in Draft Law No. 7033-d by ensuring access to the full texts of court decisions with targeted redaction only of sensitive information, clearly define the criteria and time limits for restrictions and provide appeal mechanisms and safeguards against abuse.
38	The effectiveness of criminal prosecution for war crimes against children committed during Russia's aggression against Ukraine remains limited due to objective difficulties in evidence collection and the overburdening of the justice system.	Strengthen the capacity of the system for investigating war crimes against children, through proper documentation, improved evidence collection processes and enhanced international cooperation.
39	The absence of a framework law on child-friendly justice slows down the reform of the juvenile justice system.	Adopt a framework law on child-friendly justice to establish unified principles, define responsible actors and set out mechanisms for interaction.
40	Despite the formal guarantee of children's rights to legal and psychological assistance, access to such services is limited in practice due to age-related barriers, dependence on parental consent and inconsistencies in legislation.	Legally enshrine the right of the child to legal and psychological assistance independently of the consent of parents/legal representatives in defined cases, in situations involving violence or risk. This could be implemented by expanding the legal capacity of adolescents aged 14 and above.

41	The deinstitutionalisation reform is hindered by underfunding and an inefficient resource allocation model, which limits the development of social services in communities and support for family-based care. At the same time, the centralised nature of the system, staff shortages and the limited capacity of communities prevent the full implementation of the reform at the local level.	Provide for expenditures in the State Budget for the implementation of the Strategy for Ensuring the Right of Every Child in Ukraine to Grow Up in a Family Environment for 2024–2028 and for the development of community-based services. Revise the principles of financing social services for children, in particular by allowing communities to fully procure such services from different providers, thereby demonopolising the market currently dominated by state and municipal providers. Consider allocating subventions to communities for the development of the social protection sector. Review staffing standards of social service centres and services for children in line with their mandates. Synchronise the process of reducing institutional care with the creation of accessible and high-quality alternatives.
42	Ukraine lacks a systematic policy to address learning losses — the gap between expected (standard) learning outcomes and the actual knowledge and skills acquired by students. These gaps arise due to disruptions to the learning process, lack of access to schooling, distance learning, stress, power outages and air raid alerts. Existing measures to address this issue are fragmented and largely ineffective.	Develop and implement a comprehensive state policy to address learning losses, including a clear definition of the concept, a monitoring system and tools for individualised student support.
43	There is no comprehensive and reliable record of children and youth from the TOT of Ukraine and those abroad, which complicates the planning of education policy and support measures.	Ensure proper statistical recording of children and youth residing in or displaced from the TOT of Ukraine and those abroad who require secondary, vocational, professional pre-tertiary and higher education.
44	The absence of a coherent state policy, effective mechanisms for recognising learning outcomes and adequate communication results in limited access to Ukrainian education for children from the TOT of Ukraine and prevents them from fully exercising their right to education and further integration.	Approve a general concept for access to education for children and youth from the TOT. Adopt relevant normative legal acts enabling the practical recognition of knowledge acquired by children from the TOT of Ukraine.
45	The absence of a comprehensive anti-discrimination policy leads to fragmented approaches and inconsistencies in legislative initiatives.	Develop a comprehensive state policy on equality and non-discrimination.

46	The limited role of the equality body, including a lack of coherence in complaint mechanisms and responses to discrimination across different sectors and/or protected grounds.	Ensure coordination of all initiatives related to equality and non-discrimination, systematically involve the national equality body's opinion and avoid duplication of functions and responsibilities.
47	The absence of an effective anti-discrimination assessment of legislative initiatives, particularly at the parliamentary level, results in the adoption of discriminatory laws.	Introduce mandatory parliamentary review of draft laws, including the publication of public opinions.
48	Fragmented, inconsistent and contradictory legislative initiatives that may entail significant discrimination risks and do not comply with the EU acquis, including draft Civil and Criminal Codes of Ukraine and certain individual draft laws.	Harmonise legislation with the EU acquis and introduce mandatory assessment of EU integration draft laws for their actual compliance with the EU acquis.
49	The lack of systematic data collection on equality, discrimination and intolerance, as well as the failure to use such data in policymaking, results in the persistence of discrimination.	Establish a national system for the collection and analysis of data on equality, discrimination and intolerance, with coordinating involvement of the national equality body.
50	The lack of a systematic approach to integrating equality and non-discrimination into professional education for judges, law enforcement officers and public officials.	Integrate modules on the prevention of and response to discrimination and intolerance into initial professional education and across mandatory continuous professional development programmes.
51	The concept of 'reasonable accommodation' does not comply with the standard of the UN Convention on the Rights of Persons with Disabilities, which renders it largely declarative and limits the effective protection of the rights of persons with disabilities.	Revise the Draft Law 'On Amendments to the Law of Ukraine "On the Fundamentals of Social Protection of Persons with Disabilities in Ukraine" Regarding the Improvement of the Mechanism for Ensuring Reasonable Accommodation' (No. 14389), by providing for a clear and more transparent mechanism for implementing the right of a person with a disability to reasonable accommodation, regardless of the individual rehabilitation programme, as well as simplifying and shortening the procedures for employers to receive compensation and subsidies without lengthy inspections. Develop and introduce amendments to the Law of Ukraine 'On the Principles of Preventing and Combating Discrimination in Ukraine', defining the denial of reasonable accommodation as a form of discrimination. Amend Resolution of the Cabinet of Ministers of Ukraine No. 1673 of 17 December 2025 'On Approval of the Principles, Criteria and Limits of Reasonable Accommodation and Universal Design', by defining the concepts of 'reasonable

		accommodation', 'disproportionate burden' and 'limits of reasonable accommodation' in line with international standards; establish that the application of universal design does not eliminate the obligation to ensure reasonable accommodation.
52	Current legislation does not provide for administrative liability for violations of state standards in the provision of basic social services (supported living, day care, social adaptation, etc.), which deprives persons with disabilities of guarantees of quality assistance and the right to independent living.	Introduce administrative liability for violations of state standards for the provision of social services, in cooperation with the National Social Service of Ukraine.
53	The absence of a state standard for the 'Personal Assistant' service and the limitation of support to 'home care' only prevents the transition to a model of independent living in the community.	Develop and approve a state standard for the 'Personal Assistant' service and ensure the implementation of the principle 'money follows the person' for all categories of citizens regardless of status.
54	Despite the expansion of the rehabilitation network, the practice of providing non-evidence-based services persists due to the lack of control over actual patient functioning outcomes under the International Classification of Functioning, Disability and Health.	The National Health Service of Ukraine should revise payment monitoring criteria from 'process-based' to 'outcome-based', using the scales of the International Classification of Functioning, Disability and Health as a key funding condition in order to eliminate non-evidence-based services.
55	The bureaucratisation of the patient pathway and the advisory status of the individual rehabilitation programme lead to excessive delays in obtaining assistive rehabilitation devices at the stage of expert teams.	Grant priority status to the recommendations of the multidisciplinary team within the individual rehabilitation programme to enable the immediate provision of rehabilitation devices without additional bureaucratic delays.
56	A shortage of specialised professionals (particularly occupational therapists) at the community level makes it impossible to implement home-based and outpatient rehabilitation as provided for by legislation.	Develop a state programme for the targeted recruitment of habilitation specialists to work directly at the level of territorial communities.
57	Despite the state's declared strategic course towards deinstitutionalisation, the practice of institutionalising persons with disabilities continues, particularly within humanitarian response measures.	Refrain from supporting or implementing humanitarian response measures that involve segregation and isolation of persons with disabilities and older persons in institutional settings. Direct efforts and resources towards community-based humanitarian solutions, including temporary housing within communities and provide additional sources of energy supply and heating for persons with disabilities.

58	The system for establishing disability status continues to follow a medical model of disability, focusing on a person's health condition rather than barriers to the exercise of rights across different areas.	The Cabinet of Ministers of Ukraine should develop and submit to the Verkhovna Rada a draft law providing for a transparent and comprehensible system for establishing disability status, including a unified assessment system covering multiple areas rather than only the medical component and a transition from assessing health status to assessing barriers across different spheres.
59	The inability, following the adoption of the Law of Ukraine 'On the Protection of the Constitutional Order in the Activities of Religious Organisations', for a religious organisation to terminate its affiliation with another entity unilaterally creates a risk of termination of the activities of the Ukrainian Orthodox Church as the largest network of religious organisations and may lead to increased tensions in Ukrainian society.	Adopt amendments to the Law of Ukraine 'On Freedom of Conscience and Religious Organisations' to define affiliation in a manner that enables a religious organisation to terminate its affiliation with another entity unilaterally.
60	There is no possibility to perform alternative (non-military) service in the armed forces on religious grounds during mobilisation.	Adopt amendments to the Law of Ukraine 'On Mobilisation Preparation and Mobilisation' to enable alternative (non-military) service in the armed forces on religious grounds during mobilisation.
61	Errors in the terminology provided for in the Law of Ukraine 'On National Minorities (Communities) of Ukraine', referring to non-existent 'rights of national minorities', render several critically important provisions of the law legally meaningless, particularly those concerning parliamentary oversight of compliance with the right to use the languages of national minorities.	Adopt amendments to the Law of Ukraine 'On National Minorities (Communities) of Ukraine' by replacing, where relevant, the phrase 'rights of national minorities' with 'rights of persons belonging to national minorities'.
62	The recommendations of the Venice Commission were not fully implemented when amendments were introduced in December 2023 to the Law of Ukraine 'On National Minorities (Communities) of Ukraine' and other legislative acts of Ukraine, which calls into question Ukraine's fulfilment of the European Commission's 2023 recommendation.	Fully implement the recommendations of the Venice Commission, in particular by amending legislation to allow commercial advertising and election campaigning in areas of compact settlement of national minorities in their languages without mandatory translation into Ukrainian, and to eliminate unequal opportunities for persons belonging to national minorities to exercise their rights depending on the official status of the languages of those minorities outside Ukraine.
63	Discrimination against the Russian national minority, in particular restrictions on the use of the Russian language in public life, has been de facto institutionalised.	Introduce amendments to the Law of Ukraine 'On National Minorities (Communities) of Ukraine' establishing clear and justified time limits (for example, within five years after the Verkhovna Rada of Ukraine revokes the status of the Russian Federation as an aggressor state) on restrictions of the rights of persons belonging to the Russian national minority and on the use of the Russian language in the public sphere.

64	The absence of representative bodies of the indigenous peoples of Ukraine — the Karaites and Krymchaks — officially recognised by the Cabinet of Ministers of Ukraine.	Officially recognise the representative bodies of the indigenous peoples of Ukraine — the Karaites and Krymchaks.
65	Divergence in approaches to the inclusion/integration of Roma under the Strategy for the Inclusion of Roma and Travellers for 2026–2030 (Council of Europe Strategy) and Ukraine's Roma Strategy.	Consider the approach of the Council of Europe Strategy when preparing the Action Plan/operational plan for the implementation of the Roma Strategy, as well as when developing the strategy for the subsequent period.
66	Mechanisms for protecting women in the AFU from harassment, sexual violence, gender-based violence and gender-based discrimination require improvement.	Introduce positions of full-time gender advisers at the level of units, operational commands and corps of the AFU.
67	The low representation of women in the political and public sphere affects the formation of role models, reinforces gender stereotypes and reduces the motivation of women and girls to participate in political life. Insufficient participation of women in decision-making also slows down the implementation of equality and non-discrimination principles and limits opportunities for building inclusive and sustainable democratic processes.	Promote an increase in the number of women in managerial positions in the Government, diplomatic missions and the civil service. Further develop and adopt Draft Law No. 11300 to ensure that women who left the country due to the war can participate in future elections in Ukraine. Promote greater visibility of women in the media by increasing the involvement of female experts and women politicians in national television broadcasts and online media including the 'United News' marathon.
68	Lack of equal pay for women and men and the existence of restrictions for women in the workplace.	Submit to the Verkhovna Rada a draft Labour Code of Ukraine, taking into account all concerns raised regarding Draft Labour Code of Ukraine No. 14386.
69	Women are not fully protected from violence. The provisions of the Istanbul Convention have been only partially implemented.	Adopt Draft Laws No. 10420, No. 12297, No. 14045 and No. 14046 implementing the provisions of the Istanbul Convention and ensure further implementation of its remaining provisions. Withdraw the reservations to the Istanbul Convention adopted at the time of its ratification.
70	The provisions of the draft Civil Code of Ukraine contain norms that restrict the rights of women, LGBTIQ+ persons and same-sex couples.	Reject the draft Civil Code of Ukraine (Code of Private Law) — Draft Laws No. 14394, No. 14394-1 and No. 14394-2.
71	Hate crimes are incorrectly classified and not properly investigated.	Further develop and adopt Draft Law No. 13597 on amendments to the Code of Ukraine on Administrative Offences and the Criminal Code of Ukraine regarding combating manifestations of discrimination.

72	Same-sex couples cannot enter into partnerships or marriage and cannot enjoy the same rights as opposite-sex couples.	Adopt Draft Law No. 12252 on amendments to certain legislative acts of Ukraine to align them with the requirements of Articles 8 and 14 of the ECHR and Council Regulation (EU) 2016/1104 on implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of the property consequences of registered partnerships, or alternatively Draft Law No. 9103 on the institution of registered partnerships.
73	The absence of a clearly designated central authority responsible for shaping and implementing state policy concerning affected persons results in either a lack of decisions or their fragmentation.	Designate a central executive authority at the ministerial level responsible for shaping and implementing state policy concerning persons affected by the armed aggression of the Russian Federation against Ukraine.
74	The absence of an approved policy on the return of citizens from abroad reduces the predictability of state policy, complicates coordination with the EU and limits the effectiveness of support. The approved Strategy on Internal Displacement needs to be implemented within the deadlines set by the Operational Plan.	Ensure implementation of state policy on internal displacement, avoiding its duplication or loss as a result of the redistribution of powers among central executive authorities and approve a policy framework for persons returning from abroad, including from EU Member States.
75	The absence of a legislatively regulated system of support for persons who have suffered harm to personal non-property rights, as well as incomplete implementation of Law No. 4071-IX, limits access of affected persons to recognition of their status and to the necessary level of social support.	Ensure the establishment and proper financial and organisational support for the functioning of the System for Recording Information on Damage Caused to Personal Non-Property Rights of Individuals as a Result of the Armed Aggression of the Russian Federation against Ukraine.
76	The current approach of non-recognition of documents issued in the TOT, combined with the absence of accessible administrative procedures for considering information contained in documents on birth and death, creates barriers to access to basic rights and services and complicates reintegration.	Develop a mechanism for the use of information contained in documents issued in the TOT of Ukraine and introduce out-of-court procedures for recognising information from civil status documents in order to ensure access to rights and services.
77	The absence of a fully functioning system for the recognition of learning outcomes obtained in the TOT of Ukraine at all levels of education, despite the requirement of Law No. 3482, restricts access to education and creates systemic barriers for young people.	Ensure recognition of learning outcomes of persons who resided in the TOT of Ukraine at all levels of education through authorised educational institutions.

78	The lack of a sufficient number of accessible long-term housing solutions for IDPs maintains their dependence on short-term financial assistance and does not ensure sustainable integration into communities.	Ensure the development and scaling-up of long-term housing solutions for IDPs, including temporary housing programmes, preferential lending, rent-to-own schemes and social housing, to reduce dependence on cash assistance and promote sustainable solutions.
79	The insufficient development and limited accessibility of social services, including due to regulatory barriers at the community level, do not meet the growing needs of the affected population, particularly IDPs and limit their opportunities for social integration.	Ensure further development and expanded access to social services in communities, including integrated resilience-building services and the 'municipal nanny' service, taking into account the needs of persons affected by the armed aggression of the Russian Federation against Ukraine.
80	Amendments to the legislation on Ukrainian citizenship introducing the institution of multiple citizenship have entered into force. However, the revised version of the Law of Ukraine 'On Citizenship of Ukraine' does not consider Ukraine's international obligations in the field of prevention and reduction of statelessness, in particular with regard to ensuring every child's right to citizenship. It also restricts access to Ukrainian citizenship for stateless persons, children of asylum seekers and persons in need of complementary protection. Contrary to established practice in most EU Member States, Ukrainian national legislation does not provide for a sufficiently simplified naturalisation procedure and access to naturalisation for persons recognised as in need of complementary protection is absent.	Amend the Law of Ukraine 'On Citizenship of Ukraine' to provide for: 1) the right to acquire Ukrainian citizenship by birth for all children born on the territory of Ukraine who do not acquire another citizenship; 2) the right of stateless persons to undertake an obligation to pass examinations on the fundamentals of the Constitution of Ukraine, the history of Ukraine and proficiency in the State language within two years from the date of acquisition or admission to Ukrainian citizenship; 3) a simplified procedure for admission to Ukrainian citizenship for persons recognised as in need of complementary protection. Exempt stateless persons from fees for examinations on the fundamentals of the Constitution of Ukraine, the history of Ukraine and proficiency in the State language. Ensure the right to acquire Ukrainian citizenship for children born to persons in need of complementary protection and to asylum seekers by amending the Law of Ukraine 'On Citizenship of Ukraine'.
81	A significant number of Ukrainian citizens who resided or reside in the TOT of Ukraine are unable to confirm their affiliation with Ukrainian citizenship. Furthermore, due to amendments to citizenship legislation, there is a risk of loss of Ukrainian citizenship for residents of the TOT.	Ensure proper and effective implementation by authorised public authorities of legally guaranteed rights in the process of confirming citizenship and issuing a passport of a citizen of Ukraine. Ensure the possibility of using information from passports of the Russian Federation issued in the TOT of Ukraine as factual data in the process of establishing a person's identity and their affiliation with Ukrainian citizenship and issuing a passport of a citizen of Ukraine and discontinue the practice of confiscating such passports; establish a procedure for their voluntary surrender, registration and storage.

		Simplify and ensure effective implementation of the procedure for issuing certificates for return to Ukraine by foreign diplomatic missions for persons from the TOT of Ukraine who, due to occupation, were deprived of the possibility to obtain a passport of a citizen of Ukraine. Ensure effective implementation of the provisions of the Law of Ukraine 'On Ensuring the Rights and Freedoms of Citizens and the Legal Regime in the Temporarily Occupied Territory of Ukraine' concerning the recognition of documents confirming facts of birth, death and registration (dissolution) of marriage in the TOT of Ukraine through the introduction of an extrajudicial (administrative) procedure for state registration of such civil status acts. Align the provisions of Article 5 of the Law of Ukraine 'On Ensuring the Rights and Freedoms of Citizens and the Legal Regime in the Temporarily Occupied Territory of Ukraine' and Article 19 of the Law of Ukraine 'On Citizenship of Ukraine' by stipulating that any acquisition of citizenship of the aggressor state or occupying state in the TOT of Ukraine, or as a result of deportation or forced displacement, shall be considered involuntary and cannot serve as grounds for loss of Ukrainian citizenship; also establish an exhaustive list of exceptions, clear criteria for their application, define the authorised body and the procedure for their determination exclusively subject to confirmation of the relevant circumstances by a court decision that has entered into legal force.
82	Draft law on the new Civil Code of Ukraine provides for a large-scale recodification of private law at a time when property rights are subject to systemic violations as a result of the armed aggression, in particular with regard to owners of destroyed and damaged movable and immovable property, residents of the TOT, IDPs and citizens forcibly displaced abroad, as well as their heirs. In such circumstances, changes to the fundamental rules governing the acquisition, termination, registration and protection of property rights, without an adequate transitional period and alignment with specialised legislation in the field of compensation for destroyed or damaged immovable property, may create additional barriers to access to the national compensation mechanism, lead to inconsistencies in the state registration of proprietary rights, pose risks of violations	Conduct a comprehensive analysis of the provisions of the draft new Civil Code of Ukraine (Draft Law No. 15150) with regard to their impact on the property rights of war-affected populations, the implementation of the national compensation mechanism for destroyed and damaged immovable property, the state registration of proprietary rights and other rights of war-affected populations. Until such analysis is completed, legal conflicts are resolved and sufficient transitional provisions are introduced, refrain from the expedited adoption of the new Civil Code of Ukraine.

	of the rights of lawful owners and increase the number of property disputes.	
83	Government resolutions establish different levels of rent for the use of state and municipal property for the purpose of providing temporary accommodation for IDPs depending on the ownership form of the lessee, despite the identical social function of such use (accommodation of IDPs). As a result, there is a risk of establishing unjustifiably different legal and financial conditions for the lease of state and municipal property for entities carrying out activities of the same nature and social significance, which in turn may reduce the capacity of NGOs to provide temporary accommodation for IDPs.	Establish a unified approach to determining the amount of rent for the use of state and municipal property for the purpose of providing temporary accommodation for IDPs, taking into account exclusively the intended use of the property and avoiding additional discriminatory conditions depending on the ownership form and sources of financing of the lessee.
84	The absence in the SRPR of information on ownership rights to immovable property acquired before 2013 makes it impossible for owners to obtain compensation in the event of destruction or damage to housing as a result of the armed aggression of the Russian Federation.	Introduce a simplified administrative procedure for entering information into the SRPR on ownership rights to immovable property acquired before 2013. Ensure the digitisation of BTI archives to preserve the information necessary for entering into the SRPR data on ownership rights to immovable property acquired before 2013. Ensure the simplification of judicial procedures for recognising ownership rights to immovable property destroyed or damaged as a result of the armed aggression of the Russian Federation, in particular by introducing court consideration of this category of cases under separate proceedings (in the absence of a dispute over rights) and exempting applicant-owners of destroyed or damaged immovable property from payment of court fees.
85	There is no possibility to obtain compensation for persons whose housing was destroyed or damaged as a result of the armed aggression of the Russian Federation before 24 February 2022, as well as for those whose destroyed or damaged housing is located in the TOT of Ukraine. The mechanism for providing assistance to address housing needs for certain categories of IDPs who resided in the TOT of Ukraine, in accordance with the	Extend the mechanism for granting compensation for the destruction or damage of certain categories of immovable property as a result of the armed aggression of the Russian Federation, established by Law of Ukraine No. 2923-IX, to persons whose immovable property was destroyed or damaged before 24 February 2022, as well as to those whose destroyed or damaged housing is located in the TOT of Ukraine, by introducing amendments to Law of Ukraine No. 2923-IX or developing other equivalent solutions to ensure the provision of compensation to such persons. Extend the scope of the mechanism for providing assistance to address housing needs for certain categories of IDPs who resided in the TOT of Ukraine by introducing

	Order of the Cabinet of Ministers of Ukraine No. 1176 of 22 September 2025, is limited to two categories of IDPs: (a) combatants and (b) persons with disabilities resulting from war. Other IDPs who resided in the TOT of Ukraine are currently unable to receive such assistance for the purchase of housing. Given that the compensation mechanism for destroyed or damaged housing in the TOT of Ukraine is unavailable, the rights of such persons remain the least protected.	amendments to the Order of the Cabinet of Ministers of Ukraine No. 1176 of 22 September 2025, in order to ensure adequate protection of the rights of the widest possible range of IDPs from the TOT of Ukraine.
86	No systematic accounting of movable and immovable property damaged or destroyed as a result of the armed aggression of the Russian Federation has been maintained since 2014. The existence of such a system is necessary both for the development and implementation of effective compensation mechanisms for affected persons and for determining the overall scale of damage caused to the State.	Ensure the possibility for owners of housing destroyed or damaged in the period from 19 February 2014 to 24 February 2022 to submit information notices on damaged or destroyed immovable property as a result of hostilities, terrorist acts or sabotage caused by the armed aggression of the Russian Federation against Ukraine, in accordance with the Order of the Cabinet of Ministers of Ukraine No. 380 of 26 March 2022. Ensure the development and approval of a procedure for collecting data and maintaining systematic records of cases of appropriation, nationalisation or other seizure by the occupying authorities / the Russian Federation of property located in the TOT of Ukraine, as well as cases where owners have lost access to immovable property located in such territories and in areas of active hostilities. Develop and implement a mechanism for collecting and recording information on movable property (including vehicles) destroyed or damaged as a result of the armed aggression of the Russian Federation.
87	The mechanism for providing compensation for destroyed and damaged housing contains several procedural shortcomings and gaps that negatively affect the ability of owners of destroyed and damaged housing to access the compensation provided by law.	Ensure a thorough review of the existing compensation procedures with a view to amending and supplementing them with the necessary provisions to ensure proper protection of the rights of owners of housing destroyed or damaged as a result of the armed aggression of the Russian Federation and to eliminate technical barriers to access to compensation, namely: • adopt a procedure for granting compensation for damage to common property in multi-apartment buildings; • regulate the procedure for correcting errors in the data specified in the housing certificate; • provide for an extension of the period for the use of funds reserved under the housing certificate.

88	Since 2024, the provisions of Law of Ukraine No. 2923-IX provide for the possibility of granting compensation for repairs to damaged immovable property already carried out at the owner's own expense. At the same time, the mechanism for providing this type of compensation is regulated by the Order of the Cabinet of Ministers of Ukraine No. 381 of 21 April 2023. However, in practice, this type of compensation remains inaccessible to affected persons, resulting in their effective exclusion from compensation procedures and leaving their rights unprotected.	Ensure the practical implementation of the process for granting compensation for repairs to damaged immovable property already carried out at the owner's own expense. The Ministry of Digital Transformation of Ukraine should ensure the technical functionality required for the submission of applications for compensation for repairs to damaged housing carried out at the owner's own expense.
89	Compensation for damage to housing is effectively unavailable where the cost of the necessary repairs exceeds the maximum amount of compensation, in the absence of additional co-financing for the full restoration of housing from Ukrainian or international organisations, local self-government bodies, or other sources. At the same time, no alternative procedure exists for granting compensation for more costly restoration of damaged housing.	Ensure the possibility of granting compensation to owners of damaged housing in cases where the cost of the necessary repairs exceeds the maximum amount of compensation currently provided for by the Order of the Cabinet of Ministers of Ukraine No. 381 of 21 April 2023, in the absence of additional co-financing.
90	During the remote inspection of destroyed immovable property of certain categories located in areas of possible hostilities or active hostilities, there is a widespread practice of shifting the burden of collecting evidence of destruction onto affected persons, which creates an additional burden for owners of destroyed housing. At the same time, remote inspection of property located in the TOT of Ukraine is not currently provided for by legislation, which results in discrimination against its owners and necessitates additional efforts by the State to protect their rights.	Further regulate the process for inspecting destroyed immovable property of certain categories (by introducing amendments to the Order of the Cabinet of Ministers of Ukraine No. 815 of 7 July 2025) to define a clear procedure and the responsibilities of commissions for conducting remote inspections of the relevant immovable property. Regulate this issue and ensure the possibility of conducting inspections of destroyed immovable property of certain categories located in the TOT of Ukraine.
91	The juvenile justice system requires alignment with international and European standards, the EU acquis (including Directives (EU) 2016/800 and 2012/29/EU),	Improve criminal statistics data collection systems concerning minors, including introducing the possibility to record the number of children who have become witnesses to criminal offences (in accordance with their procedural status).

	the Council of Europe Strategy for the Rights of the Child, as well as Council of Europe standards and priorities and must ensure the best interests of the child. Criminal statistics concerning minors remain incomplete, and not all procedural rights provided by international standards have been implemented in the CPC of Ukraine. There is no mandatory requirement to involve a lawyer and a psychologist for minor victims and witnesses.	Introduce mandatory involvement of a lawyer for minor victims of criminal offences and witnesses, as well as a psychologist and clarify the procedural status of such psychologist. Adopt a comprehensive draft law on child protection within the juvenile justice system (incorporating provisions from relevant policy documents and considering other recommendations set out in this Report).
92	The presumption of innocence as a principle of criminal proceedings is properly implemented at the legislative level. However, not all law enforcement agencies' codes of ethical conduct include the presumption of innocence as an ethical category (and a ground for disciplinary liability). Only the Code of Professional Ethics and Conduct of Prosecutors elaborates on its content. There remains a practice of using language implying guilt in public communication and in the attitude of law enforcement bodies and the prosecution towards suspects and accused persons. Even in cases where courts have established violations of the presumption of innocence, there is no adequate response. As a result, the presumption of innocence remains an abstract and illusory right rather than a real safeguard against biased criminal prosecution.	Ensure appropriate responses to violations of the presumption of innocence and improve the professional capacity of all law enforcement personnel regarding public communication. Disciplinary bodies of law enforcement agencies and the QDCP should develop a consistent practice in handling cases involving violations of the presumption of innocence as an ethical category and ethical codes of law enforcement bodies should be unified.
93	Procedural requirements regarding informing individuals of their rights are not fully implemented and are often applied formally. The problem of 'shadow' detentions, invitations and other procedural actions that are not recorded persists, meaning that individuals do not receive the appropriate procedural status and are not informed of their rights. As a result, the risk of human rights violations (including procedural rights) increases.	Develop the system for informing participants in criminal proceedings of their rights, in particular the Custody Records system and extend it to all law enforcement agencies authorised to detain individuals (in addition to the NPU — to the SBI, NABU, SSU and ESBU).
94	The greatest challenge to the right to be present at trial remains the *in absentia* procedure. Ukraine has	Improve procedures for informing suspects and accused persons about investigations and proceedings conducted under special pre-trial investigation and

	not yet introduced rules ensuring proper notification of special pre-trial investigations and court proceedings conducted in absentia, nor procedures for appealing court judgments ex novo where the person was not duly informed prior to their adoption.	trial procedures (in absentia). Introduce a system for reviewing in absentia judgments not only through appeal but also through a new trial (*ex novo*).
95	In the context of the full-scale war, the burden on the free legal aid system has increased due to the expansion of categories entitled to FLA and new challenges related to the need to provide defence for prisoners of war of the aggressor state. Limited resources, combined with these new challenges, jeopardise the quality standards of legal aid. The right of access to a lawyer and interpretation in criminal proceedings is guaranteed. However, the right to interpretation is not fully ensured in light of Directive 2010/64/EU. Suspects and accused persons lack a procedural mechanism to challenge the quality of interpretation or the interpreter where interpretation is inadequate. Moreover, the system for engaging interpreters from the relevant register at the expense of the state budget is imperfect, and remuneration is insufficient to attract qualified interpreters to criminal proceedings.	Further develop the free legal aid system in Ukraine, including conducting an independent audit of its capacity to operate under wartime conditions and address challenges related to the increasing number of international crimes, as well as the growing number of military personnel, war veterans and relatives of fallen defenders of Ukraine. Amend the CPC of Ukraine to introduce procedures for challenging the quality of interpretation in criminal proceedings and for replacing interpreters where they fail to perform their duties properly, in accordance with Directive 2010/64/EU. Publish the results of a comprehensive study on issues related to the quality of interpretation in criminal proceedings. Based on its recommendations, prepare draft legislative amendments to ensure adequate remuneration for qualified professional interpreters engaged at the expense of the state budget.
96	Access to justice has become more difficult under martial law. The digitalisation of justice in recent years has been gradual, and in some cases informal practices or technical failures hinder the proper realisation of this right and undermine the trust of participants in judicial proceedings in the E-Court system. The full implementation of the UJICS, particularly in criminal proceedings, should be one of the priorities in the digitalisation of justice.	In order to facilitate access to justice, especially in wartime conditions, progressively implement the UJITS, including in criminal proceedings. Improve procedures for participation in court hearings via videoconference outside court premises using participants' own technical means, to ensure its effective use for online hearings regardless of the location of the parties and the court in criminal proceedings. Such procedures may be applied to the administration of justice in territories most affected by hostilities during wartime.

CHAPTER 24 'JUSTICE, FREEDOM AND SECURITY'		
COMBATING SERIOUS AND ORGANISED CRIME		
1	Implementation by the responsible implementing bodies of the Action Plan for the Implementation of the Overarching Strategic Plan for Law Enforcement Reform as Part of the Security and Defence Sector of Ukraine for 2023–2027 remains insufficient. To analyse the implementation status of the OAS and its Action Plan, as well as the causes of problems arising in the course of their implementation, the Government established the Coordination Council, within which an Expert Working Group operates.	Continue implementing the measures provided for by public policy documents, primarily the OAS, its Action Plan and the Rule of Law Roadmap. Ensure the proper functioning of the Coordination Council and its Expert Group. Publish reports on the implementation of the OAS and its Action Plan in a timely manner, taking into account the views of all members of the Coordination Council and the Expert Group to ensure an objective assessment of progress in fulfilling European integration commitments. Consolidate the efforts of all implementing bodies responsible for measures that were not implemented within the deadlines set by strategic documents in the field of law enforcement reform, to develop an algorithm for completing the implementation of such measures.
2	The institution of operational-search activities was significantly narrowed after the adoption of the current CPC of Ukraine in 2012. At present, covert measures involving interference with human rights and freedoms are carried out under judicial control within the framework of this Code. However, issues such as the formation of agent networks, the collection and analysis of information of a potentially criminal nature and other operational activities require proper regulation using modern developments in the field of criminal intelligence.	Develop and adopt the Law of Ukraine 'On Criminal Intelligence', which will transform the institution of operational-search activities by distinguishing it from criminal procedural, intelligence and counterintelligence activities.
3	The Strategy for Combating Organised Crime was approved in 2020 and no longer corresponds to the current challenges of organised crime, taking into account the problems caused by the full-scale invasion by the Russian Federation after 2022.	Adopt a new Strategy for Combating Organised Crime for 2026–2030, together with an action plan for its implementation, taking into account the methodology of the European Multidisciplinary Platform Against Criminal Threats (EMPACT).
4	A permanent National Coordinator for Combating Organised Crime has not yet been established, and these functions have been temporarily assigned to the MoIA.	Establish the National Coordinator for Combating Organised Crime and define its powers at the level of the Law of Ukraine 'On the Organisational and Legal Foundations for Combating Organised Crime'.

5	Since 2016, various initiatives to introduce Europol's SOCTA methodology into the law enforcement system have emerged in Ukraine with the support of international technical assistance projects. However, SOCTA has still not become part of criminal forecasting carried out periodically in accordance with the requirements of a public policy document, for example the Strategy for Combating Organised Crime. The practical implementation of the results of the national SOCTA assessment is taking place only within the NPU and on a limited scale, although it should become a practical tool for the entire law enforcement system.	Update public policy documents to take into account the identified crime threats set out in the Report on the Results of the Serious and Organised Crime Threat Assessment — SOCTA Ukraine for 2021–2024. Strengthen the institutional capacity of law enforcement agencies to implement the national SOCTA assessment.
6	Following its 'relaunch' in 2024, the ESBU is undergoing reform. In 2025, a new Director was appointed following a competition, and in 2026 the attestation of the Bureau's staff began. The ESBU attestation procedure contains a number of shortcomings that require improved approaches to organising the procedure, in order to minimise the risk of decisions of attestation commissions being overturned by courts. A 10-year ban on holding positions in the ESBU for persons who fail attestation is an excessively strict restriction on access to public service and a disproportionate consequence in view of the subject matter assessed during attestation. At the same time, practical problems associated with resigning before attestation and subsequently applying through a competition have demonstrated that this places ESBU staff who undergo attestation and those who choose to leave the Bureau voluntarily in unequal conditions.	Parliament should adopt Draft Law No. 14207-1 after it has been revised to take into account expert comments. Increase the transparency of attestation procedures by publishing the minutes of attestation commission meetings and summarised results of each stage of attestation. Ensure that the secretariats of the attestation commissions have sufficient resources for effective interaction between members of the attestation commissions and ESBU staff undergoing attestation, including by eliminating the risk of technical failures during interviews and ensuring uninterrupted interpretation of all attestation commission meetings into Ukrainian. After the completion of attestation, introduce an external and internal evaluation system for the ESBU and its staff, including key performance indicators unified with those of other law enforcement agencies, taking into account the Bureau's specialisation. Amend the Law of Ukraine 'On the Economic Security Bureau of Ukraine' to remove the 10-year restriction on holding ESBU positions for persons who failed attestation, provided they meet the integrity criterion, and to allow persons who did not achieve the passing score in the general ability and knowledge-of-legislation tests but meet the integrity criterion to be transferred to lower-level positions.

7	The ESBU does not have special status as a central executive authority performing law enforcement functions, which negatively affects the level of remuneration, the procedure for procuring special technical means etc.	Ensure sufficient funding for the ESBU's activities, taking into account the plan for the phased establishment of 15 territorial units of the Bureau. Mechanisms should be ensured for reimbursing personal income tax to employees holding ESBU special ranks, and discrepancies between the bases for calculating the official salaries of ESBU employees and employees of other law enforcement agencies should be eliminated.
8	The ESBU Development Strategy has not been updated since 1 January 2024, when it was approved during the term of the previous leadership. In particular, the ESBU's activities do not specify how the analytical approach to its work will be developed, which should qualitatively distinguish the Bureau's work after its 'relaunch' in 2024–2025.	The ESBU should update the ESBU Development Strategy until 2027, taking into account current challenges. The ESBU should ensure the development of analytical approaches in its activities, by introducing profiles of detective-analysts, using criminal analysis tools and integrating with databases and data banks of European and other foreign countries.
9	Economic crime is an umbrella category covering a number of elements of criminal offences. At present, their investigation falls within the competence of different bodies. Interaction between them, as well as procedural supervision by the prosecution service, is sometimes weak, actions may duplicate one another and competition over criminal proceedings may be destructive to the interests of justice.	Eliminate competition between the economic and financial elements of criminal offences falling within the investigative jurisdiction of the ESBU, the NPU and the NABU. Strengthen the institutional capacity of prosecution bodies to exercise procedural supervision in such cases.
10	Criminal procedural legislation is limited in terms of applying alternative measures for resolving criminal law conflicts concerning financial criminal offences. Plea agreements are not widespread in this category of cases, as is generally the case, while international experience with other alternative forms is not applied.	Ensure the development of alternative measures for resolving criminal law conflicts, such as improving the 'tax compromise', to be applied at the pre-trial stage of criminal proceedings during the investigation of certain categories of criminal offences, primarily those of a financial nature.
11	Strategic documents on financial investigations are absent. While certain standards exist in the field of war crimes investigations or business protection, they are lacking in financial investigations, where coordination of actions among different law enforcement agencies is needed. Forecasting financial crime on the basis of statistical data is difficult, as proper aggregation of such	Approve the Strategy for Financial Investigations in the Field of Combating Criminal Offences Related to the Acquisition of Proceeds, as well as pre-trial investigation standards in this field.

	data is hindered by the fact that 'financial crime' is an umbrella concept covering several elements of criminal offences.	
12	In the updated comparative table for Draft Law No. 12439, the key problems identified in the Shadow Report 2025 remain unresolved, namely: 1) granting executive authorities the possibility to determine, in certain cases, what constitutes a criminal offence and what does not, by issuing clarifications and 2) narrowing the ESBU's autonomy in relation to criminal offences under Article 191 of the CC of Ukraine that fall within its investigative jurisdiction. In the 2025 Enlargement Package Report, the European Commission notes that such amendments are 'controversial' and that, if adopted, they 'could undermine the effectiveness of financial and criminal investigations into economic crimes, as well as the independence of the ESBU in conducting investigations'.	Refrain from adopting legislative amendments that limit the procedural independence of the ESBU and jeopardise the effective investigation of financial criminal offences, primarily Draft Law No. 12439 in the version proposed for Parliament's second reading as of 11 March 2026.
13	Ukrainian legislation is not aligned with Directive 2014/62/EU. Ukraine has not acceded to the 1929 International Convention for the Suppression of Counterfeiting Currency.	Ratify the International Convention for the Suppression of Counterfeiting Currency and its Protocols. Harmonise national normative legal acts with Directive 2014/62/EU, in particular regarding the systematic analysis of currency counterfeits and the technical analysis of counterfeit banknotes at the early stages of investigation.
14	Directive 2014/62/EU provides that the unlawful use of legal facilities or materials of authorised printing works or mints for producing unauthorised banknotes and coins for fraudulent purposes must be criminalised, and also provides for criminal liability of legal persons for offences related to currency counterfeiting. The current CC of Ukraine does not fully comply with the requirements of this Directive.	Amend the CC of Ukraine to establish liability for the manufacture and use of materials or equipment intended for currency counterfeiting. Establish criminal liability of legal persons for offences related to currency counterfeiting.
15	The legislative framework for combating money laundering has significant gaps, including the undefined legal status of virtual assets and the absence of a Unified Register of Individual Accounts.	Parliament should adopt an improved legislative package introducing the Unified Register of Accounts of Natural Persons, the Register of UBOs of Trusts and stronger protection for whistleblowers in the field of AML/CTF, taking into account comments from the expert community and civil society organisations.

16	The draft Fourth NRA Report submitted by the SFMS for approval received significant comments due to methodological incompleteness.	The SFMS should ensure the methodological quality of the Fourth NRA in accordance with FATF requirements by eliminating internal inconsistencies.
17	Although the current legislation on the status of politically exposed persons (PEPs) complies with FATF requirements and Directive (EU) 2015/849, and is a condition of the IMF programme and European integration, as a result of intensified public debate, the Verkhovna Rada adopted a Law (Draft Law No. 15111-d). It contains provisions amending the financial monitoring regime for PEPs, in particular with regard to individual risk assessment and making only a high or unacceptably high-risk level grounds for enhanced monitoring. The Law also expands the range of entities subject to financial monitoring. These changes are not fully aligned with international standards.	Parliament and the Government should refrain from any legislative amendments that weaken PEP status. The current regulation complies with FATF requirements and Directive (EU) 2015/849 and is a condition of the EFF programme for 2026–2029 and of the European integration process; any changes should therefore be agreed with international partners.
18	The current sanctions framework in the field of AML/CFT is asymmetric: fines for unjustified refusal to provide services to PEPs are significantly lower than sanctions for violations of enhanced due diligence requirements for high-risk customers. Under this incentive structure, it may be economically more advantageous for banks to refuse to provide services to PEPs than to accept them and bear regulatory risks, leading to de-risking instead of the proper risk-based approach required by FATF standards.	Parliament should consider reviewing the sanctions framework in the field of AML/CFT to eliminate the asymmetry between fines for unjustified refusal to provide services to PEPs and sanctions for violations of enhanced due diligence requirements, which may create incentives for financial institutions to engage in de-risking instead of applying a proper risk-based approach.
19	Ukraine's evaluation by the MONEYVAL Committee of Experts under the sixth round is scheduled for 2027. At the same time, Ukraine remains under enhanced monitoring and is required to report annually to MONEYVAL on the results of the fifth round. Given the documented institutional problems of the SFMS, the incompleteness of the NRA 2025, the fragmented strategic framework and staffing challenges, proper and timely preparation for the mutual evaluation is critical	The Cabinet of Ministers of Ukraine should ensure proper and timely preparation for the MONEYVAL evaluation.

	to avoiding negative consequences for the European integration process.	
20	The current version of the CPC of Ukraine does not regulate the ARMA's interaction with prosecution bodies when working with seized assets, in particular assets recognised as physical evidence in criminal proceedings. Because of this gap, a significant share of assets is 'stuck' between the ARMA and the prosecution service, without the possibility of effective management.	Parliament should develop, with the participation of the expert community, and adopt amendments to the CPC of Ukraine to ensure the full implementation of all provisions of Law No. 4503-IX.
21	The competition for the position of Head of the ARMA under the updated rules did not result in the appointment of a Head. On 10 June 2026, the Commission decided to hold a repeat competitive selection. As at the end of July, the timetable and conditions for the repeat competition had not been finally determined. The prolonged absence of a permanent Head remains critical to the stability and operational capacity of the Agency, especially during the active phase of reform implementation.	The Selection Commission for the Head of the ARMA should effectively and in line with best practice identify and, taking into account the shortcomings of the previous competition, hold a repeat competition for the position of Head of the ARMA. The Government should appoint the competition winner without delay.
22	Although the draft Asset Recovery Strategy for 2026–2030 is generally of satisfactory quality, certain provisions require revision: implementation indicators are mostly procedural, without measurable relative indicators or baseline values for assessing progress; the monitoring and reporting sections (IV and VI) duplicate each other; the operational plan is substantially narrower than the strategic objectives, while the text does not explain its relationship with the separate action plan that the ARMA has been instructed to develop.	The Government and the ARMA should ensure high-quality revision of the draft Asset Recovery Strategy for 2026–2030 in accordance with the requirements of the Rules of Procedure of the Cabinet of Ministers and with a focus on qualitative changes in the relevant field, as well as avoid duplication between the operational plan and the action plan for implementing the Strategy.
23	Implementation of Law No. 4503-IX requires not only the adoption of subordinate acts, but also systematic monitoring of how they work in practice, taking into account the positions of key stakeholders. Without such monitoring, which will also be useful for future audits	The ARMA should ensure monitoring of the implementation status of adopted subordinate normative legal acts, taking into account the positions of key stakeholders, in order to identify problematic issues and determine needs for improving the processes handled by the Agency.

	of the Agency, the risks of new problematic issues and needs for improvement will remain unidentified.	
24	The concept of electronic evidence is still absent from the CPC of Ukraine, unlike in other types of proceedings, namely administrative, civil and commercial proceedings. Issues concerning the partial disclosure of traffic data and the application of expedited preservation of data are insufficiently regulated.	Adopt legislative amendments to implement the Convention on Cybercrime in full, in particular by introducing the concept of electronic (digital) evidence into the CPC of Ukraine, by analogy with the Commercial Procedure Code of Ukraine, the Civil Procedure Code of Ukraine and the Code of Administrative Procedure of Ukraine, as well as other necessary amendments to fully implement this Convention in Ukrainian legislation.
25	Cyberviolence is not a separate criminal offence under Ukrainian criminal legislation. Phenomena such as stalking, harassment and incitement to violence or hatred in the online space are widespread, while criminal law instruments for an adequate response to them are absent. Liability is not provided for transferring one's own payment card 'for rent' for use in criminal activity, while the scale of such offences is significant and causes substantial damage to the country's economy. Under wartime conditions, the problem of 'drops' has increased significantly, while measures taken by the regulator, the National Bank of Ukraine, are insufficient.	Develop and adopt laws on the ratification of the Second Additional Protocol to the Convention on Cybercrime and on strengthening cooperation between providers of electronic communications services in Ukraine and the authorised bodies of the signatory states to that Convention. Align the CC of Ukraine with Directive (EU) 2019/713, in particular by introducing criminal liability for illegal actions involving payment cards or other payment instruments in the interests of third parties.
26	Forecasting organised crime, including cybercrime, is not carried out at an adequate level.	Prepare the first public report on the Internet Organised Crime Threat Assessment (IOCTA) and publish it on the MoIA website.
27	'Cybercrime' is an umbrella term covering a number of criminal offences, which complicates the proper recording of statistical data on the state of crime in this area. Reporting Form No. 1-CYB, introduced in 2025, requires improvement to ensure a clearer and more comprehensive understanding of the state of cybercrime in Ukraine.	Improve the unified statistical reporting of law enforcement agencies and prosecution authorities on countering criminal offences in the field of cybersecurity. In particular, disclose the content of the category of 'other' cybercrimes, which account for a significant share of the total number of cybercrimes. In interpreting and communicating data on cybercrime, place emphasis on criminal offences in the field of the use of information technologies.
28	The war and related socio-economic factors (internal displacement, loss of income, unemployment) increase the risks of trafficking in human beings for vulnerable population groups.	Strengthen preventive measures through socio-economic instruments, including by introducing targeted programmes for high-risk groups, considering the impact of the war and digitalisation.

29	The national legislation of Ukraine does not fully reflect contemporary forms of trafficking in human beings, in particular the use of information and communication technologies and certain forms of exploitation.	Integrate the use of information and communication technologies into the legislative definition of trafficking in human beings as a means of committing the offence and/or as an aggravating circumstance. Add the exploitation of surrogacy to the list of forms of exploitation in accordance with Article 149 of the CC of Ukraine.
30	Gaps remain in national legislation regarding the full implementation of international standards, particularly concerning the liability of legal persons and the protection of victims.	Amend the CC of Ukraine to introduce criminal liability of legal persons for the offence of trafficking in human beings (Chapter XIV[1] of the CC of Ukraine); include Article 149 of the CC of Ukraine in the list of offences for which limitation periods are calculated from the moment the victim reaches the age of majority (Part 6 Article 49 of the CC of Ukraine); introduce criminal liability for the intentional use of services provided by victims of trafficking in human beings. Adopt further amendments to the legislation of Ukraine to ensure compliance with Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims and the Council of Europe Convention on Action against Trafficking in Human Beings. In particular, amend the Law of Ukraine 'On Combating Trafficking in Human Beings' to clearly define the concept of the 'recovery and reflection period' and the list of guaranteed assistance and protection measures available to victims during this period; include provisions on the non-punishment of victims for their involvement in criminal activities where they were compelled to engage in such activities.
31	Low effectiveness of pre-trial investigation and judicial consideration of trafficking in human beings cases, due to lengthy proceedings and the limited application of custodial sentences.	Increase the effectiveness of criminal proceedings by increasing the number of cases reaching the trial stage; imposing custodial sentences on a greater number of convicted persons; and improving victims' access to compensation.
32	Access to assistance for victims of trafficking in human beings remains uneven depending on the region of residence. In large cities and certain regions, identification and support systems are more accessible, whereas in remote communities victims may not receive timely identification and assistance.	Assess barriers to accessing support services and to submitting applications for recognition as a victim of trafficking in human beings for different categories of victims (persons with disabilities, IDPs, foreigners, undocumented persons, men avoiding mobilisation, persons living in rural areas, persons displaced abroad, etc.) and develop measures to overcome these barriers. Develop detailed guidelines on the procedures for identifying victims, as well as for receiving and processing applications for victim status (including examples of documents that may be submitted, circumstances to be established, indicators and manifestations of different forms of trafficking in human beings, etc.).
33	Ukrainian citizens who have become victims of trafficking in human beings abroad have limited access to national assistance mechanisms, as existing	Develop a mechanism for cooperation between law enforcement authorities and diplomatic missions of Ukraine, involving law enforcement authorities of other states as well as civil society and international organisations, to ensure proper identification,

	procedures require the person to be physically present in Ukraine.	registration and investigation of trafficking in human beings cases involving Ukrainian citizens abroad.
34	In the context of the war, difficulties arise in the proper legal qualification of offences related to sexual exploitation, the use of persons in armed conflict and other forms of exploitation. Some of these acts are classified solely as war crimes, which complicates their recording as cases of trafficking in human beings.	Ensure proper differentiation in the legal qualification of offences, in particular between trafficking in human beings, conflict-related sexual violence and war crimes.
35	The low level of victim engagement in criminal proceedings is driven by fear, distrust of law enforcement authorities and the psychological consequences of exploitation, which directly affects the effectiveness of investigations and the number of cases reaching court.	Introduce mechanisms to increase victim engagement in criminal proceedings, including through security guarantees, psychological support and the possibility of remote participation.
36	The procedure for granting victim status remains complex and insufficiently accessible, due to formalised procedures, limited awareness and the lack of user-friendly application mechanisms.	Amend Article 5 of the Law of Ukraine 'On Combating Trafficking in Human Beings' to include local self-government bodies among the entities responsible for implementing anti-trafficking measures; introduce the possibility of submitting applications for victim status online. Further streamline the procedure for submitting applications and obtaining the status of a victim of trafficking in human beings. Enable the submission of applications to local self-government bodies and introduce the possibility of electronic submission.
37	The system of assistance to victims of trafficking in human beings is not fully adapted to the conditions of the full-scale war, in view of the increase in internal trafficking, changes in risk groups and growing demand for specialised services.	Further develop and adapt the system of services for victims of trafficking in human beings, taking into account the challenges of the full-scale invasion of the Russian Federation against Ukraine.
38	Ukraine lacks an effective compensation mechanism for victims of trafficking in human beings, which limits their recovery and reintegration, particularly where compensation from perpetrators is not possible.	Explore the establishment of a state compensation fund for victims of violent crimes, including trafficking in human beings.
39	The institutional capacity of entities involved in combating trafficking in human beings remains uneven, as reflected in varying levels of professional	Provide specialised training and strengthen institutional capacity and inter-agency cooperation among entities involved in combating trafficking in human beings.

	training, inter-agency coordination and effectiveness of responses.	
40	The level of international cooperation in combating trafficking in human beings requires further strengthening, particularly in light of the increase in cross-border cases and the need for effective cooperation with foreign law enforcement authorities.	Strengthen cooperation and exchange of experience between Ukrainian law enforcement authorities and their European counterparts, particularly in the context of Ukraine's EU integration and the need to ensure effective cross-border coordination in line with EU legislation.
41	The level of training of professionals working with victims of trafficking in human beings remains insufficient for the full implementation of victim-centred and trauma-informed approaches.	Provide training on the implementation of victim-centred and trauma-informed approaches in work with victims of trafficking in human beings.
42	The growing use of digital technologies for recruitment, control and exploitation is not matched by sufficient capacity of law enforcement authorities to detect and investigate such crimes, despite certain training initiatives (including the use of OSINT).	Strengthen the capacity of law enforcement authorities to detect and investigate trafficking in human beings in the online environment, including through the use of advanced analytical tools and OSINT.
43	Ukraine lacks an independent mechanism for monitoring state policy in the field of combating trafficking in human beings, which hinders systematic assessment of effectiveness and compliance with international standards.	Establish the position of an independent National Rapporteur on trafficking in human beings.
44	A separate Law on civilian weapons has still not been adopted, although it was adopted as a basis in early 2022, while the conditions for the acquisition, storage, registration, safeguarding, carrying, transportation and use of weapons are regulated by a secondary normative legal act. Only a limited category of civilians has the right to carry different types of weapons.	Adopt Draft Law No. 5708 on firearms for civilians (civilian firearms) and Draft Law No. 5709 on amendments to the CAO and CC of Ukraine to implement the provisions of the Law of Ukraine 'On the Right to Civilian Firearms', after revising their provisions to take into account expert comments. Include in Draft Law No. 5708 provisions under which the Cabinet of Ministers of Ukraine approves the procedure for accrediting institutions, requirements for specialists who conduct training on the technical characteristics of weapons, rules for handling and using them, the procedure for certifying such institutions and the model training programme.

45	In 2024, the Coordination Centre for Countering the Illicit Trafficking of Firearms, Their Essential Components and Ammunition became operational. It performs the function of the National Firearms Focal Point (NFFP). However, the procedure for its operation, its assessment of threats in the relevant area and other components of its mandate have not been fully developed. Similarly, there is no strategic vision for countering the illicit trafficking of weapons in Ukraine, especially in view of wartime challenges.	The Coordination Centre and the authorities involved in its work should conduct regular threat assessments to prevent the illegal possession and trafficking of firearms and other types of small arms and light weapons. It is advisable to approve the developed Roadmap for Countering the Illicit Trafficking of Weapons within the deadlines set by state policy documents. Strengthen the institutional capacity of the Coordination Centre, which performs the tasks of the National Firearms Focal Point (NFFP), by ensuring its connection to Europol's SIENA platform for information exchange through this channel and by improving cooperation with military command authorities.
46	Criminal liability for the illicit trafficking of weapons is imperfect, while the illicit trafficking of essential components of weapons and ammunition has not been criminalised at all.	Improve criminal liability for the illicit trafficking of weapons and ammunition, in particular by adapting it to the conditions of the full-scale war and clarifying liability for components of weapons and ammunition. The wording of the relevant articles of the draft new CC of Ukraine and the adoption of Draft Law No. 10179 could serve as the basis for such improvement.
47	Parliamentary oversight of the activities of special services is limited. The most recent regulatory framework on this issue — the adoption of the Law of Ukraine 'On National Security of Ukraine' in 2018 — improved the situation. However, in practice, members of the relevant Verkhovna Rada Committee on National Security, Defence and Intelligence face problems with access to information, along with a number of other issues.	Adopt legislative amendments to detail the forms and procedure for exercising parliamentary oversight in Ukraine's security and defence sector. Consider establishing a separate Verkhovna Rada Committee on special services to organise parliamentary oversight of the activities of special services and implement Article 33^2 of the Law of Ukraine 'On Committees of the Verkhovna Rada of Ukraine'.
48	The SSU combines the functions of both a law enforcement agency (pre-trial investigation body) and a counterintelligence body. Since the adoption of the CPC of Ukraine in 2012 and the amendments to the Constitution of Ukraine on justice in 2016, the issue of distinguishing concepts in the organisational and legal framework for the activities of Ukraine's security and defence sector bodies has remained relevant. As a result, the SSU concentrates excessive powers both as a counter-intelligence body and as a pre-trial investigation body. The effectiveness of the Service is limited, while	Adopt a series of legislative decisions on reforming the SSU, which should be transformed into a classic special service whose main function is counter-intelligence activity. At the same time, other functions, primarily pre-trial investigation, may remain with the SSU, but only in relation to specific categories of criminal proceedings where the SSU has unique expertise and relevant resources, namely terrorism, cybersecurity and State Secrets Protection. The appropriateness of retaining the relevant powers in relation to crimes against the foundations of national security, international crimes and smuggling should be examined separately.

	the possibility of democratic civilian oversight does not cover all of its activities. A number of decisions on reforming the SSU have already been adopted, but this process has been halted amid the full-scale invasion of the Russian Federation.	
49	The SSU retains a monopoly on electronic surveillance and interception during the investigation of criminal offences, given its technical function of providing access to communication channels. In some cases, this threatens the effectiveness of investigations, by increasing the risk of information leaks.	Assess the technical feasibility of allowing law enforcement agencies to conduct electronic surveillance and interception independently during investigations and evidence-gathering, without involving the SSU. Minimise the risks of information leaks and the role of the SSU in the current model of autonomous interception, which it technically provides.
50	Assessing the status of implementation of state policy documents on SSU reform is difficult due to the restricted nature of information resulting from the status of this body.	Ensure the implementation of the planned measures under the Rule of Law Roadmap, the OAS and the OAS Action Plan to improve the activities of the SSU, including assessment and certification of SSU staff and improvement of appointment procedures, while maintaining a balance between alignment with EU and NATO standards and the risks to the SSU's institutional resilience during the war. Develop the comprehensive draft law envisaged by the OAS Action Plan on clearly distinguishing between counter-intelligence activity, operational-search activities and covert investigative actions.
51	The development of internal control units in recent years, including the adoption of anti-corruption programmes, has increased the effectiveness of these bodies. However, approaches to such units, as well as the resources allocated to them, differ. The OAS provides for a number of measures to introduce a model code of professional ethics and an integrity criterion into competitive procedures in law enforcement agencies, which will require greater involvement of such units. In view of this, their current institutional capacity is insufficient. The prosecution service has a unique tool, namely 'secret integrity checks', which involves the submission of an annual integrity declaration and is largely formal in nature. The failure to publish these declarations on the	Continue developing the draft Law of Ukraine 'On Law Enforcement Agencies' to fulfil fundamental European integration commitments in the field of law enforcement. Strengthen the institutional capacity of the authorised units of law enforcement agencies and the prosecution service responsible for preventing and detecting corruption and provide them with the powers needed to effectively monitor and support the implementation of anti-corruption programmes. Transform the institution of integrity checks of prosecutors, including secret integrity checks, and strengthen the role of the PGO General Inspectorate. Prosecutorial self-governance bodies should approve unified criteria for prosecutors' integrity, drawing on the experience of the judiciary.

	PGO website under martial law has effectively nullified their effectiveness, as the tool was designed precisely to enable people outside the system to report prosecutors' lack of integrity at the level of the relevant community where a prosecutor works. The concept of 'integrity' has no unified criteria, which complicates its assessment when resolving practical internal control issues.	
52	Ethical rules differ across law enforcement agencies, which makes it impossible to develop common disciplinary practice for breaches of ethical rules. The assessment of corruption risks in the field of pre-trial investigation of crimes lacks clear criteria for its effective implementation.	Approve unified standards of integrity and ethical conduct for employees of the NPU, SBI, NABU and ESBU and unify the mechanisms for their disciplinary liability. Develop and publish on the NACP website a register of typical corruption risks in the activities of law enforcement agencies, taking into account the pre-trial investigation function.
53	There is no statistical record of the scale of non-criminal corruption in law enforcement agencies, which prevents an analysis of its prevalence.	Ensure the collection of separate statistical data on bringing employees of the SSU, NPU, SBI, NABU and ESBU, as well as prosecutors, to criminal and administrative liability for corruption and corruption-related offences, taking into account the special status of criminal justice bodies and the high level of corruption risks inherent in their area of activity.
54	Whistleblowers reporting corruption offences in law enforcement agencies are insufficiently protected from the negative consequences of their lawful actions.	Amend the laws regulating the activities of the NPU, the ESBU, the SBI and the prosecution service to prohibit dismissal from service in connection with reporting corruption offences, corruption-related offences and other violations of anti-corruption legislation.
55	Unlike the new law enforcement agencies, namely the NABU, SBI and ESBU, the NPU has no competitive selection procedure for appointing its Head, while competitive selection for senior positions is not mandatory. As a result, the NPU applies a different approach to the appointment of managers compared with the new law enforcement agencies, which is neither meritocratic nor fair and reduces trust in the police overall.	Introduce mandatory competitive selection of candidates for the positions of Head of the Police (Head of the NPU), senior management positions and certain middle-management positions in police bodies. As regards the competitive selection of the Head of the NPU, including the formation of the selection commission, it would be advisable to use the relevant ESBU practice as a basis.
56	The adoption of the Law of Ukraine 'On the National Police' in 2015 separated the MoIA and the NPU. At	Consider reducing the influence of the Minister of Internal Affairs over NPU personnel matters, including the appointment and dismissal of the First Deputy Head and

	the same time, the Minister of Internal Affairs retained certain powers over the operational management of the police, primarily in personnel matters. Thus, the MoIA has powers in relation to the NPU that are not inherent to its role, while the depoliticisation process has not been completed.	Deputy Heads of the Police and the approval of appointments and dismissals of heads of territorial police bodies.
57	Although the SBI began its work relatively recently, in 2018, its activities are affected by a number of critical problems. In view of this, SBI reform has become one of the priorities of European integration, but there is no political will to carry it out.	Improve the selection procedure for the position of SBI Director, taking into account the recommendations provided by the European Commission and simplify procedures for selecting heads of SBI internal control units. Adopt a law on comprehensive SBI reform, covering not only personnel 'rebooting', but also further steps to strengthen the institutional capacity of the SBI to perform the tasks assigned to it, including clarification of investigative jurisdiction, improvement of internal control mechanisms and strengthening of analytical capacity.
58	In recent years, a number of law enforcement agencies have connected to the SIENA system, while the SSU has received expanded access and access to SIENA-CT. At the same time, only the SBI has regulated the procedure for using this platform at the level of secondary legislation.	Develop secondary normative legal acts on the use of the SIENA platform by law enforcement agencies connected to this system.
59	There is little information on international cooperation between Ukrainian and European law enforcement agencies. Aggregated data on the results of such work are not published. In view of this, experts find it difficult to provide an alternative, external assessment of how effectively Ukraine cooperates with European law enforcement institutions.	Periodically publish information on the results of international cooperation, primarily on the results of the work of joint investigation teams (JITs), provided that this does not have a negative impact on the activities of a specific JIT. Continue work on implementing European and international instruments in the field of countering crime of a cross-border nature and bringing national legislation into compliance.
60	The current system for ensuring the safety of participants in criminal proceedings, which has remained unreformed for almost 30 years, has now lost its effectiveness and public trust. Witnesses and victims in criminal proceedings concerning serious and especially serious crimes who face a real threat often deliberately refuse to give incriminating testimony and cooperate with the investigation. Safety measures have	Adopt a new Law of Ukraine 'On Ensuring the Safety of Participants in Criminal Proceedings'. Establish a National Service for Ensuring the Safety of Participants in Criminal Proceedings, ensuring its autonomy from law enforcement agencies and the prosecution service. Ensure proper funding for the newly established service, taking into account the need for substantiated calculations for the effective provision of safety measures.

	effectively been reduced to physical measures, such as providing protection and warning of danger, while a lack of material resources makes it difficult to obtain state protection. Threats to witness safety are not assessed.	Develop, adopt and implement Methodological Recommendations on assessing risks to the safety of participants in criminal proceedings in the activities of law enforcement agencies and the prosecution service.
COOPERATION IN THE FIELD OF DRUG CONTROL		
1	The European early warning system for new psychoactive substances has not been introduced. The pace at which the composition of psychoactive substances and precursors changes exceeds the capacity of regulatory mechanisms to respond by adding specific substances to the list of prohibited substances. The absence of an early warning system prevents public authorities from flexibly and promptly regulating the circulation of the relevant substances.	Introduce an early warning system for the appearance of relevant substances in illicit circulation. Establish an advisory interagency body under the Cabinet of Ministers of Ukraine to coordinate efforts to counter the illicit trafficking of narcotic drugs, psychotropic substances and precursors.
2	Ukrainian legislation does not define the concept of new psychoactive substances, does not provide for the qualifying element of 'causing harm to the health of several persons' for criminal offences in the field of circulation of narcotic drugs and does not establish criminal liability of legal persons for such crimes. Similarly, the scale of sanctions for drug-related crimes in national legislation does not fully comply with Council Framework Decision 2004/757/JHA of 25 October 2004. The Law of Ukraine 'On Narcotic Drugs, Psychotropic Substances and Precursors' does not clearly define the terms 'recreational use', 'new psychoactive substance' and 'early warning system for new psychoactive substances' in accordance with Council Recommendation 2003/488/EC of 18 June 2003 'on the prevention and reduction of health-related harm associated with drug dependence'. The Government developed the relevant draft law and submitted it to the Verkhovna Rada in June 2026, but it was withdrawn in	Fully implement Council Framework Decision 2004/757/JHA into national legislation, in particular as regards defining the concept of new psychoactive substances, introducing the qualifying element of 'causing harm to the health of several persons' for criminal offences in the field of circulation of narcotic drugs and improving the criminal liability of legal persons for the commission of such criminal offences. Resubmit to the Verkhovna Rada a draft law amending legislation to implement Council Recommendation 2003/488/EC of 18 June 2003 'on the prevention and reduction of health-related harm associated with drug dependence' (substantively similar to Draft Law No. 15287).

	July for technical reasons following the change in the composition of the Government.	
3	In 2025, the Drug Policy Strategy until 2030 was approved and the Operational Action Plan for its implementation was adopted. At the same time, the MoH does not publish data on the status of its implementation.	Publish annual reports on the status of implementation of measures under the operational plans for the Drug Policy Strategy until 2030, indicating the status of implementation of the measures for the reporting period.
4	Over recent years, some progress has been recorded in addressing the problem in Ukraine's law enforcement system of prosecuting drug users rather than drug dealers, meaning persons who supply narcotic drugs. At present, the share of drug users is 42%, which remains high, as the prioritisation of proceedings against drug dealers is insufficient. Release from liability in connection with voluntary treatment or the use of mediation mechanisms remains insufficiently widespread.	Continue implementing a criminal prosecution policy focused primarily on persons and criminal organisations involved in the supply of narcotic drugs, namely drug dealers. In contrast, alternative mechanisms for resolving criminal law conflicts should be applied to drug users instead of criminal liability. Expand the range of mechanisms for resolving criminal law conflicts as alternatives to criminal liability towards non-coercive, incentive-based practices that are consistent with human rights, in line with the Pompidou Group's 2026–2029 Work Programme and the Drug Policy Strategy until 2030.
COUNTERING TERRORISM AND PREVENTING RADICALISATION AND VIOLENT EXTREMISM		
1	In June 2026, the President enacted the NSDC decision approving the new Concept for Combating Terrorism in Ukraine. At the same time, a significant shortcoming of the previous Concept (2019) was the absence of an Action Plan for its implementation, which adversely affected the effectiveness of the stated priorities and their implementation. Any public policy document at the level of a strategy or concept requires a detailed action plan to successfully implement its stated objectives and achieve the expected results.	Approve the Action Plan for the implementation of the new Concept for Combating Terrorism in Ukraine, approved by Presidential Decree No. 492/2026 of 11 June 2026.
2	Cooperation between the SSU Counterterrorism Centre, local authorities and civil society is insufficient, while the counterterrorism competence of these authorities needs to be improved.	Implement Council Decision 2008/615/JHA, in particular through the implementation of the planned set of measures to ensure that the SSU Counterterrorism Centre operates as the national contact point for information exchange to prevent terrorist offences.

3	Directive (EU) 2016/681 has not been implemented into Ukrainian legislation. At the same time, there is a divergence between the views of the SSU Counter-terrorism Centre and the SBGS on how it should be implemented.	After receiving feedback from the European Commission, complete the development and adopt the law ensuring the functioning of the system for receiving, protecting and exchanging passenger information and establishing a data processing system in Ukraine in accordance with Directive (EU) 2016/681.
4	There is no comprehensive document on preventing and countering violent extremism.	Develop and adopt a strategic public policy document on preventing and countering violent extremism, which should include, among other things, the coordinating role of the SSU Counterterrorism Centre and cooperation between central and local executive authorities and civil society.
5	The problem of radicalisation is not a priority for Ukraine, given the low prevalence of this phenomenon, while accusations that Ukraine has a widespread presence of far-right movements are more a matter of hostile states' information propaganda than reality.	Hold a broad expert discussion between representatives of Ukraine and the European Commission on the advisability of regulating the issue of countering radicalisation at the legislative level, especially as regards discussing the specific tools for preventing and countering this phenomenon that should be applied in Ukraine, since the EU has no standards on this issue.
6	The function of protecting critical infrastructure facilities is temporarily performed by the SSSCIP. In this area, the focus is on physical measures rather than on developing resilience more broadly in line with European standards. Public-private partnership in the protection of critical infrastructure facilities is minimal.	For the purpose of fully implementing Directive (EU) 2022/2557, it is advisable to adopt Draft Law No. 12208, taking into account the comments made by experts, including with regard to incorporating provisions on the development of mechanisms to ensure the resilience of the provision of designated services/functions, incentives and support for critical infrastructure operators, critical infrastructure risk analysis, information exchange and coordination of activities through public-private partnerships in ensuring the resilience and security of critical infrastructure facilities.
7	Since 2014, in relation to the consequences of the armed conflict on the territory of Ukraine, a practice of incorrect application of international humanitarian law has developed, negatively affecting the study and assessment of the consequences of the war. In particular, a practice emerged of classifying the fact of participation in the armed conflict under Article 258^3 of the CC of Ukraine and violations of the laws and customs of war as terrorist acts under Article 258 of the CC of Ukraine.	At the level of state policy documents, including strategies, concepts and action plans, it is advisable to take into account the need to clearly delineate the protected interests affected by violent acts that have elements of terrorism: the crime of terror as a war crime, terrorism, collaboration activities and violations of international humanitarian and criminal law, meaning international crimes. Criminal prosecution should prioritise the most socially dangerous forms of collaboration activities, which legitimise the occupation authorities and pose a threat to society.
JUDICIAL COOPERATION IN CRIMINAL, CIVIL AND COMMERCIAL MATTERS		

1	In 2024, the autonomy of SAPO was significantly strengthened. In 2025, SAPO signed a cooperation agreement with the European Public Prosecutor's Office. However, the NABU still remains the central authority for international cooperation in the anti-corruption field, although it is a pre-trial investigation body whose cases are procedurally supervised by SAPO prosecutors.	Include SAPO in the list of central authorities for international cooperation in criminal proceedings by amending the CPC of Ukraine accordingly.
2	The level of cooperation with the European Public Prosecutor's Office is minimal. At the same time, given its status as a candidate for EU membership, Ukraine has more opportunities to deepen such cooperation than it uses in practice. The concept of 'international search' is absent from Ukrainian legislation, which creates a number of practical problems in aligning terminology between Ukraine's competent authorities and international bodies. A number of other provisions concerning extradition arrest, the procedure for exchanging and protecting information and other matters also require regulation.	Implement Council Framework Decision 2002/584/JHA on the European Arrest Warrant procedure and Regulation 2024/3011 on the transfer of criminal proceedings into national criminal procedural legislation. Improve criminal procedural legislation on international legal cooperation in criminal justice through the adoption by the Verkhovna Rada of Draft Law No. 14292.
3	National courts take a long time to consider cases under the 1980 Convention. Ukrainian legislation lacks requirements for the procedure and specific features of consideration by Ukrainian courts of cases under this Convention in Ukraine, as well as the specific features of enforcement of judgments in this category of cases.	At the legislative level, supplement national legislation with provisions regulating the specific features of court consideration of cases initiated under the 1980 Convention, as well as their enforcement.
4	The absence of specialisation of judges in family and child-related cases in Ukraine, except in criminal jurisdiction where this is required by law, negatively affects the timeframes for considering such cases and leads to delays, which is not in the best interests of the child.	Continue implementing the pilot project on the specialisation of judges in family and child-related cases and, if the pilot produces positive results, subsequently enshrine it in legislation.

5	Mediation is insufficiently used in cases provided for by the 1980 Convention.	Continue taking measures to promote the further use of mediation in cases initiated under the 1980 Convention.
6	The level of training of practitioners, in particular judges and state enforcement officers, is often insufficient for the proper consideration of cases concerning international family disputes.	Support the provision of proper preparation and training for judges and state enforcement officers in cases concerning international family disputes.
7	Differences in the forms of child maintenance recovery in Ukraine and other states make it impossible to enforce such judgments and require applicants to apply again for a court judgment.	Take measures to raise awareness among applicants who apply to a Ukrainian court for the recovery of child maintenance from a person residing abroad of the importance of indicating the amount of child maintenance as a fixed monetary amount.
8	Detailed methodological recommendations on the application of the preventive restructuring procedure by micro and small enterprises (MSEs) are still absent. Using legal assistance in this area requires such business entities to allocate additional financial resources and creates an additional burden for them. The preventive restructuring procedure itself has only recently begun to be applied in practice. As a result, judges, insolvency practitioners, lawyers and others do not yet have sufficient experience and knowledge of its application.	The MoJ, as the public authority responsible for bankruptcy matters, should: • develop separate step-by-step algorithms for applying the preventive restructuring procedure for MSEs, with detailed explanations of provisions that are new to national legislation, for example with regard to cross-class confirmation of a preventive restructuring plan; • with the involvement of international experts in bankruptcy and insolvency, conduct training for judges, insolvency practitioners and lawyers on the preventive restructuring procedure in general, as well as on its individual aspects, including the best interests of creditors test, classes of creditors and others.
9	Draft Laws No. 15004 and No. 15024 on introducing simplified procedures for MSEs are under consideration by Parliament, each containing a number of shortcomings identified by the expert community.	In view of the identified risks and advantages of Draft Laws No. 15004 and No. 15024, the most optimal option for introducing simplified bankruptcy procedures for MSEs should be developed. This should help bona fide debtors return to economic activity while preventing dishonest debtors from abusing such procedures.
LEGAL AND ILLEGAL MIGRATION		

1	The development of the State Migration Policy Strategy, for which the SMS is responsible, is carried out in a closed format. Insufficient openness of the SMS and limited involvement of civil society in the formulation and implementation of migration policy result in a lack of transparency in decision-making.	Expand the practice of consultations between the SMS and the public, by introducing regular meetings, increasing their number and frequency and ensuring systematic coverage of all key areas of state migration policy. Ensure the proper and well-reasoned consideration of proposals from civil society organisations during the development of strategic and other normative legal acts in the field of migration by introducing transparent procedures for their review, including the mandatory publication of consultation results indicating accepted and rejected proposals, together with the corresponding justification.
2	The lack of proper interaction between the MoIA, the SMS, the SBGS and the MFA creates systemic obstacles for stateless persons and persons at risk of statelessness, refugees, persons in need of complementary protection, and asylum seekers abroad, limiting their access to consular assistance, documentation, the exercise of social rights, travel documents, and other administrative services provided for by national legislation and Ukraine's international obligations.	Amend Ukrainian legislation to provide for the possibility of: • refugees and persons in need of complementary protection obtaining administrative and documentation services at Ukrainian diplomatic missions and consular offices; • stateless persons recognised in Ukraine obtaining temporary and permanent residence permits abroad. Strengthen the interaction of Ukrainian public authorities, particularly the MFA, with the competent authorities of foreign states to ensure the official recognition of Ukrainian travel documents of refugees and persons in need of complementary protection. Introduce effective mechanisms of inter-agency coordination between the SMS and the MFA to ensure access for stateless persons and persons at risk of statelessness, refugees and persons in need of complementary protection to administrative and consular services abroad, including the issuance of travel documents.

3	The key obstacle to the proper integration of foreigners and stateless persons in Ukraine is the gap between the declared strategic objectives of state policy and their practical implementation, which results in the de facto exclusion of foreigners and stateless persons temporarily staying or residing in Ukraine from the systems of social protection and healthcare. At the same time, existing financial and educational barriers to access for stateless persons to sit examinations on the fundamentals of the Constitution of Ukraine and the history of Ukraine, as well as to determine proficiency in the state language for the purpose of acquiring Ukrainian citizenship, indicate the ineffectiveness of the current naturalisation mechanism as a significant component of the integration of such persons. The absence of integration programmes for refugees and asylum seekers in Ukraine creates a barrier to their adaptation in Ukraine.	Ensure proper access for stateless persons temporarily staying or residing in Ukraine to healthcare and social protection systems by introducing amendments to the legislation of Ukraine that will guarantee them equal access to medical and social services on a non-discriminatory basis. Exempt stateless persons from payment for examinations on the fundamentals of the Constitution of Ukraine, the history of Ukraine and the Ukrainian language when applying for Ukrainian citizenship. Ensure the proper integration of refugees and asylum seekers in Ukraine by introducing and financing programmes for learning the Ukrainian language and culture.
4	The use of the term ‘illegal migrant’ in Ukrainian legislation does not comply with the approaches of EU acquis and has a stigmatising character.	Align migration-related terminology with EU standards, namely by discontinuing the use of the term ‘illegal migrant’ and replacing it with the term ‘irregular migrant’ in legislation and law enforcement practice.

5	Legislative regulation of the introduction of a single procedure/single residence and employment permit for foreigners and stateless persons has not been completed. The Rule of Law Roadmap requires this measure to be implemented by the end of the fourth quarter of 2026. Draft Law No. 14211, aimed at introducing this mechanism and aligning Ukrainian legislation with the EU acquis, was withdrawn on 16 July 2026 following the change in the composition of the Government. Further progress on the relevant legislative amendments depends on their resubmission by the new Cabinet of Ministers of Ukraine, creating a risk of delay in fulfilling the relevant European integration commitments. At the same time, the provisions of withdrawn Draft Law No. 14211 carried risks of narrowing the right to employment of asylum seekers and certain categories of stateless persons. In particular, the employment of persons in respect of whom the procedure for recognition as a refugee or a person in need of complementary protection is ongoing, or who are appealing the relevant decisions, as well as persons who have applied for recognition as stateless persons or are appealing a refusal of such recognition, remained outside proper legal regulation. In addition, paragraphs 1 and 4 Part 5 of the new Article 5^6 of the Law of Ukraine 'On the Legal Status of Foreigners and Stateless Persons' created risks of unjustified refusals of access to employment because of the combination of permitting and control functions of the SMS and the absence of clear criteria for defining the concept of a 'threat to national security or public order'.	Ensure that a draft law substantively similar to Draft Law No. 14211 is submitted to the Verkhovna Rada as soon as possible in order to implement within the prescribed deadlines the measures under the Rule of Law Roadmap concerning the implementation of the EU acquis in the field of legal migration, in particular the introduction of a single residence and employment permit. When preparing the draft law, take into account the comments on the previous version of Draft Law No. 14211, in particular: 1) ensure the right to employment of foreigners and stateless persons in respect of whom the procedure for recognition as a refugee or a person in need of complementary protection is ongoing, or who are appealing the relevant decisions, as well as persons who have applied for recognition as stateless persons or are appealing a refusal of such recognition; 2) do not include provisions analogous to paragraphs 1 and 4 Part 5 of the new Article 5^6 of the Law of Ukraine 'On the Legal Status of Foreigners and Stateless Persons', as proposed by Draft Law No. 14211, which create risks of unjustified restrictions on access to employment for the above categories of persons. The SMS and the Ministry of Economy and Environment of Ukraine should prepare and submit to the Government draft amendments to the Law of Ukraine 'On Employment of the Population' that would enable asylum seekers to be employed on an equal basis with refugees without the need to obtain permits for the employment of foreigners.

6	Ukrainian legislation remains unaligned with Directive 2014/54/EU and Directive 2004/38/EC, which negatively affects the regulation of migration processes, in particular in the area of exercising workers' labour rights, ensuring freedom of movement, simplifying control procedures when crossing the state border and protecting EU citizen workers from discrimination.	For the further alignment of Ukrainian legislation with EU law, it is necessary to: • amend legislation to assign the State Labour Service the functions of the body responsible for ensuring the protection of the rights of EU citizens on an equal basis with national workers, in accordance with Directive 2014/54/EU; • align anti-discrimination legislation with Directive 2014/54/EU, by developing a mechanism to combat indirect discrimination against workers from the EU; • implement Directive 2004/38/EC in terms of simplifying checks at the state border, creating a mechanism to protect the rights of family members, aligning the border control procedure with EU standards and eliminating possible abuses related to unjustified refusal of entry or expulsion.
7	Violation of the procedure for bringing foreigners and stateless persons to administrative liability and the absence of procedural safeguards for them during proceedings in cases of administrative offences. Due to administrative barriers within the statelessness determination procedure, stateless persons and persons at risk of statelessness face difficulties in accessing legal status in Ukraine and in obtaining identity documents confirming lawful residence or stay in Ukraine. As a result, there is a risk of such persons being detained by law enforcement authorities and of violations of their right to liberty and personal security.	Ensure compliance with the principles of administrative procedure in the activities of the SMS in accordance with the Law of Ukraine 'On Administrative Procedure' during the administrative detention of foreigners and stateless persons, and improve mechanisms of judicial control over administrative detention, in particular by introducing the possibility to challenge administrative detention from the moment the administrative detention report is drawn up.
8	The lack of possibility for foreigners to comply with decisions on voluntary or forced return results in the artificial creation of conditions for adopting decisions on their forced expulsion. In violation of Ukrainian legislation, decisions on forced return are adopted in respect of stateless persons who have not been identified and do not possess identity documents.	Take measures to prevent the unlawful application of decisions on forced return and expulsion of stateless persons. Limit the discretionary powers of the SMS through their clear regulatory definition to prevent the risk of arbitrary application of measures related to the detention of foreigners and stateless persons, the adoption of decisions on forced return and expulsion, as well as placement in TACs.
9	Decisions on forced expulsion are adopted in respect of stateless persons who have not been identified and do not possess identity documents. To ensure	Amend the legislation of Ukraine by granting the right to submit an application for recognition as a stateless person from TACs and penitentiary institutions.

	the enforcement of such decisions, these persons are placed in TACs. However, the enforcement of forced return in such cases is impossible due to the absence of identity documents. Such practice violates the right to liberty and personal security and constitutes a serious interference with the right to respect for private and family life.	
10	Disproportionate and unjustified detention of foreigners and stateless persons in TACs is contrary to European and international law. Ukrainian legislation establishes basic requirements for conditions of detention in TACs, including requirements for separate accommodation for men and women, a medical unit, access to meetings with defence counsel and the possibility to wear personal clothing, but does not provide sufficient safeguards for vulnerable persons, in particular asylum seekers, persons with disabilities, families with children, victims of violence and others, and does not provide for the application of alternatives to detention, unlike EU legislation. In addition, the lack of civil protection shelters in TACs remains a problem.	Introduce clear legislative limitations on the use of detention in TACs as a measure of last resort by providing for a mandatory prior assessment of the real possibility of expulsion, the proportionality of interference with the right to liberty and personal security, and the prioritised use of alternatives to detention, considering the vulnerability of the person. Ensure proper conditions in TACs by equipping civil protection shelters that comply with the requirements of DBN B.2.2-5:2023, considering security risks related to martial law.
11	Readmission, forced return and expulsion procedures remain excessively lengthy and complex due to insufficient coordination between the SBGS, the SMS and the MFA. The development of the Situation Centre for monitoring migration processes and analysing migration-related risks has not been completed.	Agree and regulate at the normative level the algorithms for inter-agency cooperation among control services, in particular the MoIA, the SMS, the SBGS and the NPU. The SMS, the MoIA and the SBGS should continue work on establishing and building the capacity of the Situation Centre for monitoring migration processes and analysing migration-related risks.
12	There is no mechanism for regularising migrants without regularised status.	The SMS should develop a mechanism and programmes for regularising certain categories of illegal migrants.
13	Procedures for the voluntary return of migrants without legal status are rarely applied in practice.	The SMS should improve procedures for the voluntary return of foreigners and stateless persons without regularised status and raise their awareness of voluntary return options.

14	Approaches to risk analysis and the identification of illegal migration are imperfect, which negatively affects migration processes in Ukraine.	In the new strategic documents on state migration policy, the MoIA and the SMS should provide for the introduction of a Methodology for risk analysis and identification of illegal migrants, which would contain a list of markers and indicators for identifying illegal migrants within the country.
	ASYLUM	
1	Legislative inconsistencies in the interpretation of certain concepts in the field of international protection, particularly the concept of 'asylum', create obstacles to the application of the principles of good administration in Ukraine and other EU law standards.	Align the procedure for granting refugee status or subsidiary protection with the institution of asylum. Ensure that procedures for granting refugee status or subsidiary protection comply with EU law standards applicable to asylum, including the principles of good administration, as set out in the Law of Ukraine 'On Administrative Procedure'.
2	Since 2022, asylum seekers have faced difficulties in accessing procedures for obtaining refugee status or subsidiary protection. In practice, territorial bodies of the SMS refuse to accept, register and examine applications for international protection on grounds not provided for by Article 5 of the Law of Ukraine 'On Refugees and Persons in Need of Additional or Temporary Protection', including references to martial law or missed application deadlines, and do not issue written decisions, thereby effectively depriving applicants of the possibility to challenge such refusals.	Discontinue the practice of informal refusals by the SMS to accept applications for international protection and the failure to provide applicants with written decisions. Restore proper acceptance and examination of applications for international protection and ensure that any refusal to accept an application is based exclusively on the grounds, procedures and requirements set out in Article 5 of the Law of Ukraine 'On Refugees and Persons in Need of Additional or Temporary Protection'.
3	Limited institutional capacity of the SMS in the field of international protection hinders the effective processing of applications by asylum seekers.	Strengthen the institutional capacity of the SMS by increasing staffing levels, ensuring adequate budgetary funding, improving the professional qualifications of staff and enhancing the functioning of units responsible for examining applications for international protection, in order to ensure timely and effective procedures in line with the EU *acquis*.
4	Following amendments to Ukrainian legislation in 2023 in state border protection, the SBGS no longer accepts applications for international protection during martial law. This effectively deprives asylum seekers of the possibility to apply for international protection directly at the state border, limits access to the procedure and creates a risk of violation of the principle of non-refoulement.	Restore the possibility of submitting applications for international protection directly at the state border of Ukraine and review legislative restrictions on the acceptance of such applications during martial law, to ensure access to the international protection procedure in line with Ukraine's international obligations, the principle of non-refoulement, international standards and the EU *acquis*.

5	The certificate confirming an application for protection in Ukraine is not recognised as an identity document. As applicants' national passport documents are transferred to the SMS for storage during the examination of their application, asylum seekers are effectively left without identity documents, which complicates the exercise of their rights and limits access to medical, social, financial and other administrative services.	Regulate the proper documentation of asylum seekers by recognising the certificate confirming an application for protection in Ukraine as an identity document for the duration of the procedure for granting refugee status or subsidiary protection. Review the practice of mandatory confiscation of original passport and other identity documents from asylum seekers or introduce alternative mechanisms for their storage or use during the examination of applications, ensuring proper administration of the international protection procedure without creating obstacles for applicants in confirming their identity and exercising their rights.
6	There is a persistent shortage of interpreters, particularly for rare languages, which significantly complicates the conduct of interviews with asylum seekers. There is no digitalisation of documents of refugees, persons in need of subsidiary protection and asylum seekers. These documents are not integrated into electronic state services, which complicates the verification of legal status and limits access to basic rights and services. Time limits for the examination of applications for international protection are not respected, which complicates the exercise of the rights of asylum seekers. In addition, inappropriate sources of country of origin information are used during the examination of applications, which may affect the substantiation of decisions and lead to incorrect assessment of risks for applicants. Insufficient access of asylum seekers to secondary free legal aid undermines its effectiveness, due to the practice of the SMS refusing to accept applications for international protection without issuing written refusals, which prevents access to such assistance. The absence of a systematic mechanism for identifying and taking into account applicants' vulnerability within the international protection procedure leads to	Expand the Reference and Information Register of Interpreters and ensure adequate budgetary funding for interpretation services for asylum seekers, including for rare languages. Introduce the digitalisation of documents of refugees, persons in need of subsidiary protection and asylum seekers within the international protection procedure, by integrating relevant data into electronic state services and ensuring interagency electronic interoperability. Ensure compliance with time limits for the examination of applications for international protection and introduce a mechanism for informing applicants about the progress of their case and the reasons for delays. Ensure the use of reliable, up-to-date and verified country of origin information to improve the quality and substantiation of decisions within the international protection procedure. Expand access of asylum seekers to secondary free legal aid at all stages of the international protection procedure, including during appeals against refusals to accept applications before courts of all instances. Introduce an effective mechanism within the international protection procedure for the timely identification of vulnerable categories of asylum seekers, including children, unaccompanied children, persons with disabilities, elderly persons, pregnant women, persons belonging to the LGBTIQ+ community, single parents with minor children, victims of trafficking in human beings, persons with serious illnesses or mental disorders, as well as persons who have been subjected to torture, rape or other forms of physical or psychological violence, including gender-based violence, and ensure that their individual needs are duly taken into account and that they have access to appropriate support.

	a formalistic examination of applications without due consideration of individual needs and circumstances.	
VISA POLICY		
1	Ukraine's visa policy model has not been aligned with the EU visa policy.	The MFA should develop the modality of Ukraine's visa policy in line with the EU visa policy.
2	The competent authorities use an outdated Risk Analysis Methodology for countering illegal migration to determine which countries are countries of migration risk.	The MFA, SSU, SMS and SBGS should update the Risk Analysis Methodology for countering illegal migration.
3	There is no legislative definition of the concept of 'countries of migration risk', in particular in the field of identification of citizens of Ukraine, foreigners and stateless persons.	The MoIA and the SMS should amend the Law of Ukraine 'On the Legal Status of Foreigners and Stateless Persons' to define the concept of a 'country of migration risk'.
INTEGRATED BORDER MANAGEMENT		
1	The Integrated Border Management Strategy, which defined the main directions of state policy for the development and effective management of Ukraine's state border, expired in 2025. The draft new Integrated State Border Management Strategy for the period after 2025 has not been approved.	The NSDC and the Government should approve the Integrated State Border Management Strategy and the relevant action plan for the period after 2025.
2	The negotiation process with Romania on introducing joint customs and border control has not started and agreements on joint customs and border control with neighbouring EU Member States have not been signed.	The Ministry for Recovery, Infrastructure and Transport of Ukraine should intensify work on concluding agreements on joint customs and border control with neighbouring countries.
3	There is no official list of Schengen legislation, as well as a lack of qualified international expertise to be used at the stage of screening Ukrainian legislation for compliance with the Schengen acquis.	The SBGS and the MoIA should involve international experts with the appropriate level of knowledge of legislative screening against Schengen requirements in the work of the TWGs established by the Interagency Working Group on the Coordination of Measures in the Field of Schengen Governance. The Government Office for Coordination of European and Euro-Atlantic Integration should provide TWG members with consultations on Schengen matters and translations of Ukrainian legislation being adapted to the Schengen acquis.

		The Administration of the SBGS and the SMS should analyse the EU legal acts that have not yet been reviewed to determine whether their transposition into Ukrainian national legislation is appropriate and re-examine the consolidated conclusions on the acts already reviewed.

Annex 3 to the Report



List of public authorities, auxiliary and advisory bodies, and state institutions that shape and/or implement state policy in the relevant areas, whose representatives took part in interviews consultations and written surveys within the framework of assessing Ukraine's progress in implementing the European Commission's recommendations within the Cluster 1 'Fundamentals of the Accession Process'

1. Administration of the State Border Guard Service of Ukraine
2. Administration of the Verkhovna Rada of Ukraine
3. Central Election Commission
4. Commissioner of the Verkhovna Rada of Ukraine for Human Rights (representatives)
5. Constitutional Court of Ukraine
6. Council of Judges of Ukraine
7. High Anti-Corruption Court
8. High Council of Justice
9. High Qualification Commission of Judges of Ukraine
10. Military Ombudsman
11. Ministry of Finance of Ukraine
12. Ministry of Justice of Ukraine
13. National Agency on Corruption Prevention
14. National Anti-Corruption Bureau of Ukraine
15. National Bank of Ukraine
16. National Police of Ukraine
17. National School of Judges of Ukraine
18. Office of the Deputy Prime Minister for European and Euro-Atlantic Integration

19. Office of the Government Commissioner for Gender Policy
20. Office of the President of Ukraine
21. Prosecutor General's Office
22. Public Integrity Council
23. Research Service of the Verkhovna Rada of Ukraine
24. Secretariat of the Cabinet of Ministers of Ukraine
25. Secretariat of the Commissioner of the Verkhovna Rada of Ukraine for Human Rights
26. Security Service of Ukraine
27. State Bureau of Investigation
28. State Judicial Administration of Ukraine
29. State Migration Service of Ukraine
30. State University of Trade and Economics
31. Supreme Court
32. Uzhhorod National University
33. Verkhovna Rada of Ukraine
34. Yaroslav Mudryi National Law University