

JANUARY-
JUNE 2020

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1700 PFR

**CLEANSING GOVERNMENT OF CORRUPTION IN ORDER
TO ENABLE FORMATION AND DEVELOPMENT OF
SUCCESSFUL SOCIETY AND EFFICIENT STATE**

NABU mission



Artem Sytnyk

Director of the National
Anti-Corruption Bureau of Ukraine

Five years in a row the National Anti-Corruption Bureau of Ukraine has been eradicating corruption schemes and exposing dishonest officials. Five years in a row, we have been proving that no one can hide from justice behind his or her powerful “friends”, and that law enforcement agencies can still be incorruptible. We ourselves demonstrate that legality, integrity and transparency for newly established anti-corruption bodies are the words full of sense. The fact that we are moving in the right direction is confirmed by the numerous planted stories about the NABU work aimed to hide the real results of our activities from society.

In the first half of 2020, the National Bureau and the Specialized Anti-Corruption Prosecutor’s Office showed their personal best. The number of suspects has increased compared to previous periods (125 versus 84 in the second half of 2019); the biggest USD 5 million improper advantage to the NABU and SAPO executives was exposed. Due to the actions of NABU and SAPO in the first half of 2020 more than UAH 1.5 billion returned to the state. We also had efficient cooperation with foreign officials and colleagues in exposing cross-border crimes.

The sentences with real imprisonment penalties for corruption became a signal of justice to Ukrainian society. I am convinced that our joint work with the SAPO Prosecutors and foreign colleagues will continue to result in the decisions of the High Anti-Corruption Court. I am sure that the judges will maintain their independence, withstand the pressure and will not slow down their work.

I express my gratitude to the NABU employees, colleagues from law enforcement and government agencies, civil society activists, and international partners — the entire anti-corruption team for their daily efforts in the fight against corruption. I assure you that despite the obstacles, political pressure and attempts to block the NABU’s work and deprive its independence we will not stop!

The fight goes on!

The Prosecutors of the Specialised Anti-Corruption Prosecutor's Office together with the Detectives of the National Bureau continue their daily fight against top-corruption in Ukraine. 2020 has already shown that the number of corrupt officials in the country is not decreasing. Just in six months, several judges and heads of state-owned enterprises have been exposed on receiving improper advantages. In addition, those persons who tried to bribe the SAPO and NABU executives were detained.

Among other things, the first half of 2020 brought results in investigations of other serious corruption crimes. Therefore, the organizers and participants of criminal schemes of misappropriation of UAH 92 million in the Odesa City Council, of causing UAH 13.7 million losses to "Electrotyazhmash" SE as well as UAH 50 million losses to coal mining enterprises were given notices of suspicions. SAPO and NABU did not remain without the attention former Members of Parliament, who received illegal cash compensation payments for rental housing in Kyiv. As a result, four ex-MPs were given notices of suspicion.

In our work, we also focus on court trial. Despite the quarantine that COVID-19 has brought with it, court proceedings have finally gotten off the ground. In such proceedings as the "case of the Head of the State Fiscal Service of Ukraine", "Energoatom case", the "gas case", it continues the study of evidence total size of which reaches almost a thousand volumes.

In addition, the prosecutors and the detectives achieved the first real conviction in court for receiving USD 5 thousand bribe by the Deputy of the Kyiv Regional Council. He was sentenced to 5 years in prison (!). This verdict is a warning to all corrupt officials that position is not a guarantee of impunity and will not save from punishment!

The first half of 2020 met us with new tests both in the fight against corruption and with external factors, which changed the world around us. Despite the daily pressure, quarantine, negativity, we continue our fight against shameful corruption acts. Therefore, to be continued...



Nazar Kholodnytskyi

Head of the Specialised
Anti-Corruption Prosecutor's Office

ABOUT THE BUREAU
ABOUT THE BUREAU



UNIQUENESS

The first law enforcement agency in Ukraine to combine the functions of an investigator and an operative in a new profession — detective

All employees, except Deputy Directors, are appointed exceptionally through an open competition under public control

Legally guaranteed access to the majority of state registers and databases


Special procedure for appointing and dismissing the NABU Director as an element of institutional independence. Director's tenure lasts 7 years without the right to re-election

Unique personnel selection system developed on the best examples of law enforcement agencies in the world. Not only knowledge of legislation is taken into account, but also the level of analytical, operational and psychophysical abilities of the candidate

The first law enforcement agency in Ukraine and one of the first in Europe and the world, which anti-corruption system meets the requirements of the international standard ISO 37001: 2016

Employees of the NABU forensic laboratory are the only certified experts in computer technology in Ukraine according to the criteria of the International Association of Computer Investigative Specialists

The first law enforcement agency created in independent Ukraine from a scratch with the support of international partners



FOR 49%* OF UKRAINIAN RESIDENTS, THE PROBLEM OF FIGHTING CORRUPTION REMAINS ONE OF THE THREE MOST IMPORTANT

* based on the results of a public opinion poll conducted
by the the Ilko Kucheriv Democratic Initiatives Foundation
in January 2020 within USAID/ENGAGE Program
(<https://bit.ly/2WFvIra>)

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INVESTIGATIONS



bribery
IMPROPER SUP
ADVANTAGE UNF
DECISIO
UNDER
INVESTIGATIV
CORRU
SC
LAND I
MISAPPROPRIA
ANTI-COR

PLY OF GOODS OF
KNOWN ORIGIN

N-MAKING INEVITABILITY OF PUNISHMENT

THE PROCEDURAL GUIDANCE

VE TEAM
PTION
HEME
PLOTS
ATION
RUPTION

INTERNAL INVESTIGATION

RESOURCES

OUTPUT

CORRUPT JUDGES

SENT TO
COURT

PREVENTIVE TAX EVASION

MEASURE INEVITABILITY OF
PUNISHMENT

EMBEZZLEMENT Completed
investigation

NOTICE OF SUSPICION

KEY EVENTS

JANUARY

NABU and SAPO detained three persons on attempt to bribe the Head of the State Property Fund of Ukraine for the appointment of a pre-determined person on position of a director of the "Odesa Port Plant" PJSC (99.5% state-owned). Started in November 2019, the investigation as of the facts based on an application filed by the SPFU Head. In June 2020, the case was sent to court.

93 INVESTIGATIONS
STARTED

36 NOTICES OF
SUSPICION

8 ACCUSED
PERSONS

3 CASES SENT
TO COURT

FEBRUARY

NABU and SAPO gave notices of suspicion to two former officials of the Foreign Intelligence Service of Ukraine and acting director of a state enterprise for causing UAH 2.2 million damage to State. They organized illegal procurement, under which they fictitiously purchased equipment payable in advance, which the FISU actually never received.

63 INVESTIGATIONS
STARTED

19 NOTICES OF
SUSPICION

8 ACCUSED
PERSONS

8 CASES SENT
TO COURT

MARCH

The "Odesa Port Plant" PJSC is under NABU and SAPO attention again: a corruption scheme for selling mineral fertilizers to a predetermined company at low prices was exposed. As a result, the PJSC did not receive UAH 93.3 million. There are four suspects, and a representative of a former Member of Parliament is among them.

73 INVESTIGATIONS
STARTED

25 NOTICES OF
SUSPICION

10 ACCUSED
PERSONS

4 CASES SENT
TO COURT

APRIL

Large-scale exposure of corruption in a coal industry: 10 suspects, who in three years organized 69 procurements of various equipment, materials and services at inflated prices without urgent need. As a result, three state-owned coal mines illegally overpaid more than UAH 51.17 million.

64	INVESTIGATIONS STARTED
12	NOTICES OF SUSPICION
4	ACCUSED PERSONS
4	CASES SENT TO COURT

MAY

NABU and SAPO completed an investigation as of the construction of apartments for the National Guard of Ukraine with the participation of a private construction company, as a result of which the NGU lost UAH 81.62 million. Eight suspects, including the former Commander of the National Guard and Member of Parliament, were granted with access to case materials.

64	INVESTIGATIONS STARTED
15	NOTICES OF SUSPICION
6	ACCUSED PERSONS
5	CASES SENT TO COURT

JUNE

The biggest bribe exposure in the history of Ukraine: persons who attempted to bribe NABU and SAPO executives were detained. They planned to close the criminal proceedings on suspicion of a former Minister of Ecology by giving USD 5 million improper advantage in cash. Instead, a former top-official received another notice of suspicion. The investigation is ongoing.

49	INVESTIGATIONS STARTED
18	NOTICES OF SUSPICION
14	ACCUSED PERSONS
9	CASES SENT TO COURT

INVESTIGATION RESULTS



Despite the restrictions in work caused by COVID-19 pandemic, the Detectives of the National Anti-Corruption Bureau of Ukraine and the Prosecutors of the Specialized Anti-Corruption Prosecutor's Office were gaining pace taken in 2019. We managed to break our own record by increasing the number of persons exposed on abuses by a third: 125 suspects against 84 in the second half of 2019. At the same time, the investigations as of a third of them were completed, and 17 proceedings were sent to court.

Abuses at State Enterprises

Distorting the results of tenders, purchasing goods, works and services by state-owned enterprises at inflated prices, and as a result — supplying raw materials or manufactured products by state-owned companies at low prices or even for free are the most common abuses at enterprises where the share of the State or local community exceeds 50%.

In the first half of 2020, NABU and SAPO exposed 19 heads of the state enterprises on similar offenses and gave them notices of suspicion. This is almost twice as much as in the previous six months. Corruption schemes were exposed at some enterprises not for the first time. As an example: abuses at the State Enterprise "Administration of Sea Ports

of Ukraine". In the fall of 2018, NABU and SAPO sent case to court as of the facts of illegal overpayment of UAH 247 million for the purchase of dredging works in the waters of sea-ports. Six months later — another exposure: Berdiansk Sea Port paid UAH 2.49 million for the undelivered equipment. The investigation was completed in the first half of 2020.

Special attention is paid to bringing to justice of persons involved in corruption schemes including enterprises of the military-industrial complex. An investigation concerning purchase of trucks at inflated prices under a state defense order was completed. UAH 17.44 million, overpaid for vehicles was received by a company, which shares in the authorized capital belonged to close persons of the first Deputy Secretary of the National Security and Defence Council (acting at the time of committing a crime) and by the official himself. The investigation is completed.

BRINGING PARTICIPANTS OF CORRUPTION SCHEMES
RELATED TO THE DEFENSE INDUSTRY TO
JUSTICE — IN THE FOCUS OF NABU'S ATTENTION

Real Estate Corruption Schemes

In the reporting period, NABU and SAPO completed an investigation as of the facts of seizure of property of the National Guard of Ukraine in the amount of UAH 81.64 million. Having transferred the land plot to the developer company, in accordance with the agreements, the NGU had to receive apartments and parking spaces in a building in the capital center, but instead of this, due to the efforts of participants of corruption scheme, the NGU received a residential area on the outskirts of Kyiv.

TRANSACTIONS WITH REAL ESTATE AND LAND PLOTS OF STATE AND MUNICIPAL PROPERTY ARE INVESTIGATED BY NABU

More than UAH 9.3 million damages was caused to the territorial community of Kyiv – it is another example of a real estate corruption scheme. It was planned to build a residential building with a built-in swimming pool for secondary school on plots in the center of Kyiv, leased to the developer company by City Council. Instead

of this — they built a parking lot and “earned” on the sale of parking spaces. Investigation materials are opened to the defense for review.

Caught Red-Handed

In the first half of 2020, by the aid of NABU and SAPO, the unprecedented cases were exposed. Thus, the largest amount of improper advantage in the history of law enforcement agencies of Ukraine — USD 5 million in cash— was proposed to the NABU and SAPO executives for terminating the criminal proceeding as of suspicion of the Minister of Ecology during the presidency of Yanukovich. In June 2020, three people who passed a bribe were caught red-handed. The former top official was also given a notice of suspicion of organizing a crime.

Two episodes of attempts to bribe a top official were documented by NABU and SAPO in cooperation with the Head of the State Property Fund of Ukraine. The indictments as of two persons who planned to provide the Head of the SPFU with USD 5 million of improper advantage for the appointment of a pre-determined person to the position of Director of “Odessa Port Plant” PJSC were sent to court in June 2020. Another episode took place in early July: the detained person tried to provide the Head of the SPFU with USD 800 thousand for a list of “services”.

The Head of the Chernivtsi Regional Council was ex-

posed on receiving an improper advantage. The official agreed on receiving USD 400 thousand from a local entrepreneur for facilitating the lease of a health resort. At the time of the exposure of the crime, the suspect received USD 180 thousand.

The abuses exposed by NABU and SAPO in the first half of 2020 prove that top officials continue to tolerate corruption. There are several ways to counteract that. The first is the inevitability of punishment. This year the High Anti-Corruption Court delivered the first sentences. They will not only help to restore a sense of justice in society, but also make officials think about possible consequences of corruption crimes. Secondly, it is necessary to review approaches to corporate CEO of the state-owned companies, especially in terms of transparency of procedures for appointing managers and evaluating the effectiveness of their activities. Also, an important element of corruption combating is the willingness of officials to cooperate with anti-corruption authorities.

Abuses related to Fuel and Energy Complex

In terms of the volume of corruption abuses, Ukrainian fuel and energy complex occupies the first positions among other sectors of the economy. We talk about the purchase of goods, works and services by state-owned enterprises at inflated prices from companies controlled by or associated

with the management of the state enterprise, or about the sale of raw materials at low prices, or even its supply on a free basis. Losses, established as a result of such actions in cases investigated by NABU and SAPO, which are already being heard in court, exceed UAH 3 billion.

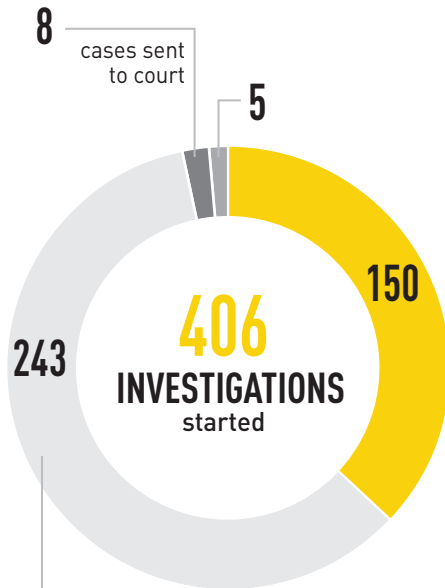
DUE TO THE ACTIONS OF NABU AND SAPO THE UNPRECEDENTED CASES OF TRANSFER OF IMPROPER ADVANTAGES WERE EXPOSED

An example of large-scale corruption in fuel and energy complex is causing losses to three state-owned coal mining enterprises in amount of UAH 51.17 million. 10 persons are suspected of participating in the criminal organization that actually took control of state purchases of mines.

NABU and SAPO stress that it is not enough to fight corruption only by punitive methods. Transparent selection of professional managers, implementation of clear and effective anti-corruption programs should ensure the prevention of abuse, helping law enforcement agencies to reduce the level of corruption in the State.

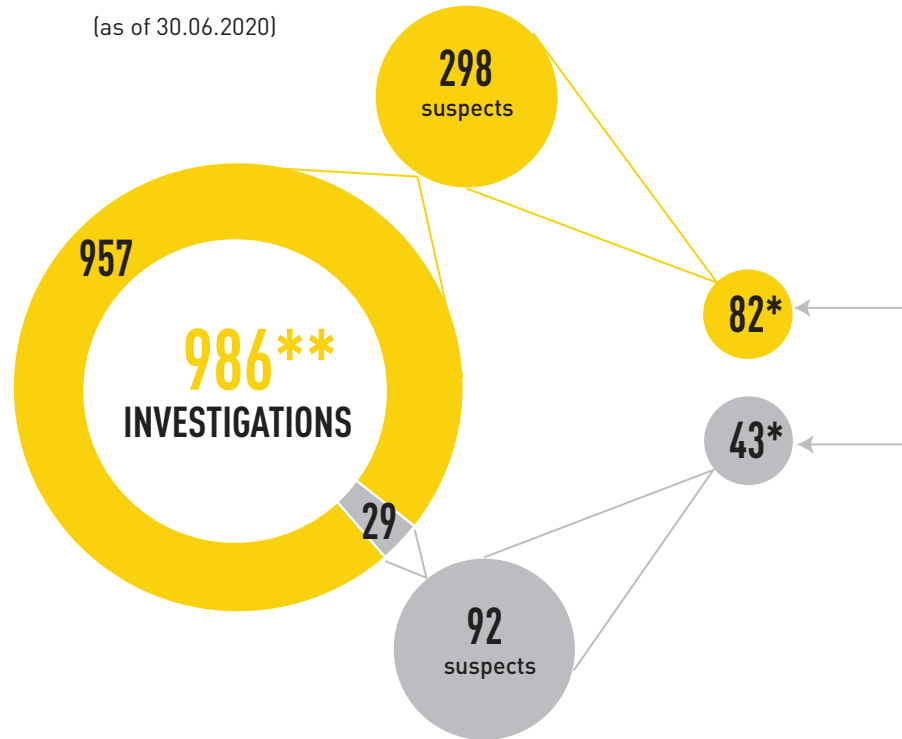
PRE-TRIAL INVESTIGATIONS

(from 01.01.2020 until 30.06.2020)



terminated, joined to other cases, sent to other law enforcement agencies

(as of 30.06.2020)



criminal proceedings under investigation
 cases in which the pre-trial investigation is completed, the materials are open for review (Article 290 of the CPC of Ukraine)

*including period from 01.01.2020 until 30.06.2020

**remainder of criminal proceedings including those in which the investigation is stopped

125

SUSPECTS



- 19 Heads of State Enterprises
- 9 Senior officials of the State
- 8 Judges
- 3 Public officials, local self-governments officials falling within the "A" Category
- 1 Military officers in the high command of law enforcement agencies
- 1 Military officers in the high command of the National Guard of Ukraine
- 1 Members of Regional Council
- 21 Public officials
- 62 Other (individuals, lawyers)

INVESTIGATE TEAM:

245	Detectives
38	Prosecutors
36	Analytics



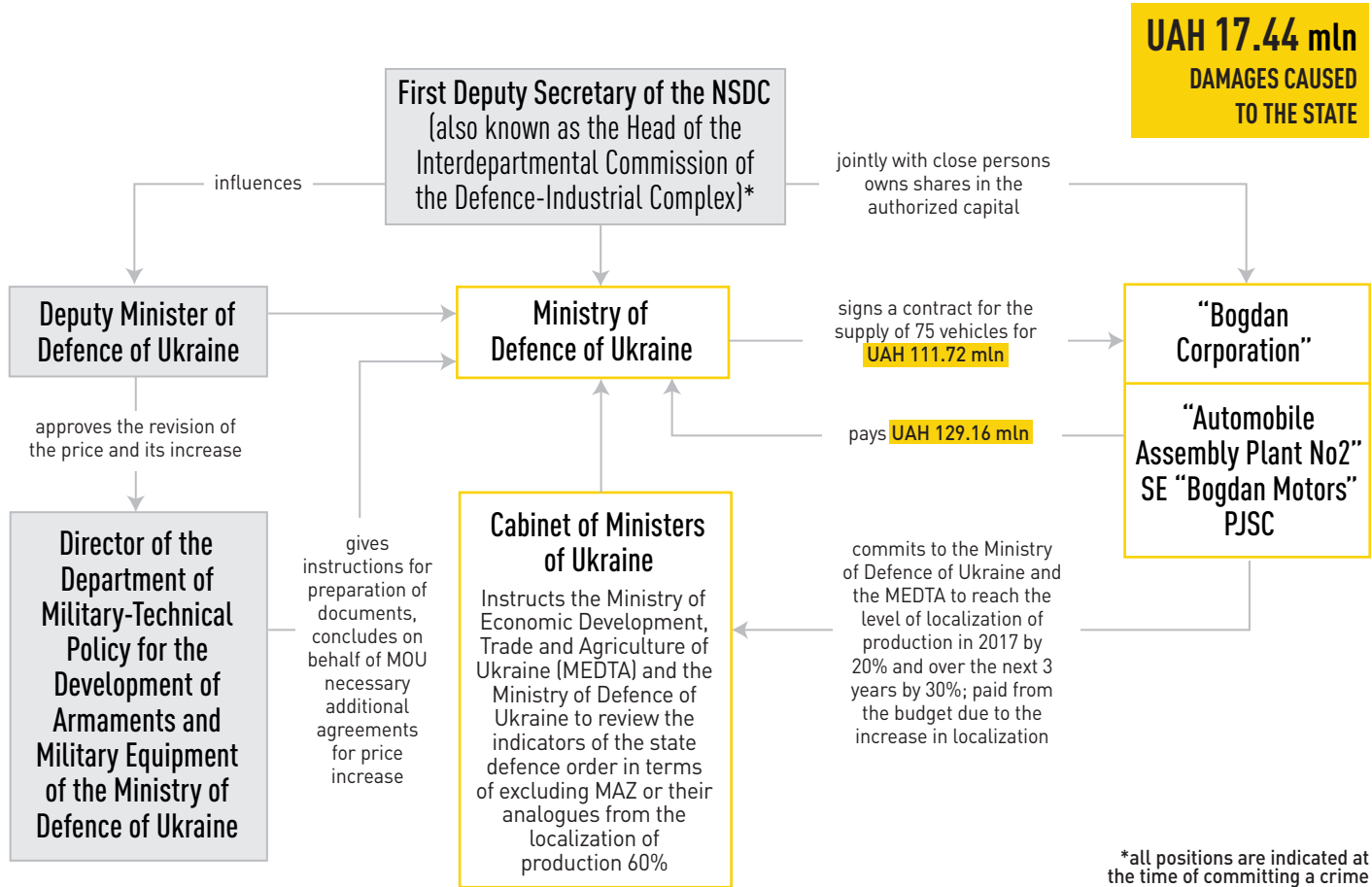
Undercover Detectives ***



Operative and Technical Department Officers***

***information about staff of the departments cannot be disclosed

COMPLETED INVESTIGATIONS



CAUSING UAH 17.44 MLN DAMAGES TO THE STATE DURING THE PURCHASE OF VEHICLES FOR THE NEEDS OF THE ARMY

Suspects

- former First Deputy Secretary of the NSDC — P.2 of Art.364 of the CC of Ukraine
- former Deputy Minister of Defence — P.2 of Art.364 of the CC of Ukraine
- Director of the Department of the Ministry of Defence — P.2 of Art.364 of the CC of Ukraine

Key events

24.04.2018 investigation started	18.10.2019 notice of suspicion was given to the former First Deputy Secretary of the National Security and Defence Council	28.04.2020 notices of suspicion were given to the ex-Deputy Minister and the Director of the Department of the Ministry of Defence	03.06.2020 investigation completed
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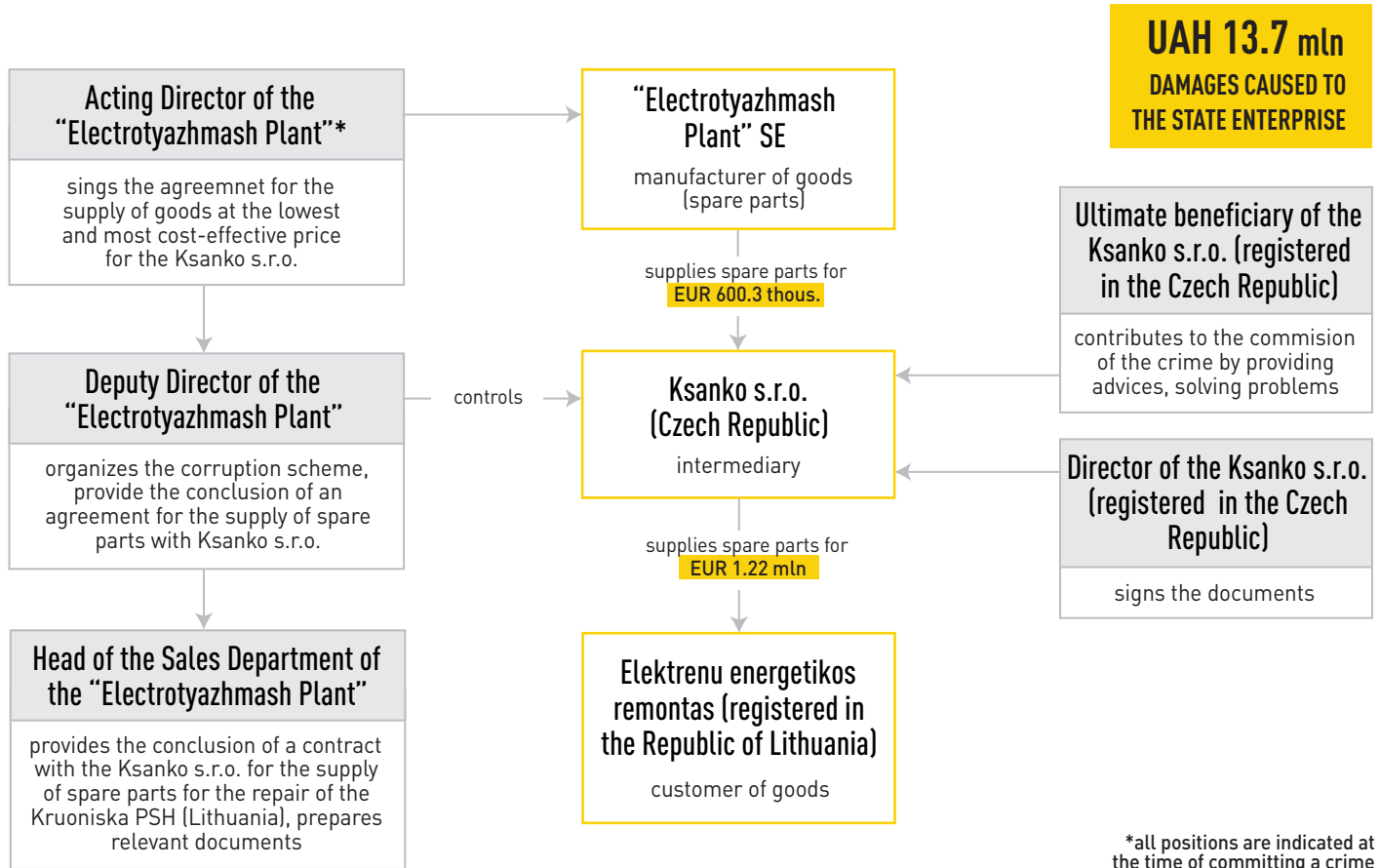
Crime scheme

The investigation found that in 2017, within the framework of the state defence order, the MAZ 6317 (Bogdan 6317) trucks were purchased at inflated prices. The manufacturing company — “Automobile Assembly Plant No. 2” SE (part of “Bogdan” group of companies) — did not meet the requirements, it received a defence order on condition of bringing the level of localization (production of vehicles in Ukraine) to 20% by the end of 2017 and further increase it to 30%. The manufacturer transferred expenses associated with increasing the level of localization to the state budget. Despite the inconsistencies, the purchase price was increased and approved by the Ministry of Defence. As a result, UAH 17.44 million was overpaid to the supplier.

Investigation in figures



COMPLETED INVESTIGATIONS



CAUSING UAH 13.7 MLN DAMAGES TO THE “ELECTROTYAZHMASH PLANT” SE

Suspects

- two Deputy Directors of the “Electrovazhmash Plant” SE — P.2 of Art.364 of the CC of Ukraine
- Head of the Department of the “Electrovazhmash Plant” SE — P.2 of Art.364 of the CC of Ukraine
- final beneficiary of the Czech company — P.2 of Art.364 of the CC of Ukraine
- Director of the Czech company — P.2 of Art.364 of the CC of Ukraine

Key events

08.11.2017	17.03.2020	08.05.2020
investigation started	notices of suspicion were given to 5 persons	investigation completed

Crime scheme

According to the investigation, in 2017, the officials of the State Enterprise “Electrovazhmash Plant” organized the sale of spare parts to a company (registered in Republic of Lithuania) through the company-intermediary controlled by them, registered in Prague (Czech Republic). The spare parts that “Electrovazhmash” sold to the Czech company for EUR 600.3 thousand, were resold to the Lithuanian company at almost twice the price — EUR 1.22 million. According to the conclusions of the comprehensive forensic commodity and economic expertise, the market value of the sold spare parts amounted to UAH 31.3 million. Taking this into account, the officials of the “Electrovazhmash Plant” SE caused damages to the State in the amount of UAH 13.7 million.

Investigation in figures



UAH 81.64 MLN MISAPPROPRIATION OF THE NATIONAL GUARD OF UKRAINE PROPERTY

Suspects

- Commander of the National Guard — P.5 of Art.191, P.4 of Art.368, P.5 of Art.27, P.2 of Art.28, P.4 of Art.358 of the CC of Ukraine
- Member of Parliament of Ukraine — P.5 of Art.191, P.4 of Art.369, P.3 of Art.209, P.3 of Art.28, P.3 of Article 358, P.3 of Art.28, P.4 of Art.358 of the CC of Ukraine
- CEO of LLC and 5 more persons — P.5 of Art.191, P.4 of Art.369, P.3 of Art.209, P.3 of Art.28, P.3 of Art.358, P.3 of Art.28, P.4 of Art.358 of the CC of Ukraine

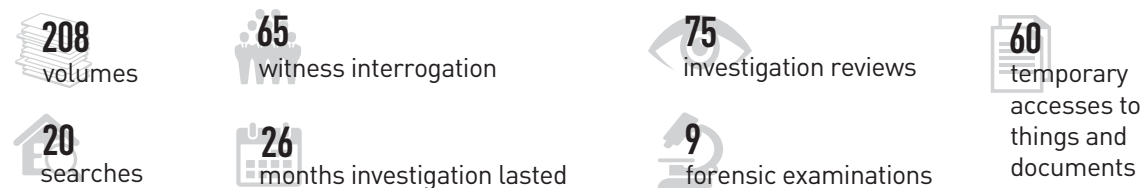
Key events

02.01.2018 investigation started	14.05.2019 notice of suspicion was given to the NGU ex-Commander	02.10.2019 notice of suspicion was given to the ex-MP	08.05.2020 investigation completed
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Crime scheme

In 2000-s the Main Department of the NGU and the LLC-developer signed an agreement, under which they were obliged to build a residential complex at the territory of a former military unit. In exchange for a land plot of about 1 Ha in the center of Kyiv, the NGU had to receive 50 apartments and 30 parking spaces in a residential complex. However, the parties signed additional agreements under which the NGU refused from apartments and parking spaces in exchange for 65 apartments at the outskirts of Kyiv. The cost of the apartments turned out to be UAH 81.64 mln less than the cost of apartments that the NGU should received.

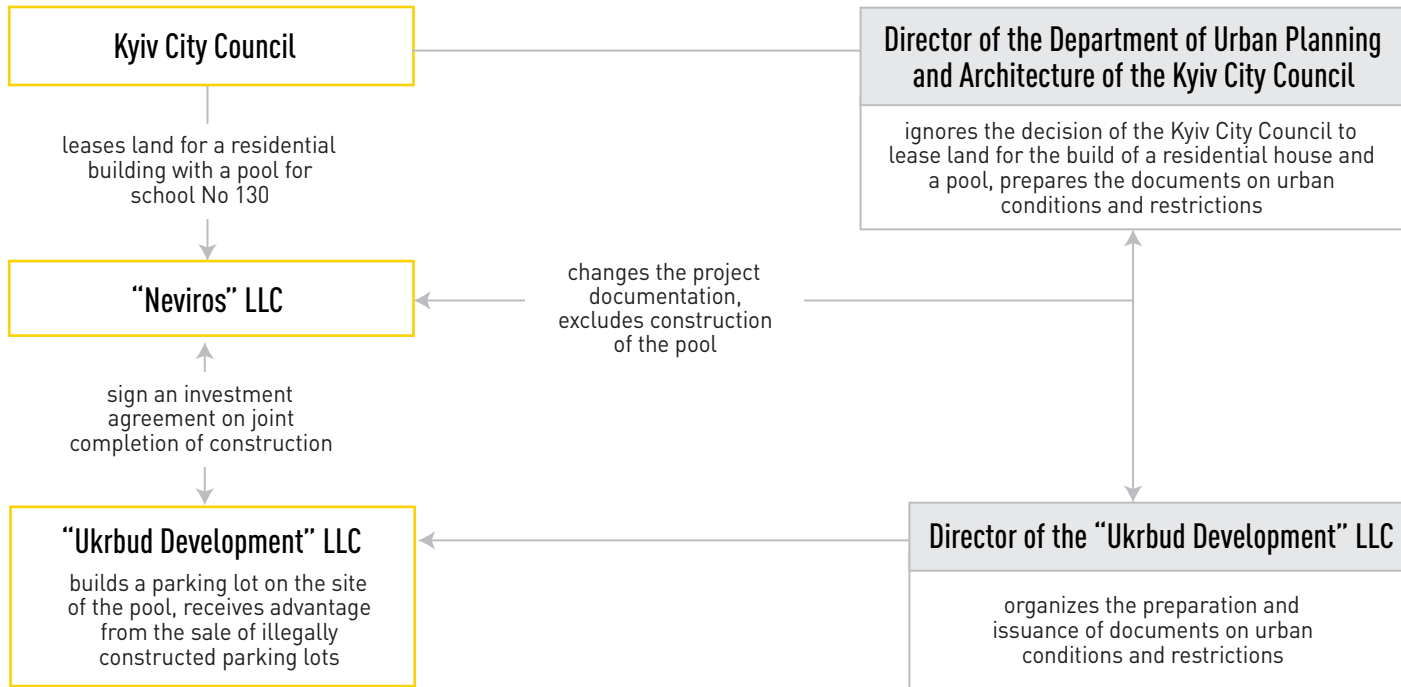
Investigation in figures



COMPLETED INVESTIGATIONS

*all positions are indicated at the time of committing a crime

UAH 9.3 mln
DAMAGES CAUSED TO THE
TERRITORIAL COMMUNITY OF KYIV



CAUSING UAH 9.3 MLN DAMAGES TO THE TERRITORIAL COMMUNITY OF KYIV

Suspects

- former Main Architect of Kyiv — P.2 of Art.364 of the CC of Ukraine
- Director General of the developer company — P.2 of Art.364 of the CC of Ukraine

Key events

30.08.2019	30.01.2020	15.05.2020
investigation started	notices of suspicion were given to the former Main Architect of Kyiv and the Director General of the developer company	investigation completed

Crime scheme

Kyiv City Council has leased the land plots in the city center to the “Neviros” LLC. The company was obliged to build a residential building with a built-in pool for secondary school No. 130. According to the agreement signed between Hosiivska District Council of Kyiv, the school and the LLC, the developer built a building carcass with auxiliary premises of the pool, and then stopped the construction due to lack of funds. Under those conditions, the “Neviros” LLC signed the investment agreement with the “Ukrbud Development” LLC, under which the companies were obliged to complete the construction jointly. Subsequently, the Director of the Department of Urban Planning and Architecture of the Kyiv City Council issued the urban planning conditions and restrictions for area development. Instead of construction of a pool for the school, they provided the construction of a multi-level parking lot. As a result, the “Ukrbud Development” LLC built a parking lot instead of pool and received advantage from the sale of parking spaces.

Investigation in figures



CORRUPTION!
CORRUPTION!
INDUSTRY CUT-OFF



Frauds with land plots, corruption schemes related to fuel and energy complex state enterprises and municipal facilities — are the areas that required the greatest attention of the NABU Detectives and the SAPO Prosecutors in the first half of 2020. The experience of the NABU and SAPO investigations proves that participants of corruption schemes usually do not bother to come up with new methods of how to break the law, but use the “best practices” that worked before.

Land Fraud

Considering the adoption of the Law of Ukraine “On Amendments to Certain Legislative Acts of Ukraine Regarding the Turnover of Agricultural Land” and the future introduction (from July 2021) of the land market, the issue of the legality of its transfer to private ownership becomes particularly relevant. That is why a separate Department of Detectives of the National Bureau focused its attention on the investigations of land corruption.

A striking example of land corruption is the illegal alienation of 15 hectares of particularly valuable land of the National Academy of Agrarian Sciences of Ukraine (NAAS), which resulted in more than UAH 43.9 million

damages caused to the State. While the indictment of nine participants in the scheme is pending before the court, the investigation of another episode of the same crime on suspicion of five more NAAS officials continues.

Corruption in Transport Infrastructure

A separate Department of Detectives of the National Bureau is also engaged in the investigation of abuses at the “Ukrzaliznytsia” PJSC (Ukrainian railways). Now they investigate on more than 20 criminal proceedings, most of which are related to the study of evidence of possible violations during the public procurement procedures, debt servicing, insurance activities, and the provision of improper advantage for the freight transportation tariffs.

In the first half of 2020, NABU and SAPO exposed two officials (former and current) on abuse of office during organizing a service for the sale of electronic tickets for “Boryspil Express”. Jointly with two other entrepreneurs, they tried to buy software for UAH 10.4 million, which actually duplicated the functionality of the existing service for selling train tickets of “Ukrzaliznytsia”. NABU and SAPO prevented the state enterprise from spending funds. The investigation of proceedings is ongoing. However, the cases as of two former MPs involved in abuses that caused 110 million damages to “Ukrzaliznytsia”, were sent to court.

CORRUPTION INVESTIGATED BY NABU AND SAPO: INDUSTRY CUT-OFF*

(as of 30.06.2020)

LAND PLOTS MISSAPPROPRIATION

15+  cases sent to court

30+  cases under investigation

40+  accused persons

15+  suspects

760+ ha land plots misappropriation

5 800+ ha under investigation

UAH 76+ mln
amount of caused losses (in cases sent to court)



2011-2018
period of crimes

Geography of crimes



DEFENSE INDUSTRY

10+  cases sent to court

10+  cases under investigation

30+  accused persons

10+  suspects

UAH 88.5+ mln
amount of caused losses (in cases sent to court)



2014-2018
period of crimes

The most common schemes:



abuses related to the performance of government contracts



procurement of goods, services and works at unreasonably inflated prices


ENERGY INDUSTRY

20+  cases sent to court

30+  cases under investigation

50+  accused persons

25+  suspects


7  persons signed plea bargain agreements; sentences against them came into force

UAH 3+ bn.
amount of caused losses (in cases sent to court)




2012-2018
period of crimes

The most common schemes:

 purchase of goods by State Enterprises at unreasonably inflated price

 illegal debt assignment on electricity bills

 theft of natural gas at feed-in tariffs

TRANSPORT AND INFRASTRUCTURE INDUSTRY

15+  cases sent to court

10+  cases under investigation

30+  accused persons


25+  suspects


UAH 700 mln
amount of caused losses (in cases sent to court)



2012-2018
period of crimes

The most common schemes:

 anti-competitive concerted actions that distort the results of public procurement

 procurement of goods, services and works at unreasonably inflated prices

* information on proceedings in which persons involved were identified (including suspected and accused persons)

ECONOMIC IMPACT

ECONOMIC IMPACT



Amount of the economic impact achieved by the NABU and SAPO actions in the first half of 2020 exceeds more than UAH 1.5 billion. This is an unprecedented amount in the history of the National Bureau, which currently significantly exceeds the funding of the institution in 2020.

According to preliminary estimates, the damages caused by corruption, which is being investigated by NABU and SAPO, reach hundreds of billions of hryvnias. A part of it — UAH 80 billion — has already been confirmed (as of June 30, 2020). In a number of criminal proceedings, examinations to establish the amount of damages are still ongoing. In many cases, the investigation focuses on gathering materials, necessary to evaluate the damages objectively.

The biggest part of economic crimes, actively investigated by NABU and SAPO, involves state-owned enterprises. Using corruption schemes, the organizers misappropriate state funds and deprive profits from state enterprises. Usually they transfer embezzled funds abroad through companies under their control and further legalize them.

Therefore, NABU and SAPO focus their activities both on revealing the organizers and participants of

such schemes, and on establishing grounds for the return of stolen funds. Based on materials, collected within pre-trial investigation, the lawyers of the National Bureau filed lawsuits to invalidate more than 100 agreements for state-owned enterprises for more than UAH 8.36 billion. Court satisfied lawsuits, the relevant decisions came into force. Then the state-owned enterprises will make a choice whether to start the refund process. For example, almost UAH 360 million was returned to the “Zaporizhzhyaoblenergo” OJSC (60% of the shares belong to the State). After the court invalidated the agreement on the transfer of debt for UAH 880 million between the enterprise and a number of companies, the “Zaporizhzhyaoblenergo” OJSC applied to court.

The evidence collected by the NABU Detectives within pre-trial investigations, could be the basis for filing lawsuits for invalidation of seven transactions, concluded by enterprises with a state share of more than 50% in the first half of 2020.

The total amount of those agreements is about UAH 7.16 billion, of which UAH 7.144 billion fall on agreements, concluded by “Ukrnafta” PJSC. Due to the decision of the Constitutional Court of Ukraine to deprive the National Bureau of the authority to invalidate illegal agreements in court, the corresponding lawsuits are sent to the Spe-

cialized Anti-Corruption Prosecutor's Office for further work. In the first half of 2020, three such motions concerning 33 transactions for more than UAH 7.17 billion were submitted to SAPO.

The active investigative actions of the NABU Detectives force the participants of corruption schemes to refund damages, caused to the State by their actions, even at the stage of pre-trial investigation. We have a number of such examples in the first half of the year.

After the notices of suspicion to persons involved in abuses during purchasing the "Ukrnafta" OJSC products were drawn up in the fall of 2019, during December 2019-February 2020 the OJSC received more than UAH 600 million from commercial companies, allegedly related to the shareholders of the "Ukrnafta". The funds were used to repay the debt, which was considered as a "bad" debt. In general, almost UAH 688 million was returned to the State enterprises in the first half of 2020.

Similarly, progress in investigation in another proceeding prompted the suspects to begin the refunding process. As of the end of June 2020, UAH 400 thousand were refunded by the suspects of causing of UAH 2.49 million losses to Berdiansk branch of the State Enterprise "Ukrainian Sea Ports Authority".

No less significant is the investigation of receiving cash compensation payments for rent by former Members

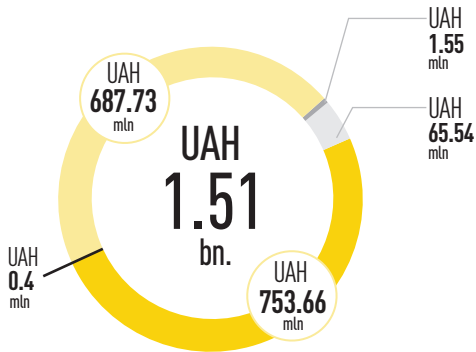
of Parliament of Ukraine. The Detectives of the National Anti-Corruption Bureau of Ukraine started investigations of the facts in October 2018 and in the summer of 2019 three Members of Parliament of Ukraine (MPs) admitted that they "accidentally" received state budget cash compensation payments and voluntarily returned UAH 160 thousand. During January-June 2020, three more former Members of Parliament of Ukraine, without waiting for a court decision, voluntarily refunded illegally received compensation from the budget in total amount of more than UAH 1.55 million.

Special attention should be paid to the work of NABU and SAPO on collecting a convincing evidence base, which showed the violation of obligations by three suspects, imposed on them by the court decisions. As a result, the High Anti-Corruption Court ruled to confiscate UAH 65.54 million of pledges.

However, the main refunding of losses, caused by corruption, will be possible only after the court decisions, which will establish legal grounds for future penalties and confiscation of property of those responsible. For that purpose, at the request of the NABU Detectives and the SAPO Prosecutors, numerous assets were seized. The cases, which were sent to court in the first half of 2020, include 170 land plots, about 30 real estate objects, corporate rights for over UAH 100 million.

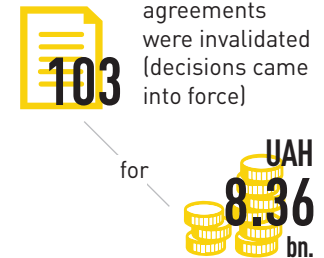
ECONOMIC IMPACT

(from 01.01.2020 until 30.06.2020)



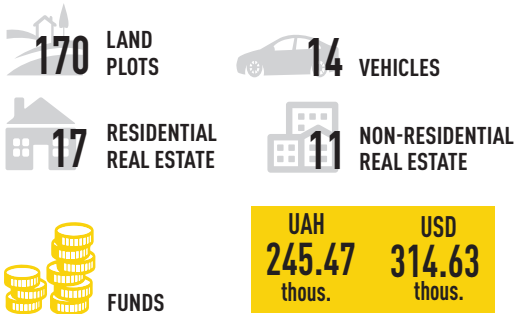
- refunded to state enterprises (voluntarily)
- refunded to state enterprises (as a result of NABU's lawsuits)
- returned illegal cash compensation payments by Members of Parliament of Ukraine
- confiscated pledges
- prevented embezzlement

CLAIMS WORK (as of 30.06.2020)



SEIZED ASSETS*

(from 01.01.2020 until 30.06.2020)



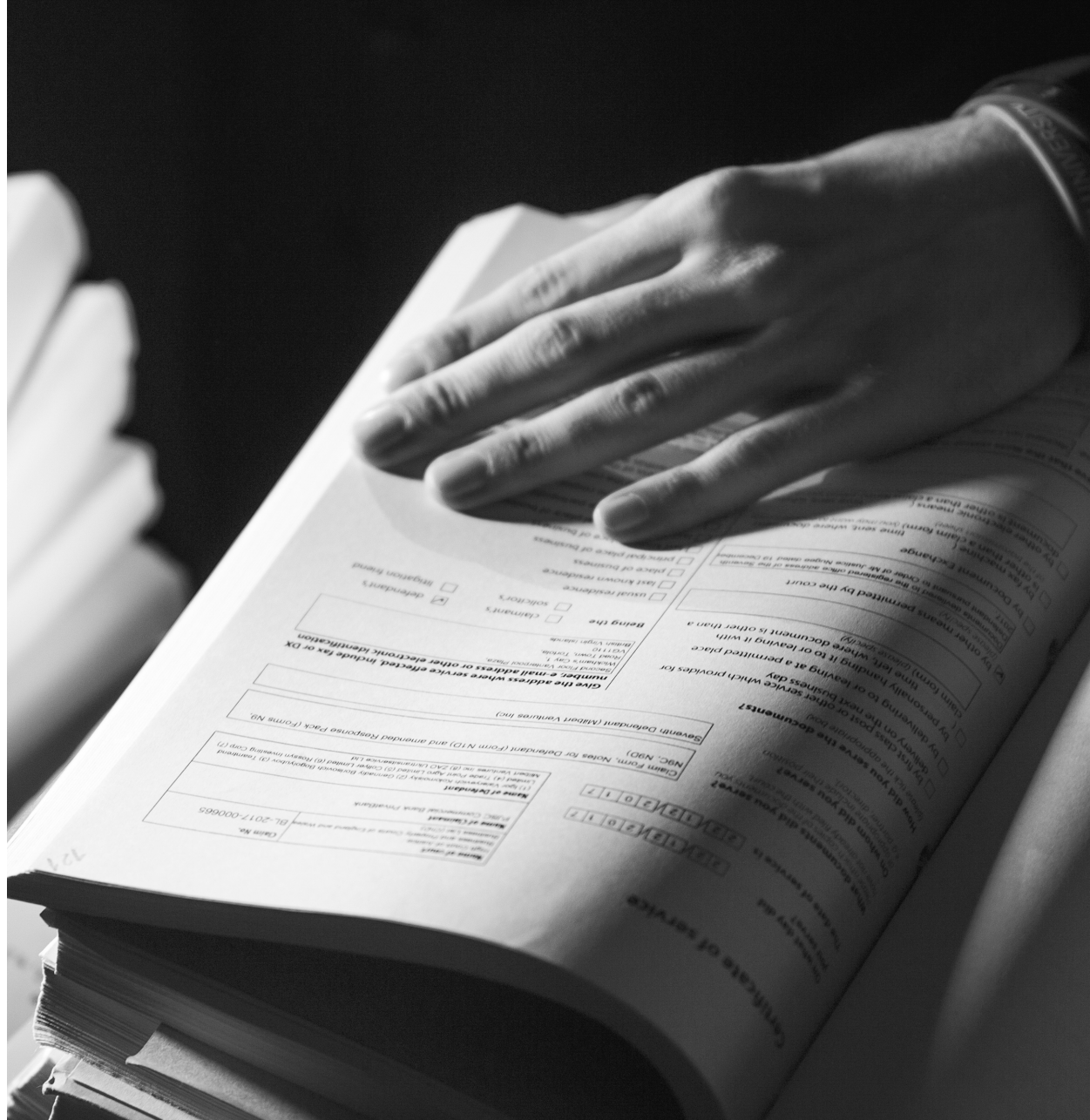
SUBMISSIONS TO SAPO TO FILE LAWSUITS FOR AGREEMENT ANNULMENT

(from 01.01.2020 until 30.06.2020)



* in criminal proceedings in which the indictments were sent to court from 01.01.2020 until 30.06.2020

GEOGRAPHY OF CORRUPTION



Crimes, investigated by NABU and SAPO, covers all regions of Ukraine. However, the highest levels of abuses and, at the same time, the number of persons involved in them are traditionally revealed in the capital, East and South of the country. Moreover, this is not surprising, because most of state-owned companies, involved in implementation of corruption schemes, are concentrated in these regions. First, we talk about enterprises that operate in mining industry, fuel and energy complex, mechanical engineering etc. As for Kyiv, the capital is the financial center of the country, and the main offices and, accordingly, the financial resources of a number of strategically important companies, such as the “Ukrzaliznytsia” PJSC or the “NNEGC “Energoatom” SE, are located here.

In the western regions most of exposed corruption crimes are related to land and activities of enterprises, involved in agro-industrial complex. However, the offences of judges do not have territorial specifics: they were exposed on bribe throughout Ukraine.

An integral part of investigation of crimes by NABU is the communication of the National Bureau with competent authorities of other countries, due to the involvement of foreign companies in the committing of crimes

in Ukraine. Commonly, they used to withdraw funds from the country and their further legalization abroad.

For example, cooperation with competent authorities of the Principality of Liechtenstein helped to prevent the revocation of embezzlement of USD 14 million owned by the ex-Minister of Revenues and Duties. The accounts were seized within the investigations as of the facts of causing UAH 3 billion damages by the ex-official.

In January 2020, the Deputy Minister of Energy and Coal Industry, acting during the presidency of Yanukovich, was extradited from Georgia in a criminal proceeding on embezzlement of liquefied natural gas owned by the “Ukrnafta” PJSC and the “Ukrgasvydobuvannia” PJSC.

The interaction of the National Bureau with law enforcement agencies of Switzerland allowed to bring to justice one of the former Member of Parliament of Ukraine for laundering about EUR 2.8 million. This person is also accused of corruption in Ukraine, and the case against him is being heard in the High Anti-Corruption Court.

In total, in the first half of 2020, the National Bureau sent 148 requests to 48 countries for international legal assistance. This is a record in the history of NABU, which proves once again that corruption is an international phenomenon. Therefore, the National Anti-Corruption Bureau of Ukraine intensifies its efforts in this direction.

INTERNATIONAL LEGAL COOPERATION

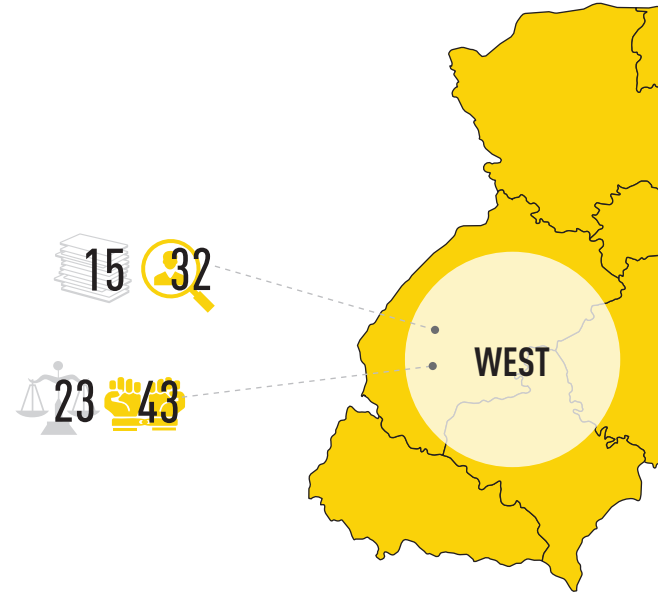
(as of 30.06.2020)


75
STATES





(from 01.01.2020 until 30.06.2020)

48
STATES



 criminal proceedings in which pre-trial investigation is in progress and suspects identified

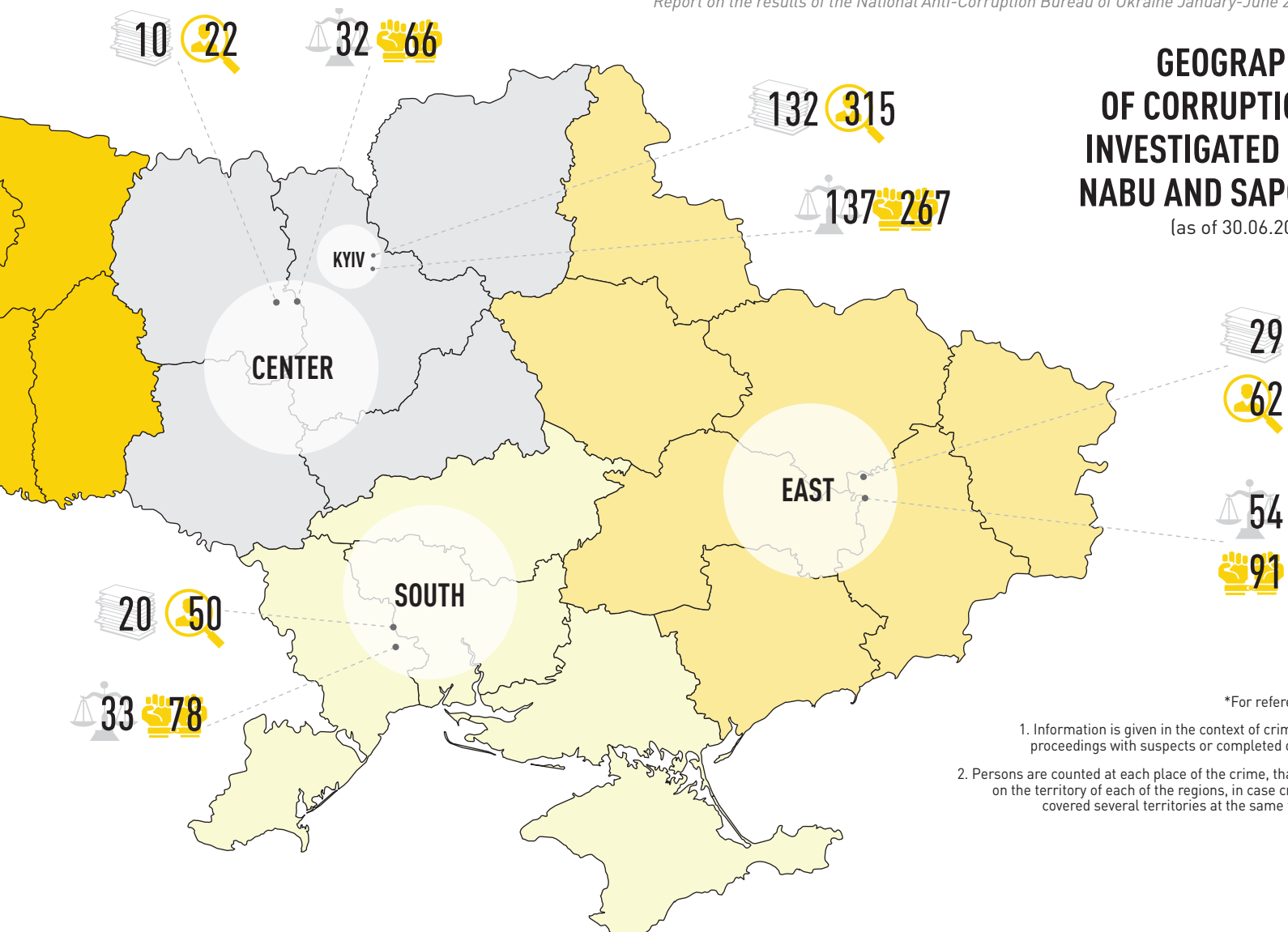
 suspects

 completed criminal proceedings

 accused persons

GEOGRAPHY OF CORRUPTION INVESTIGATED BY NABU AND SAPO*

(as of 30.06.2020)



*For reference

1. Information is given in the context of criminal proceedings with suspects or completed ones
2. Persons are counted at each place of the crime, that is, on the territory of each of the regions, in case crime covered several territories at the same time

COURT TRIAL

COURT TRIAL



Record amount of pledges were collected from suspects on top-corruption for the first time in the history of Ukraine's independence in the first half of 2020. That became possible due to coordinated work of newly established anti-corruption agencies — NABU, SAPO and the HACC. Thus, in April 2020, the Chamber of Appeal of the High Anti-Corruption Court granted a motion of the NABU Detectives and the SAPO Prosecutors and decreed to refund UAH 35 million to the state budget from a suspect in organizing a corruption scheme at customs for violating his obligation to submit travel document — passport of a citizen of another state.

At the same time, his amount of bail was also increased by UAH 6 million — to UAH 76 million. Another UAH 30 million of pledge were confiscated from the former Member of Parliament, who communicated with witnesses and suspects in the case of seizure of property of the National Guard of Ukraine, which was explicitly prohibited by the court. In total, 38 SAPO Prosecutors took part in more than 2,000 court hearings in the first half of 2020. In turn, the HACC granted 80% of motions, submitted by SAPO for choosing preventive measures to suspects, and in 75% of cases judges supported the SAPO Prosecutors and had

detained persons, exposed in corruption.

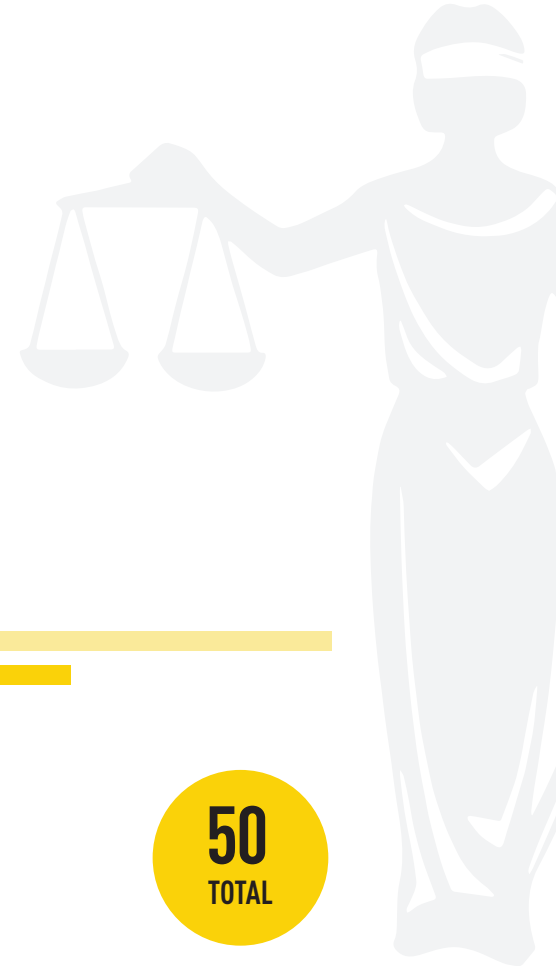
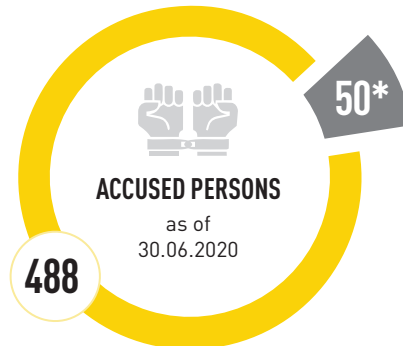
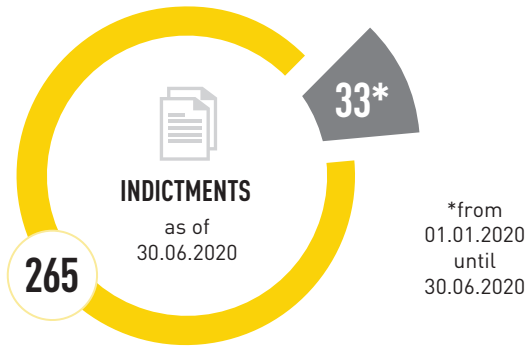
The category of cases under investigation by NABU and SAPO provides for the use of pledge as an alternative to detention. In most cases, the High Anti-Corruption Court judges set its amount at a level, comparable to the amount of damages caused by actions of suspects. Therefore, unprecedented amounts of pledges at a rate of UAH 80-120 million were set.

In 10 months after start of work, in June 2020, the HACC delivered its first judgment with imprisonment — a deputy of the Kyiv Regional Council was sentenced to five years in prison with confiscation of property. In total, currently the HACC has delivered judgment against 10 persons. Among them: two former Members of Parliament of Ukraine, the Head of a state-owned enterprise, three judges and lawyers.

As of the end of June 2020, 184 cases investigated by NABU and SAPO, are pending upon the HACC judges. With regard to current dynamics, whereby hearings are scheduled and conducted regularly. The National Bureau and SAPO are convinced that such results would be impossible in a relatively short time without the assistance of the High Anti-Corruption Court. Some of them are at the final stage — the debate, which precedes the last word of the accused and the announcement of court decision.

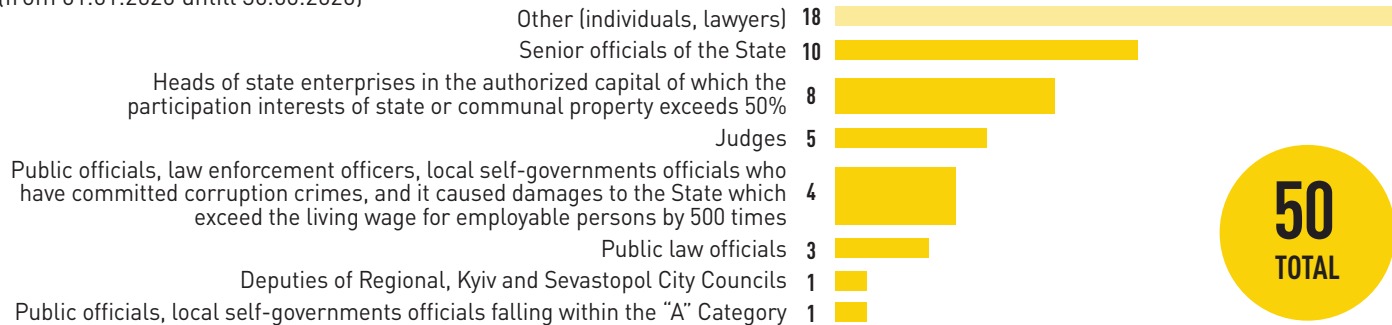
COMPLETED INVESTIGATIONS

SENT TO COURT



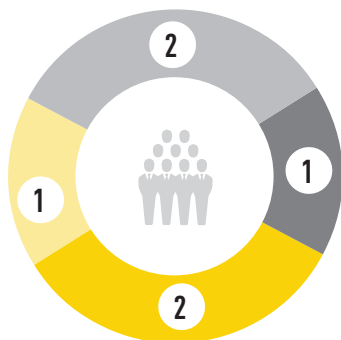
BREAKDOWN OF ACCUSED PERSONS

(from 01.01.2020 until 30.06.2020)



CONVICTED PERSONS

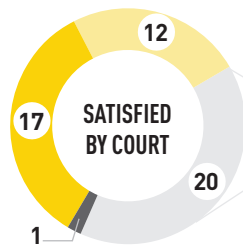
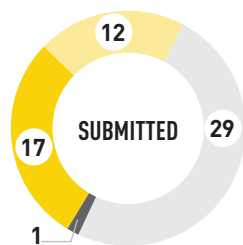
(from 01.01.2020 untill 30.06.2020)



- Senior officials of the State (the Prime Minister, Ministers and their Deputies, Members of Parliament of Ukraine, National Bank of Ukraine Governor and his/her Deputies, Secretary of the National Security and Defence Council etc.)
- Heads of state enterprises in the authorized capital of which the participation interests of state or communal property exceeds 50%
- Public officials, law enforcement officers, local self-governments officials who have committed corruption crimes, and it caused damages to the State which exceed the living wage for employable persons by 500 times
- Other (individuals, lawyers)

APPLICATION FOR PREVENTIVE MEASURES

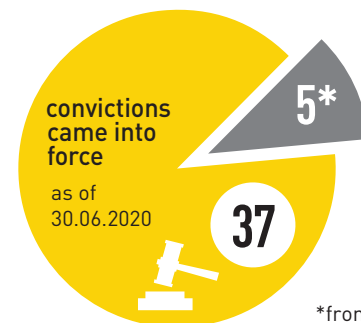
(from 01.01.2020 untill 30.06.2020)



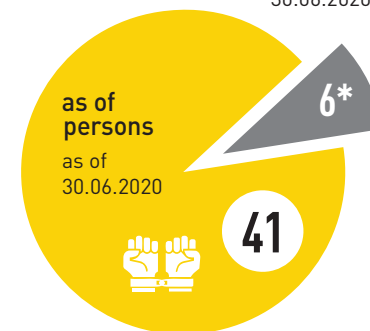
4 of them by the Appeal Chamber of the HACC

- bail
- house arrest
- temporary custody
- personal commitment

COURT DECISIONS



*from 01.01.2020 untill 30.06.2020



COOPERATION



INTEGRITY
TRANSPARENCY AND **INTERNAL**
ACCOUNTABILITY **CONTROL**
ETHICAL BEH
INTERACTION
REQUESTS
INTERNAL
INVESTIGATION
CORRUPTION RISK
ASSESSMENT

NAL

ROL media communications

AVIOR PUBLIC CONTROL

WITH GOVERNMENT AUTHORITIES

INTERNAL CONTROL SOCIAL RAISING AWARENESS ACTIVITIES

INTERNAL CONTROL SECURITY INTERNATIONAL TECHNICAL

INTERNAL CONTROL SECURITY ASSISTANCE ANTI-CORRUPTION COMPLIANCE

INTERNAL CONTROL SECURITY DRAFT LAWS international partners

COOPERATION WITH PUBLIC

INTEGRITY
INTEGRITY



Based on the first supervisory audit conducted in March 2020 by the PECB international expert group and with the support of the EU Anti-Corruption Initiative in Ukraine (EUA-CI) the National Bureau confirmed the full compliance of its anti-corruption system, implemented in 2019, with the international standard ISO 37001:2016 (the Anti-Bribery Management Systems). Therefore, the anti-corruption management system, which NABU is guided by in its activities, is effective. The statement of compliance must be provided annually before the expiry of the certificate in 2023. The National Bureau is still the only law enforcement agency in Ukraine, where the international standard has been implemented.

This year, the process of implementing full-fledged anti-corruption management (compliance system) in the National Anti-Corruption Bureau of Ukraine continues. In particular, in the first half of 2020, the process of development and integration the COSO internal control system (the Committee of Sponsoring Organizations of the Treadway Commission) with the anti-corruption system in accordance with the provisions and requirements of the international ISO standard started. Upon completion of the implementation process and its integration, an as-

essment of management systems will be provided, as well as recommendations for their improvement. A procedure for regulating management processes, distribution of authorities and responsibilities among employees, and risk management were developed. Representatives of all structural units successfully completed training on implementation of internal control system in NABU. Key elements of anti-corruption compliance system of the National Bureau are regulated in internal executive regulations, governing professional ethics standards, conflict of interest prevention, interaction with whistleblowers, improvement of internal control and audit system, financial control and public procurement.

In addition, the Detectives of the Internal Control Department prepared an updated version of the Anti-Corruption Program of the National Bureau, taking into account the recommendations and requirements of international standards, including ISO 37001:2016 standart. In particular, the recommendations on effective prevention, detection and elimination of corruption risks in the organization, as well as issues related to avoiding negative impact on reputation due to corruption abuses, allegedly committed by the employees, were taken into account. The program is valid until 2022.

At the end of last year, the Internal Audit Unit has been

created at NABU. After the completion of competition procedures in March 2020, the newly created Unit started its work. The main task of the Unit is to provide the NABU Director with conclusions and recommendations on functioning of internal control system, improvement of management system, prevention of illegal, inefficient and ineffective use of budget funds, etc. In less than four months of work, the Unit, which consists of two employees only, has developed and approved the procedures for conducting internal audit and internal quality assessment, as well as criteria for assessing the degree (level) of risk from the NABU activities.

THE INTERNAL AUDIT UNIT ANALYZED INCOME AND EXPENDITURES OF BUDGET FUNDS FOR 2018-2019 IN THE AMOUNT OF MORE THAN UAH 1.5 BILLION

Objects for scheduled internal audits are currently being selected and priority and frequency of such audits is being determined. In addition, the scope of internal audit has been determined and, based on the results of risk assessment, the Strategic and Operational Plans for in-

ternal audit until 2022 have been formulated. According to the approved plans, the audit of the functioning of information systems and technologies, as well as the analysis of implemented measures in the area of informational support are currently underway. It should be completed in early August 2020. The report with the conclusions and recommendations on the results of the audit will be sent to the Director of the National Bureau. Following that, the Unit will begin audit of vehicles, fuels and automotive lubricants management.

In addition to preventive measures, aimed to prevent corruption in the National Anti-Corruption Bureau of Ukraine and establish an effective risk management system, the Internal Control Department, as a separate investigative unit, conducts pre-trial investigation of criminal corruption offenses. In six months, 41 criminal proceedings were under investigation by the ICD Detectives, 17 of those were terminated and 8 were sent to other investigative authorities in accordance with the investigative jurisdiction.

Also in the first half of 2020, the Internal Control Department employees considered 219 appeals and complaints as of the actions of the employees of the National Anti-Corruption Bureau of Ukraine, and conducted four official investigations. Based on those materials, the disciplinary committee decided regarding five employees.

INTERNAL CONTROL IN FIGURES

(from 01.01.2020 until 30.06.2020)

INTERNAL INVESTIGATIONS



4 integrity checks performed

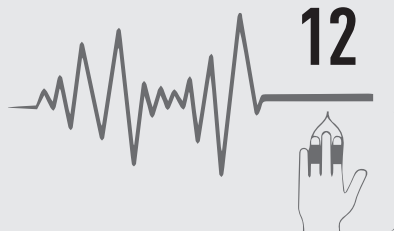
4 official investigations held

219 appeals and complaints on the actions of employees considered

2 lifestyle monitoring performed

1 case involve special investigative techniques initiated

5 NABU's employees brought to liability



12
PSYCHOPHYSIOLOGICAL RESEARCHES ON THE USE OF A POLYGRAPH

4 within lifestyle monitoring

5 due to the personnel recruitment before appointment for position

3 within internal investigations

NABU ANTI-CORRUPTION SYSTEM

1 an updated edition of the Anti-Corruption Program of the National Bureau for 2020-2022 prepared

1 compliance of the NABU Anti-Corruption System with the requirements of ISO 37001: 2016 confirmed

2 Strategic and Operational plans for internal audit activities approved

COOPERATION WITH GOVERNMENT
AUTHORITIES, INTERNATIONAL
INSTITUTIONS AND PUBLIC

**COOPERATION WITH GOVERNMENT
AUTHORITIES, INTERNATIONAL
INSTITUTIONS AND PUBLIC**



During four out of first six months of 2020, the National Anti-Corruption Bureau of Ukraine operated under quarantine. Nevertheless, the detection and investigation of corruption offenses continued as usual, and interaction with government agencies, the public and international partners went on-line. Digitalization affected almost all areas of institution's activities, first and foremost — document flow and communications.

Thus, the National Bureau has increased incoming correspondence in electronic form. In the first half of 2020, its volume increased by 26% compared to the previous reporting period. As a result: a significant reduction in paper use, reduced time for processing paper letters, more efficient information exchange with other institutions. The top three in terms of correspondence included legal entities, the Prosecutor General Office and the National Police.

In the first half of 2020, the NABU lawyers took part in 131 court hearings, including consideration of claims for invalidation of agreements filed before June 5, 2019. It should be reminded that on that day the Constitutional Court of Ukraine deprived the National Bureau of the right to cancel illegal agreements through court. Since that time, the Prosecutors of the Specialized Anti-Corruption

Prosecutor's office have conducted that function. Therefore, during the reporting period, the NABU lawyers filed three submissions to SAPO to file lawsuits for 33 agreements invalidation.

In order to eliminate the preconditions for committing criminal offenses, in the first half of 2020 the Detectives of the National Bureau sent 12 relevant submissions to the Cabinet of Ministers of Ukraine, the National Bank of Ukraine, the Ministry of Infrastructure of Ukraine, the "Ukroboronprom" SC and other government authorities. Among other things, there are issues concerning cancellation of unreasonable discounts on execution of non-scheduled transportations and return of water fund lands to governmental property.

Interaction with the public remains an important area of the NABU's activities. The number of citizens' appeals to the National Bureau testifies their trust to the institution and interest in combating corruption. Thus, in the first half of 2020, the National Bureau received 12,006 appeals, 88% of them were from citizens. The call center has traditionally become the most popular channel of communication with the National Bureau. The most common issues, addressed to NABU have not changed either: clarification of anti-corruption legislation, improper fulfillment of duties by investigators of other law enforcement agencies, violation of legal norms by judges, non-payment of salaries and

violation of labor legislation, violation of social rights and legitimate interests in the delivery of housing and public utility services, land relations, etc.

Representatives of the civil society are constantly involved in monitoring of the National Bureau's activities. For this purpose, a Civil Oversight Council (hereinafter — COC) was established. Since the start of work of the National Bureau, the composition of the COC has been renewed for the six times, the last time — in May 2020. During the reporting 6 months, the COC members sent 50 requests and appeals to government agencies, embassies and international organizations, processed 15 packages of documents from candidates for positions in the National Bureau, prepared a number of analytical publications on the NABU and SAPO activities, as well as a report on the results of the HACC's work.

In the first half of 2020, the National Bureau continued to participate in the international anti-corruption activities organised by the United Nations (UN), the Organization for Economic Co-operation and Development (OECD), the European Partners against Corruption (EPAC) and the European Anti-Corruption Network (EACN). In January, the NABU employees took part in a coordination meeting of representatives of German and Ukrainian law enforcement agencies at Eurojust, which took place in The Hague (Netherlands). In February, the study visit to the United States

under professional exchange program "Best Practice in Internal Review in Law Enforcement" was made, as well as a course in operational analysis and use of special Analyst's Notebook software was completed. Although international business trips of the National Bureau employees were suspended due to the COVID-19 quarantine restrictions, as well as receptions of foreign citizens and international delegations, cooperation with foreign partners continued online. In particular, on May 27, 2020, the representatives of the National Bureau took part in a virtual plenary session of anti-corruption agencies of the Council of Europe. The results of implementation of anti-corruption raising awareness campaigns were summed up at the event, as well as future international projects were outlined.

During the reporting period, the International Renaissance Foundation and the National Bureau continued implementation of Investigative Interview in Ukraine initiative. The Detectives completed specialized training on using this innovative tactic of interrogation at work. Now they develop standards of procedural interviews adapted to national legislation: collect best practices, recommendations for remote interrogation, its recording, arrangement of interrogation rooms, etc. They are convinced that use of investigative interviewing in NABU will increase the efficiency of investigations and competence of Detectives, and will strengthen citizens' trust in the institution.

The Detectives of the National Bureau also joined the group of experts in developing standards for pre-trial investigation for all law enforcement agencies in Ukraine. This is another initiative of the International Renaissance Foundation, which is being implemented within the framework of Human Rights and Justice Project.

With the support of the EU Anti-Corruption Initiative in Ukraine, the National Bureau, jointly with online education studio EdEra, launched an anti-corruption investigation game “NABU Investigates”. The game is designed for young investigators, law students, investigative journalists and public activists who expose corruption. Its interactive format and unique materials help to improve knowledge and skills in exposing illegal actions of officials, to evaluate the scale of the investigation of top-level corruption and to master the investigative actions. “NABU Investigates” game is available on Learning Platform of the National Bureau’s website (<https://learn.nabu.gov.ua>) and consists of nine stages — from entering data on the corruption offence to the United Register of Pre-Trial Investigations and interrogation of witnesses to giving notice of suspicion and sending case to court. During the first month after its release, more than 4,000 people played the anti-corruption investigation game.

The NABU raising awareness activities were also adapted to online format. In the reporting period, 12 virtual

meetings on anti-corruption issues for Ukrainian students took place. Open Office has also developed a video tour to the NABU building in Kyiv, that can be viewed on Instagram social network. For the first time, the National Anti-Corruption Bureau of Ukraine organized an online discussion with participation of representatives of the civil society and state-owned enterprise on the topic of combating corrup-

4,000+ PERSONS PLAYED ONLINE
ANTI-CORRUPTION INVESTIGATION GAME “NABU
INVESTIGATES” AT THE NABU TRAINING PLATFORM

tion at “Ukrzaliznytsia”. During webinars, the Detectives talked about introduction of the eCase Management System — information telecommunication system to optimize the pre-trial investigation of anti-corruption bodies of Ukraine; as well as about typical schemes of misappropriation of land of state, communal and private property.

Prevention is important. That is why NABU pays considerable attention to the raising awareness of citizens, interaction with students and non-governmental organizations.

COOPERATION WITH GOVERNMENT AUTHORITIES

(from 01.01.2020 until 30.06.2020)

NABU LAWYERS ANALYZED AND GAVE CONCLUSIONS IN REGARD TO:



DRAFTS OF LAW

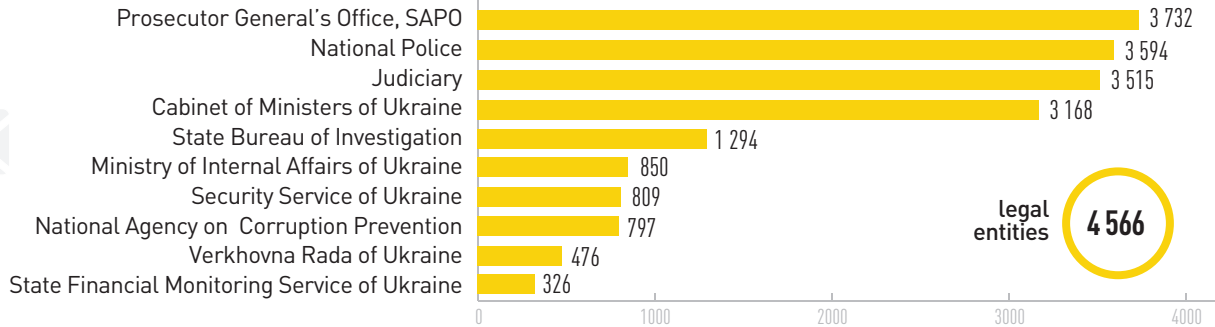
- Verkhovna Rada of Ukraine **13**
- Ministry of Justice of Ukraine **5**
- Cabinet of Ministers of Ukraine **2**
- State Financial Monitoring Service of Ukraine **1**
- Ministry for Development of Economy, Trade and Agriculture of Ukraine **1**

- 5** Ministry of Defence of Ukraine
- 4** Cabinet of Ministers of Ukraine
- 3** Prosecutor General's Office
- 2** Ministry of Internal Affairs of Ukraine
- 2** Ministry of Justice of Ukraine
- 2** National Police
- 2** State Financial Monitoring Service of Ukraine
- 1** Asset Recovery and Management Agency
- 1** State Customs Service of Ukraine
- 1** Ministry of Youth and Sports of Ukraine



DRAFTS OF SUBORDINATE ACTS

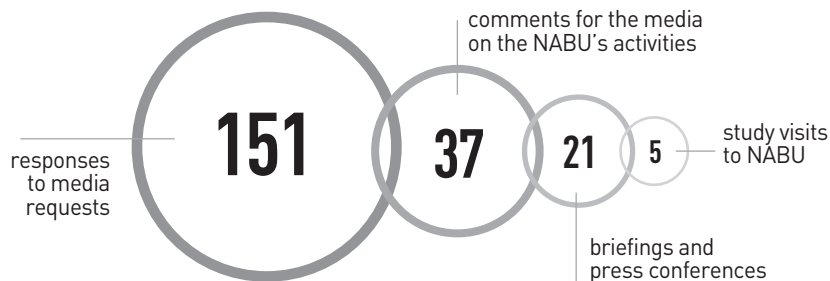
TOP 10 GOVERNMENT AUTHORITIES BY VOLUME OF CORRESPONDENCE*



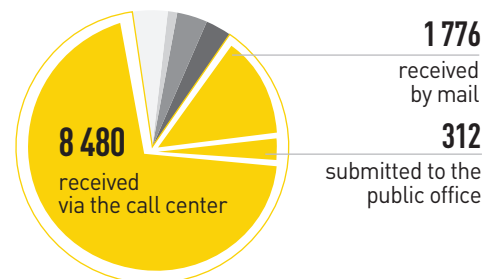
COOPERATION WITH THE PUBLIC

(from 01.01.2020 until 30.06.2020)

PUBLIC ACTIVITY

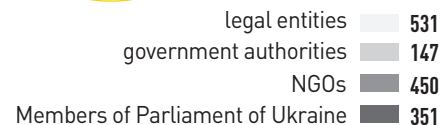


REQUESTS TO THE NATIONAL BUREAU



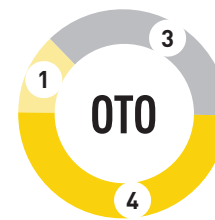
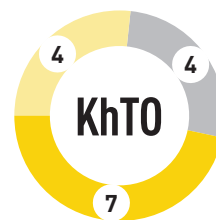
PUBLIC CONTROL (COC ACTIVITIES)

- 50 requests to government authorities, embassies and international organizations sent
- 15 packages of documents from candidates for positions in NABU analyzed
- 5 official statements published
- 6 analytical publications prepared
- 2 meetings of the Verkhovna Rada committee participated
- 1 report on the results of the HACC work presented



PUBLIC EVENTS IN THE REGIONS

- Forums, conferences, panel discussions, etc.
- Activities at universities
- Communication with the media



MATERIAL SUPPORT
MATERIAL SUPPORT



National Bureau used 47% of funds provided by the state budget for 2020 in the first half of the year. In the reporting period, 125 procurements of goods, works and services were announced. 79 agreements for the total amount of UAH 39.11 million were concluded. According to the auction results, UAH 5.67 million was saved. Most savings were made during the purchase of stationery (savings — UAH 331.7 thousand) and services for the maintenance of premises and adjacent territory of the National Bureau (UAH 299.5 thousand). Procurement of works on the overhaul of new building of Odesa Territorial Office on 14 Serednofontanska Street, Odesa, is the record holder of savings — UAH 3.63 million. This building was officially transferred to the National Anti-Corruption Bureau of Ukraine by the decision of the Ministry of Economic Development and Trade of Ukraine in October 2018. Renovation of the building is scheduled to be completed in December 2020.

In connection with the spread of COVID-19 in April 2020, amendments to the Law of Ukraine “On the State Budget of Ukraine for 2020” were approved. As a result, budget allocations of the National Bureau for the common fund were reduced by UAH 114.04 million, which

was 11% of the approved ones. Due to the reduction of expenses, the planned purchases of capital repairs of the NABU facade in the amount of UAH 5.65 million did not take place, as well as branch circuit panel boards and electrical networks in the amount of UAH 1.52 million. The changes also affected the salary fund — temporary restrictions were set for salary accounting in the amount, not exceeding UAH 47,230 per month. During the period from April 18 to June 30, 2020, salary savings amounted to UAH 8.48 million.

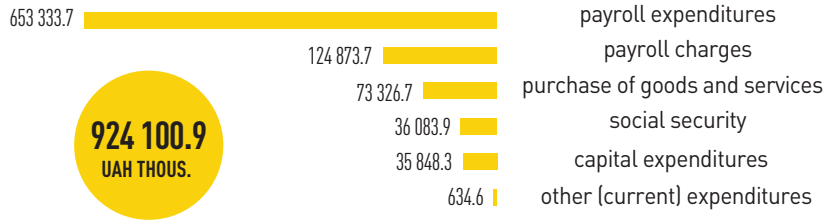
The international partners continue to support NABU. Thus, in the first half of 2020, the National Bureau received technical assistance from the European Union in total amount of UAH 20.49 million. Among transferred material values: servers and server system, switches, network firewalls, data storage devices for the needs of Information Technology Department, as well as anti-corruption investigation online game “NABU Investigates”, developed at the initiative of External Communications Department.

During the reporting period, technical assistance was also received from the Government of the United States of America in total amount of UAH 6.22 million: tactical bulletproof vests, licensed software and its updates, hardware, and duplicators.

BUDGET OF THE NATIONAL BUREAU

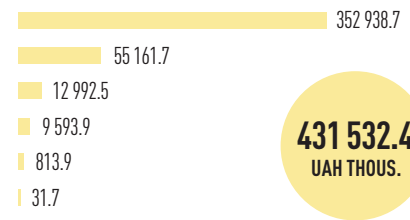
APPROVED FOR 2020

(including changes, UAH thous.)



CASH EXPENDITURES

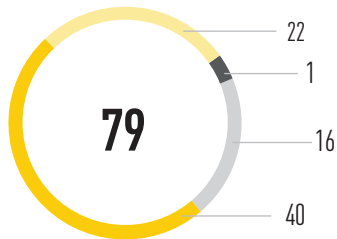
(in the first half of 2020, UAH thous.)



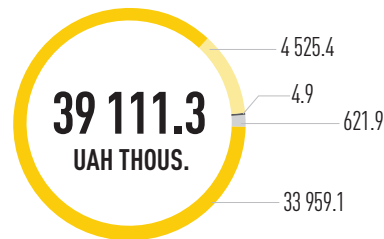
PROCUREMENTS OF GOODS, WORKS, AND SERVICES

(in the first half of 2020, UAH thous.)

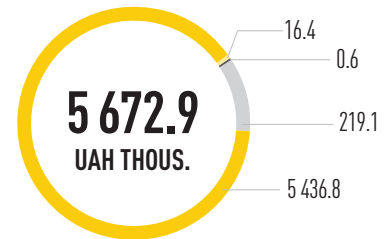
NUMBER OF SIGNED CONTRACTS



TOTAL AMOUNT OF FUNDS ACCORDING TO THE SIGNED CONTRACTS



FUNDS SAVE



■ public tender
 ■ procurement negotiations
 ■ fast-track procedures
 ■ threshold purchases

SALARIES OF THE NABU EMPLOYEES

(as of 30.06.2020)

CIVIL SERVANTS OF THE CENTRAL APPARATUS

Position	Number *	Salary
Director of the National Bureau	1	126 120
Deputy (First Deputy) Director of the National Bureau	2	100 896
Head of the Internal Control Department	1	75 672
Deputy Head of the Internal Control Department — Head of the Unit	1	70 627
Head of the Department	7	55 493
Deputy Head of the Department	7	52 970
Head of the Detectives Unit	6	75 672
Deputy Head of the Detectives Unit	5	70 627
Head of the Unit	19	50 448
Deputy Head of the Unit	21	47 926
Senior Detective of the National Bureau	151	55 493
Detective of the National Bureau	158	47 926
Head of the Sector (separate)	1	39 600
Head of the Sector (not separate)	2	34 560
Chief specialist	101	30 600

* according to Staff list

SENIOR RANKED PERSONS OF THE CENTRAL APPARATUS

Position	Number *	Salary
Deputy Director of the National Bureau	1	100 896
Head of the Department	2	55 493
Deputy Head of the Department	4	52 970
Head of the Unit	16	50 448
Deputy Head of the Unit	23	47 926
Senior Operative Officer	145	39 600
Operative Officer	5	30 600

EMPLOYEES OF THE TERRITORIAL OFFICES

Position	Number *	Salary
Director of the Territorial Office	3	63 060
Deputy Director of the Territorial Office	3	58 856
Chief Specialist	15	25 500

CHALLENGES



INTERACTION

PENETRATION **ELECTRONIC**

TESTING **MANAGEMENT**

INVESTIGATIONS R

ELECTRONIC

STAT

E

IMPLEM

WORK DU

COVID-19 QUA

**NIC DOCUMENT
MENT KEEPING**

RESULTS DISTANCE data protection

ONIC CRIMINAL PROCEEDINGS

**THE EXPERTISE
CASE MS
ENTATION
RING THE
ARANTINE
RISKS**

**QUARANTINE RESTRICTIONS
COOPERATION AGREEMENTS**

RESULTS

AMENDMENTS TO THE CPC

MAINTAINING FINANCIAL SECURITY

INDEPENDENCE

DRAFT LAWS system integration

EXTERNAL AUDIT

VERDICTS

WORK DURING THE
WORK DURING THE
COVID-19 QUARANTINE



National Anti-Corruption Bureau of Ukraine underwent changes in its work in March 2020 in order to prevent the spread of COVID-19 acute respiratory disease caused by the SARS-CoV-2 coronavirus. Therefore, testing and interviews of candidates for vacant job positions were terminated, the NABU Public Reception Office in Kyiv and territorial offices (in Lviv, Odesa and Kharkiv) were closed, as well as personal reception of citizens by the Director of the National Bureau and other employees. In addition, public events (tours to NABU, press briefings, reception of international delegations, etc.), reception of international delegations, business trips abroad, student trainings at NABU were suspended, and meetings of the Civil Oversight Council were not held at the National Bureau.

Nevertheless, NABU continued to work actively online. The Director and the Press Office provided comments to the media by video call and telephone, as well as students and public activist participated in online raising awareness activities.

During quarantine period, the National Bureau was equipped with disinfectants, visitors and employees were obliged to undergo temperature checks. During the investigation measures, the NABU Detectives followed the

recommendations of the Ministry of Health of Ukraine, using personal protective equipment (masks, boot covers, gloves, etc.). NABU promptly made appropriate procurements to provide each employee with everything necessary for work.

The National Bureau continued processing citizens' requests submitted via website, by post or telephone, and issued recommendations how to send documents in electronic format, where possible. Thus, in the first half of 2020, more than 2,000 letters were received by NABU via electronic interaction of executive authorities system, while in the second half of previous year it was about 1.5 thousand. During quarantine period, the National Anti-Corruption Bureau of Ukraine managed to computerize document flow completely: most internal documents are created exclusively in electronic format without the need for duplication on paper.

It should be noted, that currently there are no regulations that would determine the special procedure for the operation of law enforcement agencies in a pandemic. Under quarantine, the Detectives of the National Bureau had to limit "active" investigative actions significantly. Ukrainian legislation does not provide for interrogation of a person (witness or suspect) by videoconference while at home, because the Criminal Procedure Code of

Ukraine obliges the investigator to serve a procedural rights handout to a person, check his documents and be near during all the time of the interrogation. The number of interrogations was reduced in order to prevent direct contacts. In addition, pandemics and quarantine are valid excuses for non-appearance according to the subpoena. Unfortunately, the witnesses and defense often abused this right by delaying investigation process or reviewing the investigation materials before sending to court.

PRE-TRIAL INVESTIGATION IS A CONTINUOUS PROCESS,
AND THE LEGISLATION HAS NOT DETERMINED THE
GROUNDS FOR ITS SUSPENSION DUE TO THE
RESTRICTIONS RELATED TO A PANDEMIC

In a time of the COVID-19 quarantine restrictions, the process of conducting expert examinations and document retrieval became more complicated and significantly slowed down, due to the fact that all enterprises and institutions were obliged to limit the number of employees at the offices.

During this period, the Detectives of the National

Anti-Corruption Bureau of Ukraine focused on the so-called “passive” investigative actions: they analyzed previously received documents, drew up investigation plans and established connections between participants of corruption schemes.

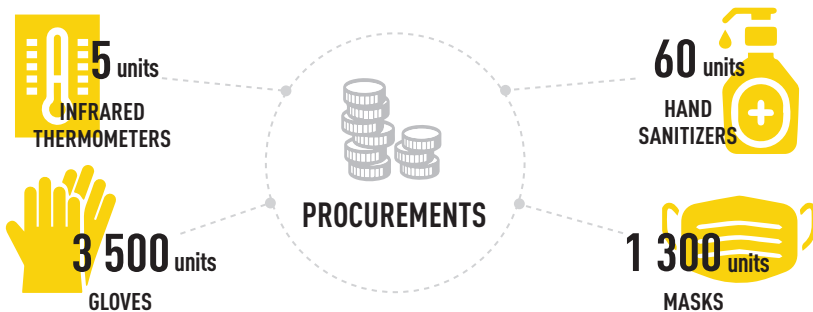
In May 2020, some of quarantine restrictions were cancelled: job competitions (interviews and testing), reception of citizens and work of the Receptions Offices of the National Bureau were resumed, as well as organization of public events (briefings, tours to NABU etc). Also, the NABU Director and other NABU executives resumed personal reception of citizens.

The National Bureau continues to follow the recommendations of the Ministry of Health of Ukraine: entry to the building is prohibited if notwearing mask; disinfectants are available to all visitors. In addition, distance between participants is a mandatory requirement during public events. The NABU Detectives continue to carry out investigative actions using personal protective equipment.

It should be noted, that quarantine is a mandatory measure, applied by the Cabinet of Ministers of Ukraine, taking care of the health of population. Although the necessary restrictive measures have had some impact on law enforcement system as a whole, none of the NABU and SAPO investigations were terminated or closed due to the COVID-19 pandemic.

INFORMATION ABOUT WORK DURING THE COVID-19 QUARANTINE

(from 01.01.2020 until 30.06.2020)

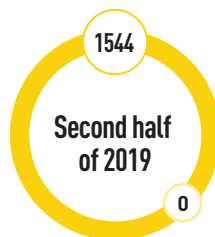


ACTIONS FOR COVID-19 PREVENTION

MEASURES TAKEN DURING QUARANTINE:

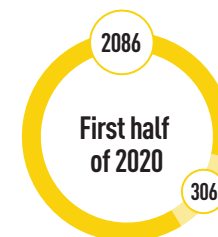
- 1 Personal reception of citizens, public events, competitions committees, etc. are suspended
- 2 Daily temperature measurement, issuance of personal protective equipment
- 3 Use of shoe covers, gloves, masks during investigative actions
- 4 Switch over to electronic document flow
- 5 Informing employees about the spread of the virus, methods of protection, as well as giving psychological advices and recommendations

ELECTRONIC INTERACTION SYSTEM

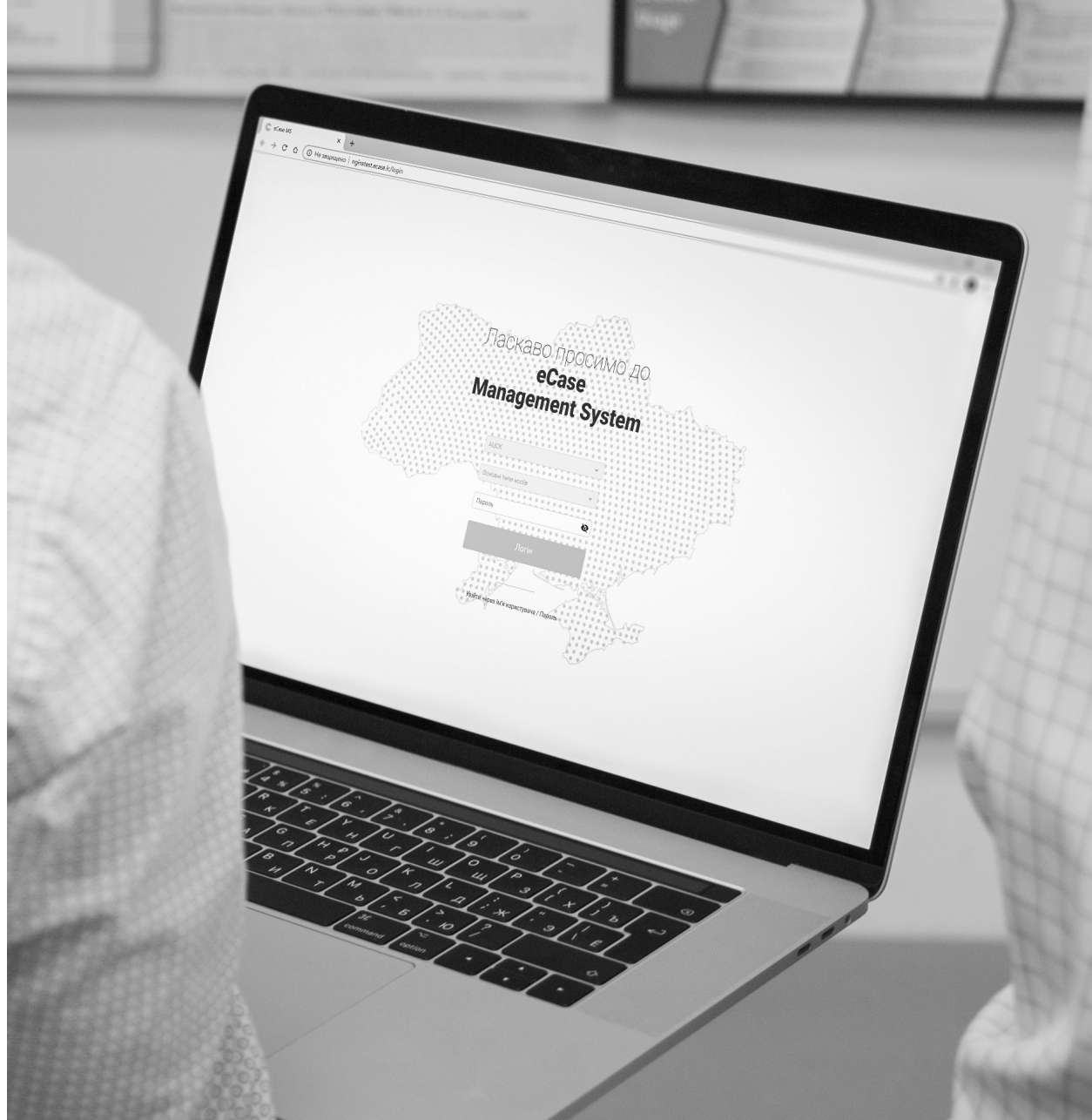


Incoming correspondence

Outgoing correspondence



IMPLEMENTATION OF ECASEMS



Launch of eCase MS electronic criminal proceeding system is one of the priorities for the National Bureau. It is aimed to synchronize the activities of NABU, SAPO and the HACC with six systems and registers and provide opportunities for drafting, storage and exchange of e-documents. The project is implemented with technical, expert and financial (EUR 1.4 million) support of the EU Anti-Corruption Initiative in Ukraine (EUACI). Technical development of system had started in 2019. In May 2020, NABU received eCase Management System at its disposal.

The main risks that may appear on the way to complete system start-up could be divided into regulatory, integrative and security.

First of all, before eCase MS starts its operation, the concept of “electronic criminal proceedings” should emerge in the legislation. We are talking about the adoption of a law that provides appropriate amendments to the Criminal Procedure Code of Ukraine. In addition, eCase MS general operational rules should be recognized by interagency regulation. Currently, both the draft law and the draft regulation are prepared. They are under consideration by the Office of the President of Ukraine and the Prosecutor General Office and the High Council of Justice, respectively.

Concerns about integration relate to combination of eCase MS work with the Unified Register of Pre-Trial Investigations and “D-3” automated court document management system. Without the assistance of system owners — the Prosecutor General Office and the State Judicial Administration — detectives, prosecutors and judges will have to duplicate data in different systems. To ensure the full integration of systems, the EUACI is already providing technical and organizational assistance and, if necessary, will consider the opportunity of additional financial support.

With regard to security, which is certainly important for all beneficiaries of the system, eCase MS is a subject to state expertise in the field of technical protection of information, which should be carried out by the State Service for Special Communication and Information Protection. The system has been pre-tested for external and internal interventions by experts invited by the EUACI. The officers of anti-corruption bodies, who will service eCase MS, have already gained experience of penetration testing.

Unfortunately, it is currently impossible to predict when eCase Management System will officially start its work. We can only hope that it will happen due to the fact that the launch of system for anti-corruption agencies is one of the conditions for providing Ukraine with EUR 1.2 billion assistance from the European Union.

IMPLEMENTATION OF ECASE MANAGEMENT SYSTEM

FACTORS THAT DETERMINE THE NEED TO IMPLEMENT ECASE MS



significant amount of materials of criminal proceedings as of facts of committing economic and other crimes (on average from 100 to 1500 volumes)



optimize prosecutorial control under investigation



an objective assessment of the work of detectives and prosecutors



constant interaction of detectives, prosecutors, and judges in pre-trial investigation, which requires significant expenditure of time and resources

ECASE MS EXPECTED RESULTS

1

full automation of investigation processes

2

reduction of costs for printing and transferring cases

3

halving the pre-trial investigation time

4

reducing the number of errors during pre-trial investigation

5

digitally signed e-documents will have the force of evidence

6

courts will receive materials in electronic form

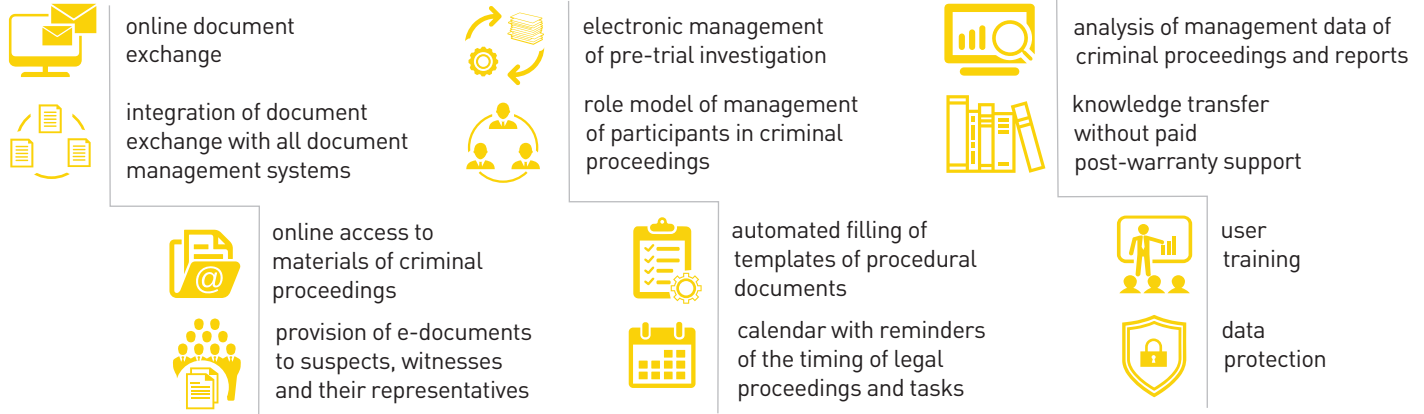
7

100% electronic criminal proceedings

8

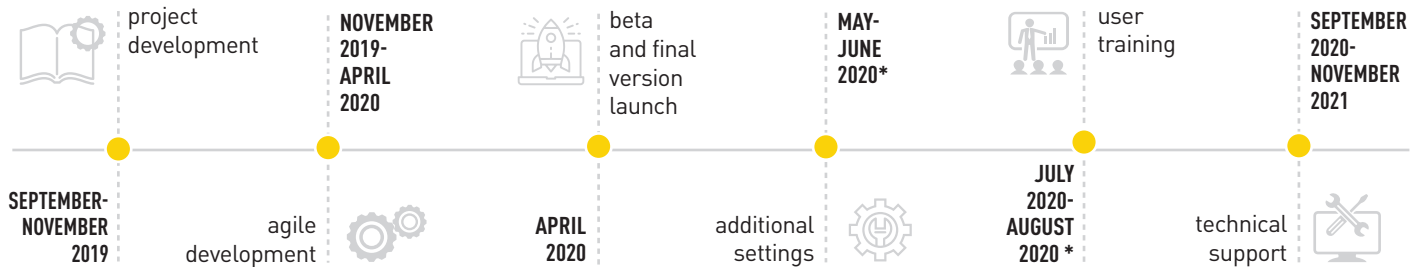
integration with other systems

ECASE MS FUNCTIONALITY



STAGES OF IMPLEMENTATION

*indicative dates



POLITICAL PRESSURE

POLITICAL PRESSURE



Political neutrality and independence are the basic principles of functioning of the National Bureau, those are formalized in the relevant law. However, due to the specifics of its jurisdiction, the institution constantly becomes a subject to political pressure, which intensified in the first half of 2020.

The National Bureau is established in order to investigate corruption crimes committed by top-officials. Therefore, when they receive notices of suspicion within NABU and SAPO investigations, it provokes a corresponding reaction of political forces, whose representatives may be involved in corruption abuses.

In the first half of 2020, NABU and SAPO intensified their efforts, including the investigation of so-called economic part of the “Maidan cases”. Its jurisdiction was determined for the National Anti-Corruption Bureau of Ukraine in autumn 2019 after the Prosecutor General’s Office lost its investigative function. As a result, NABU found itself under unprecedented political pressure to deprive the anti-corruption agency of its institutional independence. This was also resonated in the coverage of the NABU’s activities in a public sphere: independent researches recorded numerous planted stories about the Director of the National Bureau Artem Sytnyk (“Jeansa

in online media. Monitoring report for second quarter of 2020” by the Institute Mass Information).

In 2020, some political forces tried to “launch” the process of changing the NABU Director in one or another way for three times. The Law “On the National Anti-Corruption Bureau of Ukraine” has an extensive list of grounds for “removal” of the Director from office, none of which allows manipulating the resignation of the Director of the National Bureau. The special procedure for his appointment and dismissal is an important element of the NABU’s institutional independence, an effective preventer against attempts to interfere in the activities of detectives.

The stakeholders have prepared draft amendments to the Law of Ukraine “On the National Anti-Corruption Bureau of Ukraine” regarding the revision of the procedure for dismissal of the Director — it was approved by the Parliament in the first reading. However, due to the support of the civil society and international partners, we managed to defend the independence of the institution.

In May 2020, a dozen of Members of Parliament of Ukraine appealed to the Constitutional Court with a motion to declare unconstitutional the appointment of current Director of the National Bureau.

Political pressure will continue to be one of key challenges in the NABU’s work.

APPENDICES TO THE
**APPENDICES TO THE REPORT
FOR THE FIRST HALF OF 2020**
APPENDICES TO THE
FIRST HALF OF 2020

LAW OF UKRAINE

ON THE NATIONAL

ANTI - CORRUPTION

BUREAU OF UKRAINE

ARTICLE 26. CONTROL OF THE NATIONAL BUREAU ACTIVITIES AND ITS ACCOUNTABILITY

2. Director of the National Bureau: <...>

2.2 annually by February 10 and August 10 provides the President of Ukraine, Parliament of Ukraine and the Cabinet of Ministers of Ukraine with a written report on the National Bureau activities for the previous 6 months period.

3. The written report on the National Bureau activities should contain the following information:

3.1 statistical data on the results of activities with mandatory reference to the:

number of applications and reports on criminal offences in terms of criminal offences classified by the law as those under jurisdiction of the National Bureau;

number of investigations initiated by the National Bureau and their results;

number of people standing indicted for committing criminal offences classified by the law as those under jurisdiction of the National Bureau;

number of people officially found guilty of committing criminal offences classified by the law as those under jurisdiction of the National Bureau;

number of people officially declared innocent of committing relevant criminal offences;

information by categories of people indicated in part 1 of the Law of Ukraine "On preventing corruption";

information on the amount of loss and damage from criminal offences classified by the law as those under jurisdiction of the National Bureau, state and amount of compensation;

information on funds and other property acquired as a result of criminal offences classified by the law as those under jurisdiction of the National Bureau, confiscated by court order, funds amounting to value of illegally received services and benefits, forfeited to the state, and their use;

information on funds and other property acquired as a result of criminal offences classified by the law as those under jurisdiction of the National Bureau, recovered from abroad, and their keeping;

information on seizure of property, confiscation of objects and proceedings acquired as a result of criminal offences classified by the law as those under jurisdiction of the National Bureau, and their use;

number of submissions made as to the elimination of causes and conditions contributing to committing criminal offences;

results of the character tests;

3.2 cooperation with other public authorities, local authorities, companies, organizations and establishments;

3.3 cooperation with competent foreign authorities, international and foreign organizations and signing agreements on cooperation and representing interests abroad;

3.4 cooperation with NGOs and mass media;

3.5 number of the National Bureau employees, their qualification, work experience and further training;

3.6 work of the National Bureau Internal Control Department; number of reports on offences committed by the National Bureau employees, investigation results and bringing to justice;

3.7 budget of the National Bureau and its execution;

3.8 other information concerning the results of the National Bureau activities its duties.

These appendices contain statistical information on the NABU activities in the first half of 2020 as required by **Article 26 of the Law of Ukraine “On the National Anti-Corruption Bureau of Ukraine”**

1. STATISTICAL DATA ON THE RESULTS OF ACTIVITIES

from 01.01.2020 until 30.06.2020

№	Activity category	Result
1.	Number of registered applications and reports on criminal offences classified by the law as those under the jurisdiction of the National Bureau	406
2.	Number of investigation initiated by the National Bureau and their results	15
		4
3.	Number of persons standing indicted for committing criminal offences classified by the law as those under the jurisdiction of the National Bureau	50
4.	Number of persons officially found guilty of committing criminal offences classified by the law as those under the jurisdiction of the National Bureau	6
5.	Number of persons officially declared innocent of committing criminal offences	0*
6.	Information by categories of persons indicated in part 1 Article 3 of the Law of Ukraine “On Preventing Corruption”	**
7.	Information on the amount of losses and damage caused by criminal offences classified by the law as those under the jurisdiction of the National Bureau, status and the amount of compensation	UAH**** 261 064 724 880 ***
		UAH 1 291 266 000*** including in the first half of 2020: UAH 689 677 964

№	Activity category	Result
8.	Information on the funds and other property received as a result of criminal offences, classified by the law as those under the jurisdiction of the National Bureau, confiscated by court decisions as well as the funds in the amount of illegally received services or benefits refunded to the State and their use	—
9.	Information on funds and other property received as a result of criminal offences classified by the law as those under the jurisdiction of the National Bureau which were recovered to Ukraine from abroad and their keeping	—
10.	Information on seizure property, confiscation of objects and funds acquired as a result of criminal offences classified by the law as those under the jurisdiction of the National Bureau and their use	*****
11.	Number of submissions made as of the elimination of causes and conditions which contributed to commitment of a criminal corruption offence	12
12.	The results of integrity tests	4 checks (1 negative result)
13.	The cost of detected assets with signs of unreasonableness, the number of materials sent to the prosecutor's office to resolve the issue of claim for recognition of unreasonable assets and their recovery to the State, the results of the prosecutor's and the court decisions, including the cost of the unreasonable assets recovered to the State	—

* the Chamber of Appeal of the HACC made a decision on closing the criminal proceeding in regard to one person due to the absence of a criminal offense in its actions

*** as of 30.06.2020

**** approximate amount of losses examined during pre-trial investigation

** Information as of categories of persons referred in Part 1 Article 3 of the Law of Ukraine "On Preventing Corruption"

from 01.01.2020 until 30.06.2020

№	The subject	Number of individuals notified of suspicion, total per each category	Number of indicted persons, total per each category	Number of convicted persons, total per each category
1.	Persons authorised to perform the state or local government functions:			
	a) President of Ukraine, Chairman of the Verkhovna Rada of Ukraine, First Deputy and Deputy Chairmen of the Verkhovna Rada of Ukraine, Prime Minister, First Vice Prime Minister, Vice Prime Ministers, ministers, other heads of central government bodies that are not part of the Cabinet of Ministers of Ukraine and their deputies, the Head of the Security Service of Ukraine, the Prosecutor General of Ukraine, the Governor of the National Bank of Ukraine, First Deputy Governor and Deputy Governors of the National Bank of Ukraine, Chairman and Members of the Accounting Chamber, the Ukrainian Parliament Commissioner for Human Rights, the Commissioner for the Protection of the state language, the Chairman of the Verkhovna Rada of the Autonomous Republic of Crimea, the Chairman of the Council of Ministers of the Autonomous Republic of Crimea	3	2	
	b) Members of Parliament of Ukraine, deputies of the Verkhovna Rada of the Autonomous Republic of Crimea, deputies of local councils, village, settlement, city mayors	9	10	2
	c) public officials, officials of local government	4	1	

	<p>d) military officials of the Armed Forces of Ukraine, the State Service for Special Communications and Information Protection of Ukraine and other military units formed under the law, except for servicemen of compulsory military service, cadets of higher military educational institutions, cadets of higher educational institutions that have military institutes, cadets of faculties, departments and offices of military training</p>	5		
	<p>(e) judges, judges of the Constitutional Court of Ukraine, Chairman, Deputy Chairman, members and disciplinary supervisors of the High Council of Justice, officials of the Secretariat of the High Council of Justice, Chairman, Deputy Chairman, members and disciplinary supervisors of the High Qualification Commission for Judges of Ukraine, officials of the Secretariat of the High Qualification Commission for Judges of Ukraine, officials of the State Judicial Administration of Ukraine, jury (when they are on duty)</p>	8	5	
	<p>f) rank members and commanding staff of the State Penal Service and Tax Police, the commanding staff of civil protection bodies and units, the State Bureau of Investigations, the National Anti-Corruption Bureau of Ukraine</p>	2		
	<p>(g) officials of prosecutor's offices, the Security Service of Ukraine, the State Bureau of Investigations, the National Anti-Corruption Bureau of Ukraine, the diplomatic service, the State Forest Protection, the State Protection of Nature Reserve Fund, the central executive authority, responsible for formation and implementation of the state tax policy and state customs policy</p>	3		2

	h) Head, Deputy Heads of the National Agency on Corruption Prevention			
	i) members of the Central Election Commission			
	j) police officers			
	k) officials of other state authorities, authorities of the Autonomous Republic of Crimea	5	4	
	l) members of state collegial bodies			
	m) Head of the Presidential Office of Ukraine, First Deputy Head and Deputy Heads, as well as persons holding the positions of patronage service, defined by the Law of Ukraine "On Civil Service", except for persons which perform their duties on a voluntary basis, judge assistants	1		
2.	Persons who, for the purposes of the Law, have an equal status to persons authorised to perform functions of the state or local governments:			
	a) officials of legal entities of public law which are not referred in Clause 1 Part 1 of the abovementioned Article, members of supervisory boards of state banks, state enterprises or state-owned organizations working with the purpose of receiving profit, business enterprises where more than 50 percent of the stakes (shares) belong to the State	28	11	1
	b) persons who are not public officials or local government officials but provide public services (auditors, notaries, appraisers and others), as well as experts, arbitration managers, independent intermediaries, arbitrators etc.			

	c) representatives of public associations, scientific and educational institutions, relevant experts, other persons, who are members of competition and disciplinary commissions formed under the Laws of Ukraine "On Civil Service", "On Service in Local Governments", other laws (except for non-resident aliens who are members of such commissions), the Council of Public Integrity formed under the Law of Ukraine "On the Judicial System and the Status of Judges", while not being persons referred in Clause 1 Paragraph "a" Part 2			
3.	Persons who are not officials but permanently or temporarily hold positions related to fulfilment of organisational, administrative or business duties, or specially authorised to perform such duties in legal entities of private law, regardless of organizational form	2		
4.	Candidates for Members of Parliament of Ukraine, for the President of Ukraine, candidates for the heads of regional, district, city, district in cities, village and settlement councils, candidates for village, settlement, city mayors and prefects			
5.	Other	55	17	1




*** Information on seized property, items and proceeds of crime legally counted under jurisdiction of the National Bureau and the way they were used

In criminal proceedings in which indictments have been prepared in the period from 01.01.2020 until 30.06.2020





Nº	Type of property	Total amount
1.	Land plots	170

2.	Residential real estate	17
3.	Non-residential real estate	11
4.	Means of transportation	14
5.	Funds, including:	
	in UAH	245 471
	in USD	314 633
	in HRK	22 610
6.	Mobile phones	5
7.	Participatory interests	2

CONTACT THE NABU:

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-  press@nabu.gov.ua; openoffice.nabu@gmail.com

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