

**REPORT**  
**JULY - DECEMBER**  
**2020**



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

NABU MISSION



The past six months became a period of several “first times” for the National Bureau. For the first time, a joint international special operation for the exposure of the corruption scheme of ex-Head of Ukravtodor was successfully implemented. For the first time, the amount of UAH 50 mln was voluntarily reimbursed to the state by a suspect at the pre-trial investigation stage.

For the first time, we faced new, brutal attempts to interfere with the work of anti-corruption agencies: the decision of the Constitutional Court of Ukraine to repeal the Law On the National Anti-Corruption Bureau of Ukraine and electronic declaration as well as, accordingly, criminal liability for provision of inaccurate information in the declarations; the decision of the Pecherskyi and District Administrative Courts of Kyiv to review the exclusive jurisdiction of NABU in high-profile cases; “mysterious” substitutions by the Prosecutor General in the group of procedural supervisors on the eve of serving a suspicion and selecting a measure of restraint to the Deputy Head of the Office of the President of Ukraine. All this proves that the corrupt system is not going to give in. However, we will not surrender as well.

The NABU Detectives and SAPO Prosecutors are fighting to the end. During the second half of 2020, we sent 35 indictments regarding 56 persons to court. Overall, during last year, NABU and SAPO prevented the misappropriation of state-owned enterprises funds and assets worth more than UAH 800 million, and more than UAH 1 billion was returned during the pre-trial investigation.

I am sure, the more effectively we investigate corruption, the more resistance we face. I hope that politicians will finally perceive they shouldn't interfere with our investigations, and the law that will eliminate hurdles after the decisions of the Constitutional Court of Ukraine will not create the new ones and will preserve the guarantees of NABU's institutional independence.

I thank international partners and public activists for defending the anti-corruption front together with us. I am grateful to our colleagues from other agencies for their reliable support and fruitful cooperation. But I thank the team of the National Bureau the most. Together we will win!

The second half of 2020 brought a number of challenges into the daily work of anti-corruption bodies.

New obstacles in our activities can indicate only one thing – our work is efficient and hinders the corrupt officials. This is evidenced by a number of suspicions, cases heard at courts, and indictments announced by the Anti-Corruption Court based on the materials of the SAPO Prosecutors and NABU Detectives.

In the second half of 2020, the Prosecutors and Detectives server notices of suspicion to over 70 people – representatives of judicial power, former and current MPs and their aides, former officers of the Armed Forces of Ukraine, regional state administrations and other government agencies. Courts continue to study the evidence in high-profile cases, involving officials of the State Fiscal Service of Ukraine, misappropriation of Energoatom funds, embezzlement of funds of the National Project “Air Express” and others. 35 indictments were taken to courts.

During this period, 11 convictions entered into legal force. Among persons found guilty by court there were former directors of state-owned enterprises, including Kherson Thermal Power Plant, Tsentrgaz, Kirovogradgaz OJSC, Rzhyshchiv Military Forestry; judges of district and commercial courts; former officials of the Prosecutor General’s Office and MPs. The number of plea agreements increased as well. This testifies to the efficiency of the work, as well as understanding of inevitability of punishment for those involved in the crimes.

The second half of 2020 brought positive changes – SAPO got 11 new employees, whose strength and energy brought fresh air into the work of the institution.

Time passes, everything changes. Except for our priorities and desire to work for the benefit of society. Positions have no influence upon us – there are no inviolable top officials for us. Yes, there is resistance, but we continue our struggle, we pursue our goals – to set Ukrainian society free of corruption.

Maksym Hryshchuk  
Acting Head



# UNIQUENESS

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

All employees, other than the Deputy Directors, are appointed exceptionally through an open competition under public control

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Legally guaranteed access to most 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 a candidate

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

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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 scratch with the support of international partners

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**INVESTIGATIONS INVESTIGATIONS INV**

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STIGA

INVESTIGATION

**88**INVESTIGATIONS  
STARTED**19**NOTICES OF  
SUSPICION**7**ACCUSED  
PERSONS**4**CASES SENT  
TO COURT**JULY**

NABU and SAPO served notices of suspicion to a group of persons who attempted to bribe the NABU and SAPO leaders with USD 5 mln. In the same month, 12 persons, including the Chairman of the State Judicial Administration and the Head of the District Administrative Court of Kyiv, became suspects in the case on an attempted seizure of state power.

**52**INVESTIGATIONS  
STARTED**13**NOTICES OF  
SUSPICION**11**ACCUSED  
PERSONS**7**CASES SENT  
TO COURT**AUGUST**

Detectives for the second time exposed the embezzlement of gas from Naftogaz of Ukraine NJSC: 5 persons organized misappropriation of 151.8 mln m<sup>3</sup> of natural gas worth UAH 729.8 mln. They had been already accused of the embezzlement of gas worth UAH 1.4 bn. The loss caused as a result of the two episodes amounts to more than UAH 2.1 bn.

**67**INVESTIGATIONS  
STARTED**9**NOTICES OF  
SUSPICION**5**ACCUSED  
PERSONS**4**CASES SENT  
TO COURT**SEPTEMBER**

An MP involved in the misappropriation of assets of the National Guard was found guilty of bribing an Energoatom official with three apartments. In return, the official signed a contract for the construction of a nuclear power plant storage by a company controlled by an ex-MP. As a result, the construction costs increased by UAH 1.36 bn.

  
**88**

INVESTIGATIONS  
STARTED

**19**

NOTICES OF  
SUSPICION

**9**

ACCUSED  
PERSONS

**7**

CASES SENT  
TO COURT

## OCTOBER

The focus of Detectives' work was the port industry: 11 persons involved in the corruption scheme used by the state enterprise Pivdennyi Commercial Sea Port to illegally overpay UAH 47.5 mln during a procurement procedure were exposed. In total, the investigation revealed 29 such tenders. The scheme was invented by current and former officials.

  
**38**

INVESTIGATIONS  
STARTED

**4**

NOTICES OF  
SUSPICION

**18**

ACCUSED  
PERSONS

**9**

CASES SENT  
TO COURT

## NOVEMBER

It was a record month in 2020 in terms of the number of accused – 18 persons in 9 cases. The defendants included, in particular, a former Minister of Infrastructure, whose illegal actions resulted in the loss of UAH 30.5 mln by the state budget; an Office of the President ex-official and a former ex-Deputy Minister of Culture involved in a fraud amounting to USD 300 thous.

  
**53**

INVESTIGATIONS  
STARTED

**12**

NOTICES OF  
SUSPICION

**6**

ACCUSED  
PERSONS

**7**

CASES SENT  
TO COURT

## DECEMBER

A series of exposures where high-profile officials were caught red-handed: Chornomorsk Port Director demanded and received for his "loyalty" USD 250 thous.; State Geocadastre Head was offered USD 170 thous. to provide land plots to fictitious persons; attempted bribery of Ukraine's State Property Fund Head with USD 100 thous.

The National Bureau proceeded to increase the number of revealed corruption facts. Based on the results of 2020, the NABU Detectives once again broke their own record, having served 201 people (153 people in 2019) with notices of suspicion. In the context of two half-years of 2020, the first was more productive — 125 suspects against 76 in the second half of the year. A certain decline in the pace of investigations is explained by the absence of the SAPO Head, who according to the law is to sign the notices of suspicion to a number of officials under NABU's investigation. This temporary deterrent is expected to wear off in the first half of 2021 — after the election of a new SAPO Head at the open competition, which began in January. At the same time, the pace of investigations in the second half of 2020 remained high. Out of 33 criminal proceedings, in which 76 people became suspects, the investigation was completed in 14 criminal proceedings: 8 cases involving 8 persons were sent to court and materials in another 6 cases involving 11 persons were opened.

NABU and SAPO's efforts are intended to eradicate top corruption. In the second half of 2020, the system could not prevent the Detectives from notifying of suspicion an Office of the President Deputy Head, a current MP, an ex-Minister of Ecology and Natural Resources, an ex-Minister of Infrastructure, judges of the District Administrative Court of Kyiv and other public servants. In addition, 2020 is marked by the progress in high-profile investigations: the so-called "Rotterdam+ case" is at its final stage; NABU defends its legal rights and investigates seizure of the stabilization loan granted by the National Bank of Ukraine to the VAB Bank in the amount of UAH 1.2 billion; the NABU Detectives use all legal opportunities for a full-fledged investigation in the case regarding an attempt to seize the state power by the leadership and judges of the District Administrative Court of Kyiv.

The focus of anti-corruption agencies is to expose corruption schemes in highly corrupted areas. The NABU Detectives gathered sufficient evidence to prosecute the perpetrators of the crimes related to the sphere of fuel and

energy companies, infrastructure, as well as a number of fraudulent actions by law enforcement officials and local governments. NABU and SAPO exposed a scheme resulting in the state budget loss of UAH 196.8 million that Arkona Gas-Energy did not pay for obtaining a special permit for the use of gas condensate field subsoil. The NABU Detectives exposed a scam to complete the construction of a nuclear power plant storage with the participation of a former MP, who is also involved in the scheme of seizure of property of the National Guard for UAH 81.64 million (this investigation is completed, the case is being reviewed).

In the second half of 2020, the following investigations in the fuel and energy sector were completed: a scheme in which two regional power companies did not receive UAH 544 million for electricity supplied to consumers due to the use of debt assignment mechanism; misappropriation of natural gas of Naftogaz of Ukraine NJSC worth UAH 729.8 million committed by five persons already involved in the case regarding the embezzlement of gas worth UAH 1.4 billion; inflicting losses to the amount of UAH 51.17 million to state mines due to unjustified procurement of equipment at inflated prices.

Scams in the field of infrastructure included a scheme causing losses to Pivdennyi Commercial Sea Port exceeding UAH 47 million. The NABU Detectives completed the investigation into an attempt to misappropriate Ukrzaliznytsia JSC funds when organizing the sale of Boryspil Express tickets timely prevented by NABU. There is also an example of large-scale regional corruption inflicting losses to the amount of UAH 131 million to the territorial community of Odesa, involving a number of city council officials. Moreover, the officials of the Ministry of Defence are suspected of causing losses to the state in the amount of UAH 37 million as a result of abuses during the construction of Shirokyi Lan training field.

The progress made in 2020 results from the work in previous years and capacity building in the ongoing investigations. It's also about the new successful and unique experience of exposing international corruption together with our Polish counterparts.



# PRE-TRIAL INVESTIGATIONS

(as of 31.12.2020)



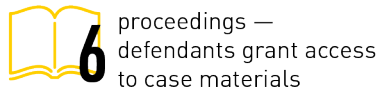
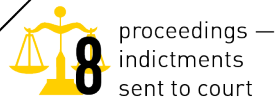
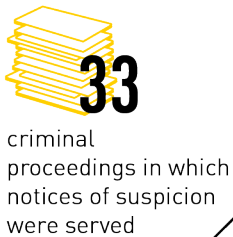
(started in 2020)



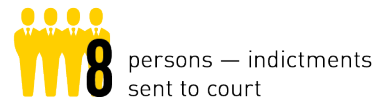
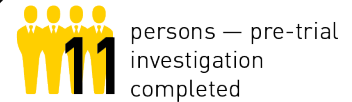
(from 01.07.2020 until 31.12.2020)



## DURING THE SECOND HALF OF 2020:



including:





## NOTICES OF SUSPICION

(ACCORDING TO ARTICLE 216 OF THE CRIMINAL CODE OF UKRAINE)

[from 01.07.2020 to 31.12.2020]



- 9** Heads of state enterprises  
(share of state or communal property is 50+ percent)
- 4** Other public officials, law enforcement officers, local self-government bodies officials who committed corruption crimes, due to which the State suffered losses in the amount of more than 500 non-taxable minimum incomes of citizens
- 3** Senior State officials
- 2** Public officials, local self-government officials falling within the "A" category
- 1** Senior officers of the Armed Forces, the Security Service of Ukraine, the State Border Service of Ukraine, the National Guard of Ukraine, and other military structures.
- 1** Judges
- 56** Other (individuals, lawyers)

## TOP-CORRUPTION INVESTIGATIONS INVOLVED:

(as of 31.12.2020)

**231**

Detectives

**48**

Prosecutors

**34**

Analytics



Undercover Detectives\*



Operative and Technical Department Officers\*

\*staff data is sensitive and cannot be disclosed



33 months —  
investigation  
duration



20 searches



3 forensic  
examinations



70 volumes —  
case materials



130 interrogations



19 surveys



31 approvals for temporary  
access to equipment  
and documents

04.01.2018  
investigation  
started

14.05.2020  
notice of suspicion served  
to the head/founder  
of one of the private  
companies

15.05.2020  
notice of suspicion  
served to a  
property appraiser

10.06.2020  
notices of suspicion served to  
three officials of the Odesa City  
Council and the head/founder  
of a private company (real  
estate broker)

07.10.2020  
investigation  
completed

## MISAPPROPRIATION OF UAH 131 MLN BY OFFICIALS OF ODESA CITY COUNCIL

### Essence of the crime

In 2016, the Odesa City Council purchased a non-residential immovable property with a total area of over 6 thousand square meters located on the land plot of 141 hectares from a commercial firm. The land plot was intended to enlarge the burial area of Zakhidne cemetery in Odesa. The price amounting to over UAH 146 million was allegedly determined on the basis of the results of an independent assessment. However, two years later, the State Scientific Research Forensic Center (SSRFC) conducted an expert examination within the framework of the NABU and SAPO investigations and established the actual cost of the buildings – about UAH 16 million. The calculations on the basis of which the price was determined in 2016 turned out to be inaccurate. The amount of UAH 131 million that in 2016 was transferred by the Communal Property Department of the Odesa City Council to the commercial company as payment for the buildings was syphoned off and legalized through a number of interrelated business entities.

### Under prosecution

#### 6 suspects\*

- Director of the Communal Property Department of the Odesa City Council – P.5 Art.191 of the CC of Ukraine
- Chairman of the Odesa City Council Standing Committee – P.5 Art.191 of the CC of Ukraine
- Head of the Odesa City Council Legal Department – P.5 of Art.27, P.5 Art.191 of the CC of Ukraine
- Head and founder of the commercial structure (the seller) – P.5 Art.191, P.3 Art.209 of the CC of Ukraine
- Head and founder of a commercial company involved in money laundering – P.3 Art.209 of the CC of Ukraine
- property appraiser – P.1 Art.366 of the CC of Ukraine

*\* positions as of the time of committing the crime*

### Results of NABU activities

The corruption scheme was stopped. The actions of persons in whose interests the officials of the Odesa City Council abused their office are investigated in separate criminal proceeding.



UAH 131 mln

**LOSSES CAUSED TO ODESA BUDGET**



**23**

months —  
investigation  
duration



**22**

searches



**18**

forensic  
examinations



**77**

volumes —  
case materials



**78**

interrogations



**19**

surveys



**27**

approvals for temporary  
access to equipment  
and documents

**22.12.2018**  
investigation  
started

**10.06.2020**  
notices of suspicion  
served to 5 persons

**09.11.2020**  
investigation  
completed

## ATTEMPTED MISAPPROPRIATION OF UKRZALIZNYTSIA JSC FUNDS

### Essence of the crime

At the time of launching an online system to sell Boryspil Express e-tickets Ukrzaliznytsia officials initiated the procurement of new software. They forged the documents and conclusions to avoid open bidding and arranged a negotiated procurement. An expert examination established that the developed software duplicates the functionality of the already existing electronic service booking.uz.gov.ua, and, therefore, does not create additional value for the state company. The developer offered Ukrzaliznytsia a free of charge tool to sell Boryspil Express e-tickets by adding an appropriate option to the already existing service of selling e-tickets for passenger trains. Instead, Ukrzaliznytsia decided to buy the tool for UAH 10.4 million from another company allegedly related to former UZ officials.

### Under prosecution

#### **5 suspects\***

- Director of a branch of the Ukrzaliznytsia JSC Main Information and Computing Center – P.3 of Art.15, P.5 of Art.191 of the CC of Ukraine
- ex-Deputy Director of a branch of the Ukrzaliznytsia JSC Main Information and Computing Center – P.3 of Art.15, P.5 of Art.191 of the CC of Ukraine
- beneficial owner of the commercial company – P.3 of Art.15, P.5 of Art.191 of the CC of Ukraine
- Head of the commercial company – P.3 of Art.15, P.5 of Art.191 of the CC of Ukraine
- Deputy Head of the commercial company – P.3 of Art.15, P.5 of Art.191 of the CC of Ukraine

*\* positions as of the time of committing the crime*

### Results of NABU activities

After a series of investigative actions by the NABU Detectives the Ukrzaliznytsia executives suspended payments for the software, while the misappropriation of UAH 10.4 million was prevented.



UAH **10.4** mln  
PREVENTED LOSSES



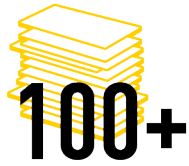
22 months —  
investigation  
duration



11+ searches



3 forensic  
examinations



100+ volumes —  
case materials



30+ interrogations



40+ surveys



20+ approvals for temporary  
access to equipment  
and documents

12.06.2018  
investigation  
started

11.08.2020  
notices of suspicion  
served to 3 persons

07.10.2020  
investigation  
completed

## MISAPPROPRIATION OF NATURAL GAS FROM NAFTOGAZ OF UKRAINE NJSC

### Essence of the crime

In 2016-2017, the Heads and representatives of the companies owning Novoiavorivsk and Novyi Rozdil Thermal Power Plants (Lviv region) concluded a number of agreements for the procurement of natural gas from Naftogaz of Ukraine NJSC to provide thermal energy to the population. To reduce the cost of heat for this category of consumers Naftogaz supplied gas to thermal power plants at prices significantly lower than the market ones. However, this gas was not used for the purposes stipulated by the agreements, but for the production of large amounts of electricity. As a result, the profitability of electricity production by these thermal power plants exceeded 60% (as compared to 3-5% set in the tariff by the National Commission for Regulation of Energy and Utilities). As a result of the scam, the thermal power plants received surplus profit comparable to the amount of losses caused to Naftogaz of Ukraine NJSC. An expert examination showed that in 2016-2017 the participants of the crime misappropriated more than 151 million cubic meters of natural gas in favour of Energy-Novyi Rozdil LLC and Energy-Novoiavorivsk LLC. As a result, Naftogaz of Ukraine NJSC suffered losses exceeding UAH 700 million.

### Under prosecution

#### 5 suspects

- former Heads of Energy-Novyi Rozdil LLC and Energy-Novoiavorivsk LLC — P.5 of Art.191, P.3 of Art.209, P.2 of Art.366 of the CC of Ukraine
- former technical Director of Energy-Novyi Rozdil LLC — P.5 of Art.191, P.3 of Art.209 of the CC of Ukraine
- former financial Director of two enterprises — P.5 of Art.191, P.3 of Art.209 of the CC of Ukraine
- fraud inventor, adviser to the Head of Energy LLC — P.5 of Art.191, P.3 of Art.209, P.2 of Art.366 of the CC of Ukraine

### Results of NABU activities

- The case involving the abovementioned persons and the embezzlement of gas to the amount of UAH 1.4 billion has been heard at court since December 2019.
- The amount embezzled in both episodes exceeds UAH 2.1 billion.



**UAH 729.8 mln**  
**INFLECTED LOSSES**



**42** months —  
investigation  
duration



**30+**  
searches



**30+** forensic  
examinations



**250** volumes —  
case materials



**100+**  
interrogations



**4+** GB of digital  
information



**50+**  
surveys



**20+** approvals for temporary  
access to equipment  
and documents

**23.02.2017**  
investigation started

**16.03.2020**  
notices of suspicion served  
to the criminal group leader —  
the Director of  
Donenerhoexport LLC and  
one more person

**19.03.2020**  
notices of suspicion  
served to 6 persons

**28.04.2020**  
notice of suspicion  
served to the Head of the  
Myrnohradvuhilia SE  
tender committee

**04.08.2020**  
investigations regarding the  
Director of Donenerhoexport LLC  
and the Head of the  
Myrnohradvuhilia SE tender  
committee split into separate  
proceedings after the defendants  
became wanted

**11.08.2020**  
investigation  
involving  
8 persons  
completed



## UAH 51 MLN LOSSES TO STATE MINES

### Essence of the crime

In 2016-2018, a criminal organization established control over public procurement at three state-owned enterprises – Selydivuhillia, Myrnohradvuhillia and Pivdenodonbaske Mine Administration No. 1. The whole process was afflicted — from monitoring the needs of the enterprises, forming tender conditions, communicating with potential suppliers to setting procurement expected cost, naming the winner and controlling settlements with them. In 69 procurement procedures of the aforementioned coal mining companies the supply contracts were awarded to one company, which actually acted as an intermediary, reselling the goods purchased from the participants from the real sector at a margin price, who, in turn, due to deliberately created obstacles did not have real chance to cooperate directly with the enterprises. During three years, following the instructions of the scam mastermind, the enterprises purchased goods at the inflated prices, sometimes even without any urgent need, to the amount of almost UAH 174.5 million. Thus, they illegally overpaid more than UAH 51.17 million.

### Under prosecution

#### 10 suspects

- organizer of the criminal organization – P.5 of Art.191, P.1 of Art.255 of the CC of Ukraine
- Secretary of the Tender Committee of Selydivuhillia – P.5 of Art.191, P.1 of Art.255 of the CC of Ukraine
- Secretary of the Tender Committee of Myrnohradvuhillia – P.5 of Art.191, P.1 of Art.255 of the CC of Ukraine
- Chairman of the Tender Committee of Pivdenodonbaske Mine Administration No. 1 – P.5 of Art.191, P.1 of Art.255 of the CC of Ukraine
- Secretary of the Tender Committee of Pivdenodonbaske Mine Administration No. 1 – P.5 of Art.191, P.1 of Art.255 of the CC of Ukraine
- member of the Tender Committee of Pivdenodonbaske Mine Administration No. 1 – P.5 of Art.191, P.1 of Art.255 of the CC of Ukraine
- member of the Tender Committee of Pivdenodonbaske Mine Administration No. 1 – P.5 of Art.191, P.1 of Art.255 of the CC of Ukraine
- Chairman of the Tender Committee of Myrnohradvuhillia – P.5 of Art.191, P.1 of Art.255 of the CC of Ukraine
- Director of Donenergoexport LLC – P.5 of Art.191, P.1 of Art.255 of the CC of Ukraine
- person involved in the scheme – P.5 of Art.191, P.1 of Art.255 of the CC of Ukraine

### Results of NABU activities

The corrupt control over the procurement at the state-owned coal mining enterprises has been eliminated.



UAH **51** mln  
INFLECTED LOSSES

2020 was a record year in terms of funds reimbursed in criminal proceedings of NABU and SAPO: UAH 1.14 billion was refunded. The total economic effect brought by the activities of anti-corruption agencies exceeded UAH 1.9 billion by the end of the year.

Thus, in the second half of 2020, almost UAH 51 million was transferred to the budget, of which UAH 50 million was reimbursed by a former Ukrainian MP deemed to be the mastermind behind the misappropriation of the National Guard property to the amount exceeding UAH 81.64 million.

Almost UAH 1 million was reimbursed by a former acting General Director of the state enterprise “Forestry Innovation and Analytical Center” after the funds were syphoned off through illegal bonuses rewarded to certain employees of the enterprise.

NABU and SAPO pay special attention to prevention of embezzlement of state property. From an economic point of view, this is efficient, because search and return of assets require resources and a lot of time. In July 2020, NABU and SAPO, in cooperation with new management of United Mining and Chemical Company JSC (100% owned by the state), prevented the illegal export of 1,845 tons of rutile concentrate worth UAH 52 million. NABU and SAPO initiated the seizure of the raw materials within a pre-trial investigation into possible abuses at state-owned enterprise. In total, in 2020, NABU and SAPO prevented the embezzlement of funds at state-owned enterprises to the amount exceeding UAH 800 million.

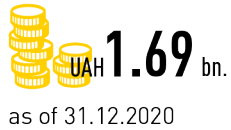
Stepping up investigative actions into the facts of misuse of Ukrnafta’s products (50% + 1 share belongs to the State) prompted the involved persons to start refunding. In total, UAH 895 million was returned to Ukrnafta in 2020, of which UAH 290 million — in the second half of the year.

In the second half of 2020, the Ukrainian Sea Ports Authority Berdiansk branch was repaid UAH 750,000 — a part of funds that the state enterprise illegally paid for undelivered equipment.

Most of the aforementioned compensations are paid out during pre-trial investigation. The rest of the funds should be expected after court convictions take effect.

### REIMBURSEMENT IN CRIMINAL PROCEEDINGS

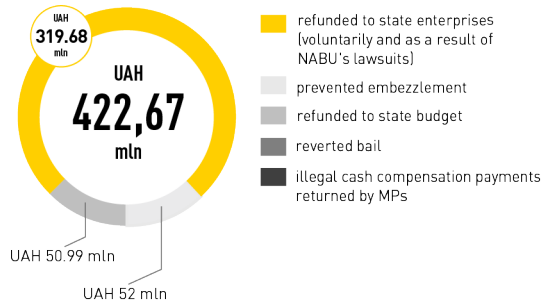
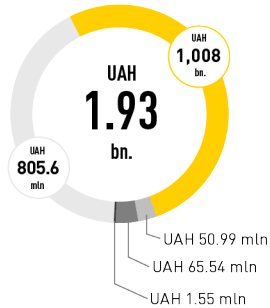
(both under investigation and sent to court)



### ECONOMIC IMPACT OF THE NABU AND SAPO WORK IN 2020

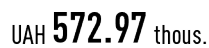
(overall in 2020)

(in the second half of 2020)



- refunded to state enterprises (voluntarily and as a result of NABU's lawsuits)
- prevented embezzlement
- refunded to state budget
- reverted bail
- illegal cash compensation payments returned by MPs

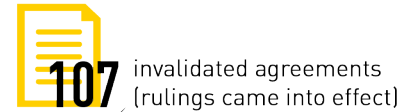
### ARRESTED ASSETS \*



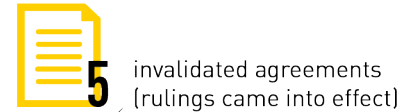
\* in criminal proceedings with indictments sent to court from 01.07.2020 until 31.12.2020

### MOTIONS

(as of 31.12.2020)



(from 01.07.2020 until 31.12.2020)



### REQUESTS TO SAPO TO SUBMIT A PLEA FOR AGREEMENT ANNULMENT

(from 01.07.2020 until 31.12.2020)



# **GEOGRAPHY OF CORRUPTION**

During the second half of 2020, persons in 12 regions were exposed and prosecuted by the National Bureau and SAPO. Every second notice of suspicion concerns a crime committed in the capital. This is logical, because Kyiv is a financial center, a place where high-level public authorities are situated.

However, both the capital and other cities suffer from illegal frauds involving immovable property and abuses during procurement procedures at a level of local budget and public utilities. In August 2020, NABU and SAPO served 7 persons, including former officials of Kyivzelenbud public utility, with notices of suspicion of embezzling UAH 78 million during a special equipment procurement procedure. The investigation into this crime is ongoing. Meanwhile, another investigation regarding a scam as a result of which a capital's school did not get a swimming pool and the city community lost UAH 9.3 million — is over. In August, the case initiated upon the call of the school's parent committee was sent to the High Anti-Corruption Court.

In October 2020, NABU and SAPO completed the investigation into a scam involving the purchase of immovable property from a commercial structure at the expense of the Odesa City budget at a price inflated by more than 13 times. Six suspects, including officials of the Odesa City Council, were granted access to case materials before the indictment was sent to court.

Corruption crimes in Ukraine often involve companies registered abroad. As the ultimate beneficiaries of such firms come under NABU's investigation, it is necessary to obtain relevant evidence outside Ukraine. This requires continuous communication with competent authorities of other states. In the second half of 2020, within the framework of international legal cooperation the lawyers of the National Bureau sent 75 requests to 27 countries. The top 5 of them in terms of the number of requests sent by NABU are Cyprus, Latvia, Switzerland, the United Arab Emirates and the Czech Republic.

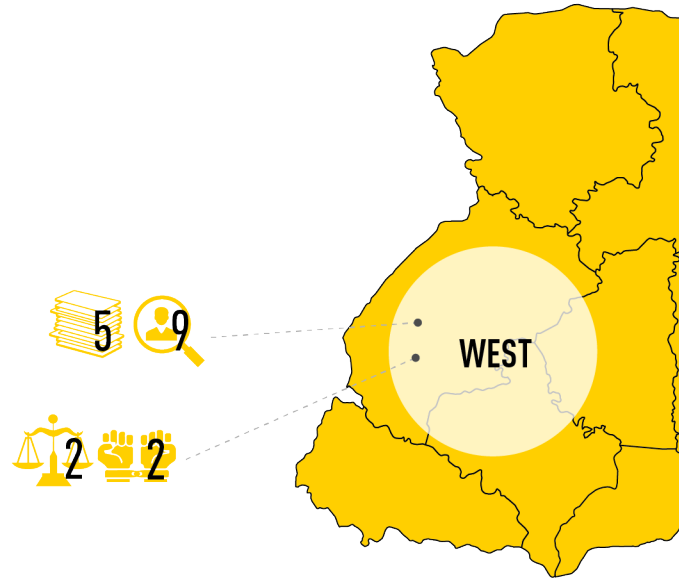






# INTERNATIONAL LEGAL COOPERATION

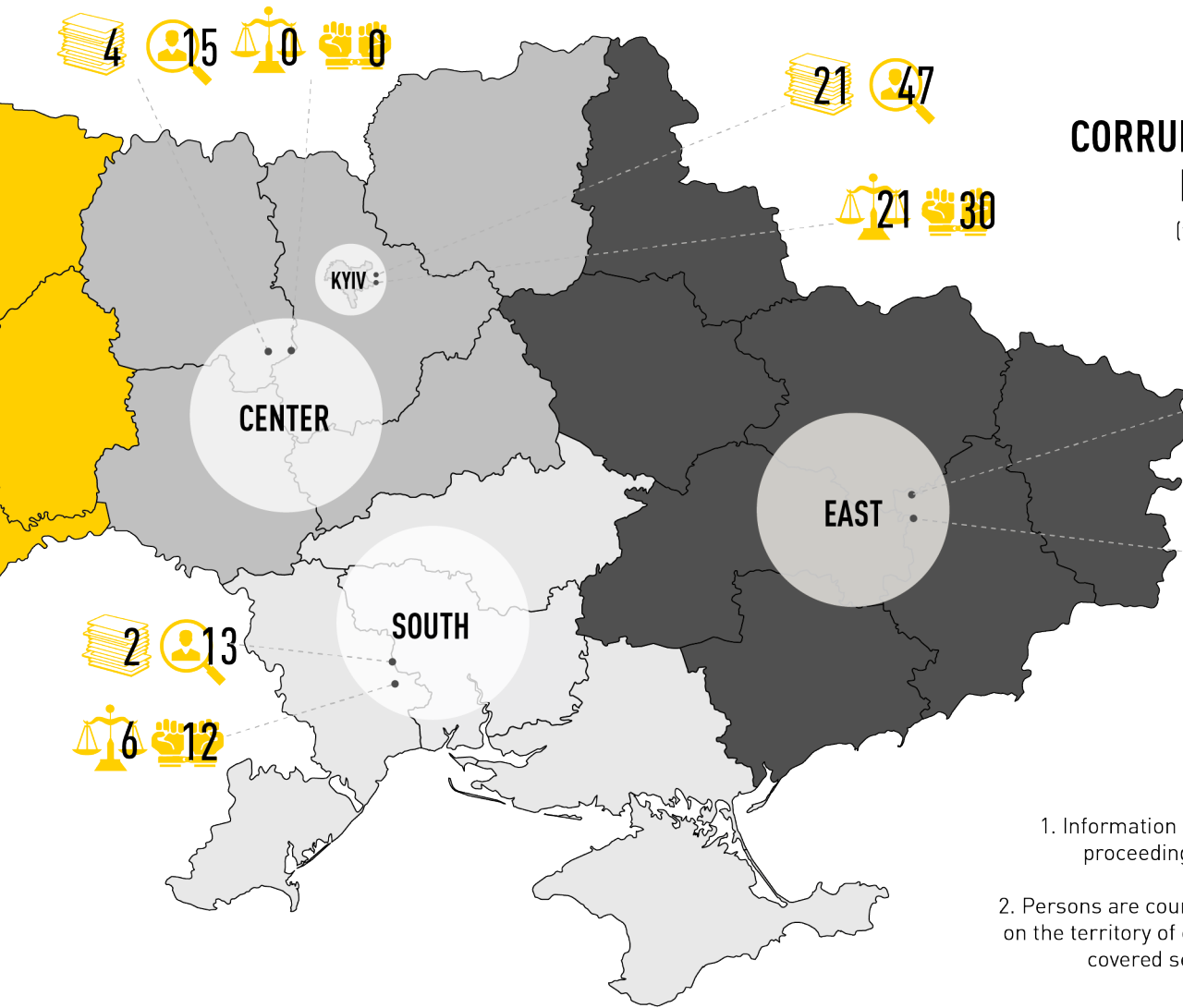
(as of 31.12.2020)



(from 01.07.2020 until 31.12.2020)



-  criminal proceedings where pre-trial investigation is in progress
-  Persons who were notified of suspicion in the reporting period
-  completed criminal proceedings
-  accused persons



# GEOGRAPHY OF CORRUPTION INVESTIGATED BY NABU AND SAPO\*

(from 01.07.2020 until 31.12.2020)

\* For reference

1. Information is given in the context of criminal proceedings with suspects or sent to court.
2. Persons are counted at each crime locality that is on the territory of each of the regions in case crime covered several territories simultaneously.

# PERSONS CAUGHT RED-HANDED

2020 turned out to be a record year in the history of NABU and SAPO when it comes to the number of persons caught red-handed and the amounts of offered illegal benefits. Twice during the year, the National Bureau Detectives recorded the proposals of illegal benefit in the amount of USD 5 million, one of which resulted in the transfer of full amount. This was the largest uncovered attempted bribery in Ukraine's history. A former Minister of Ecology and Natural Resources with the help of other persons, including incumbent officials, offered USD 5 million to persuade the NABU and SAPO leadership to close the case where he is involved as a suspect. Instead, he got one more notice of suspicion.

The investigation into this episode was completed by NABU and SAPO — at the end of 2020 three accomplices in the attempted bribery were granted access to case materials. The mastermind behind the scam was put on a wanted list and, since his whereabouts was not established, the investigation regarding him was singled out into a separate proceeding.

In July 2020, NABU and SAPO, jointly with the Central Anti-Corruption Bureau of Poland and the District Prosecutor's Office of Warsaw exposed a criminal group led by a former acting Head of the State Agency of Automobile Roads of Ukraine, which received an illegal benefit from representatives of companies operating in the automobile sector. At the beginning of 2021, the NABU handed over case materials to competent authorities of Poland. At the same time, the NABU Detectives are investigating possible involvement of the former top official in other crimes. The work of the international joint investigation team, coordinated by the Eurojust, was extended until November 2021.

During the year, with the assistance of the Chairman of the State Property Fund of Ukraine, the National Bureau and SAPO recorded attempts to bribe the official three times. One case is already in court, materials in another one are being reviewed by the defendants, and the third case is under investigation. Two more successful cases of cooperation with public authorities' Heads involve the exposure of persons who offered a bribe to the Chairman of the State Reserve (sent to court) and the Chairman of the State Geocadastre (under investigation).



## EXPOSED RED-HANDED (ARTICLE 368, ARTICLE 369 OF THE CRIMINAL CODE OF UKRAINE)

### IN 2020, NABU AND SAPO:



**28** red-handed exposures

**13** of them —  
in the second half  
of 2020



**43** notices of suspicion served

**18** of them —  
in the second half  
of 2020



**21** persons in respect  
of whom cases  
sent to court

**9** persons in respect  
of whom cases sent  
to court in the  
second half of 2020

### EXPOSED IMPROPER ADVANTAGE



UAH **16.76** mln

UAH **14.34** mln  
of which in the  
second half of 2020



USD **6.34** mln

UAH **567.4** mln  
of which in the  
second half of 2020



EUR **478** thous.

in the second half  
of 2020

**TRIAL**

The second half of 2020 was marked by a number of jail sentences passed by the High Anti-Corruption Court. Among others, they concerned two judges from Odesa accused of receiving an illegal benefit – they were sentenced to nine and seven years of imprisonment, respectively, with confiscation of all their property. An ex-Chairman of the Board of Kherson thermal power plant was found guilty of causing losses to the amount of UAH 8.78 million and sentenced to 5 years in prison; funds embezzlement by an ex-Director of Kirovogradgaz OJSC resulted in his 8 years' imprisonment with confiscation of a car; an attempted bribery of a member of the NABU Tender Committee by a prosecutor of the Prosecutor General's Office of Ukraine to get a senior position in the Bureau resulted in his two years' imprisonment.

In total, in 2020, the High Anti-Corruption Court ordered 20 convictions against 23 people, 11 of which have already taken effect. The convicted include former MPs, senior officials of state-owned enterprises, public officials, judges, lawyers, etc. As of the end of the year, 175 cases under investigation by NABU and SAPO are still pending before the High Anti-Corruption Court.

The decision of the Constitutional Court of Ukraine adopted in October to abolish Article 366-1 of the Criminal Code of Ukraine that provided for criminal liability for submitting false data to e-declarations was a serious blow against anti-corruption investigations. This decision was a step backwards, since e-declaration is a cornerstone of the whole anti-corruption reform.

As a result, the High Anti-Corruption Court closed 13 criminal proceedings under this article, and another 3 were partially closed. Moreover, following the requests for revision of sentences due to exceptional circumstances, three sentences have already been revoked, and one request is pending.

At the time of the CCU's decision, NABU had more than 110 cases pending, covering some 180 facts of submitting false data to e-declarations. In December, the parliament restored liability for lies in e-declarations, but with milder sanctions – fines or restriction of liberty. At the same time, the new articles of the law will not allow resuming the investigation into previously established facts.



## SENT TO COURT

(as of 31.12.2020)

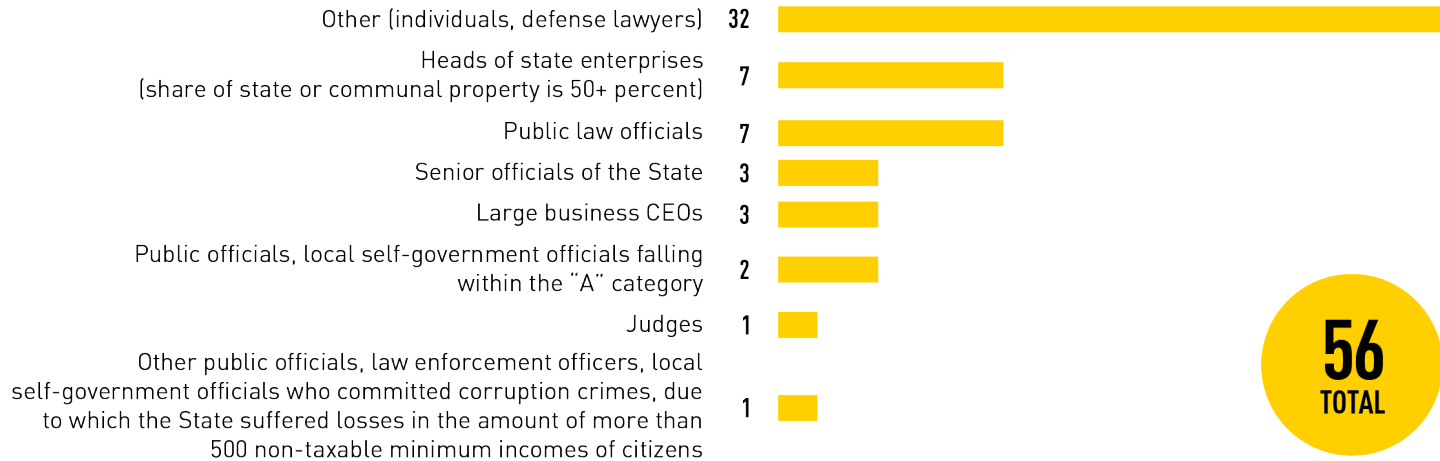


(from 01.07.2020 until 31.12.2020)



## ACCUSED PERSONS

(from 01.07.2020 until 31.12.2020)



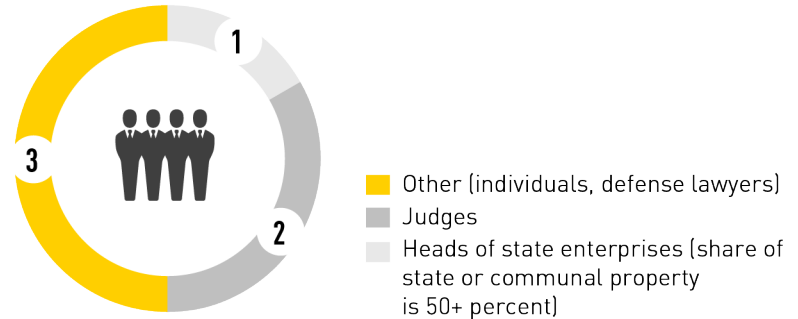
## COURT DECISIONS

(as of 31.12.2020)



## CONVICTED PERSONS

(from 01.07.2020 until 31.12.2020)

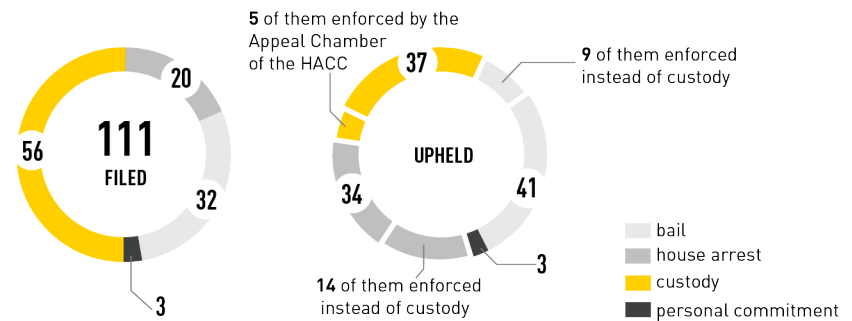


(from 01.07.2020 until 31.12.2020)



## MOTIONS FILED TO COURT TO ENFORCE MEASURES OF RETRAINT\*

(in 2020)



\* "Prosecutor's report for 2020" (gp.gov.ua)





Combating possible corruption within NABU rests with the Internal Control Department. Subordinated directly to the Bureau Director, the Internal Control Department is a separate investigative unit dealing with criminal offences possibly involving the NABU employees. In the second half of 2020, the Internal Control Department was investigating 37 criminal proceedings, of which 17 were closed, 4 were sent to relevant agencies, and others are pending.

Department's key task remains coordination of the process of building an internal control system within NABU in accordance with the COSO model. In the reporting period, the description of administrative regulations, technological maps and flowcharts of tasks and functions of the National Bureau was made. As the system is being implemented with the support of the EU Anti-Corruption Initiative (EUACI), four employees of the Internal Control Department successfully completed a risk management training course (ISO 31000 Risk management).

The preventive measures stipulated by the NABU Anti-Corruption Program are being taken. In particular, last year the Internal Control Department verified information on 225 corruption risks agreements concluded by the Bureau; carried out financial control of 624 notifications of employees about changes in their property status; provided more than 800 consultations on anti-corruption legislation.


In 2020, the NABU's Internal Audit Sector conducted three internal audits of systems and processes within the Bureau. An assessment of the reliability and efficiency of information systems and technologies was carried out, the implemented measures in the field of informatization, the efficiency of management of vehicles available in the Bureau and the use of fuel and lubricants were analyzed. The use of money of the covert investigative activities fund was audited. Following the audits, the NABU leadership was offered recommendations for improving the internal processes, which were fully supported. As a result, among other things, the procurement processes and management approaches regarding the work in separate NABU units were improved.





# INTERNAL CONTROL IN FIGURES


(from 01.07.2020 until 31.12.2020)

## INTERNAL INVESTIGATIONS


 **331** appeals and complaints on the actions of employees considered

 **5** employees underwent lifestyle monitoring

 **2** NABU`s employees brought to liability

 **9** integrity checks performed

 **4** official investigations conducted

 **1** case involving operative-investigative activities opened




## PSYCHOPHYSIOLOGICAL RESEARCHES USING POLYGRAPH DATA


**18** personnel checks, including in connection with recruitment


**1** lifestyle monitoring check

**1** internal investigation check

## INTERNAL AUDIT SECTOR ACTIVITIES

 **100%** operational plan of internal audit activities for 2020 implemented

 **3** internal audits in three areas conducted

 **28** recommendations based on the results of internal audits provided and accepted

Due to quarantine restrictions, NABU's interaction with the public, government agencies and international partners in the second half of 2020 took place mostly online.

Thus, the number of citizens' appeals to the National Bureau using electronic means in July-December 2020 increased by more than a third – up to 3,138. A similar trend was observed within the Electronic Interaction System of Executive Authorities joined by NABU in 2020. The total amount of correspondence processed by NABU in this system increased almost three times in the second half of the year, as compared to the first six months of the year, and reached 2,344 letters.

An important part of NABU's communication with government agencies is informing them on the circumstances that may contribute to the commission of criminal corruption offences falling within the scope of their competence. The reasons for the relevant submissions on the elimination of corruption risks are based on the data obtained in the course of pre-trial investigations. During the second half of the year, the NABU Detectives filed seven such submissions. Most of them concerned procurement in the transport and energy sectors. Among other things, the NABU Detectives pointed to the need to ensure a level playing field for bidders and eliminate the influence of customers on tenders. Corruption risks were also identified in the procurement activities of the judiciary, as reported by the National Bureau to the High Council of Justice.

To prevent corruption, the National Bureau signed the memoranda on cooperation and information exchange with the State Service of Ukraine for Geodesy, Cartography and Cadastre, Ukrzaliznytsia JSC and Ukroboronprom SE.

NABU's international cooperation was strengthened as well: a memorandum was signed with the Commission for Combating Corruption and Confiscation of Illegal Assets of the Republic of Bulgaria. In addition, the National Bureau secured the support of the Swiss Confederation in the project "Return of assets and integrity of the public sector in Ukraine" that will last until December 31, 2021.

With the support of the EU Anti-Corruption Initiative in Ukraine, in the reporting period, the National Bureau continued to implement the interdepartmental information and telecommunication system of pre-trial investigation eCase MS. In order to increase the efficiency of the NABU Analysts and Detectives, the European partners supported the implementation of two IT infrastructure projects: an automated data collection system (information broker) and data warehouse.

The NABU Detectives are actively involved in the projects aimed at raising the level of criminal justice. One of them is “Standards of Pre-Trial Investigation”. This is a guide for investigators and prosecutors, which also has a separate mobile application, was presented in November 2020 at the conference “JustConf Ukraine 2020”. “Procedural Interview” is another project joined by the NABU Detectives. It is intended to assist the investigating agencies in conducting this procedural action. Both projects are supported by the International Renaissance Foundation.

Quarantine restrictions did not affect media attention to NABU’s activities. An evidence of increased attention is almost doubled number of comments as compared to the first half of 2020. The number of public events (mostly online) with the participation of the National Bureau speakers increased as well. More than 1,280 people took part in outreach campaigns of NABU’s Open Office, which is almost five times more than in January-June. In August, 56 students successfully completed their studies at NABU’s First Anti-Corruption Online School organized by the Department of External Communications and the Bureau territorial units. The participants of the School improved their anti-corruption knowledge and skills, presented their own ideas for raising-awareness campaigns.

In cooperation with Transparency International Ukraine, representatives of the National Bureau held an anti-corruption lesson in one of Kyiv’s lyceums, where they presented the unique Anti-Corruption Alphabet. The event was held on the occasion of the International Anti-Corruption Day and marked the beginning of NABU’s raising-awareness campaigns for pupils.



## COOPERATION WITH GOVERNMENT AUTHORITIES

(from 01.07.2020 until 31.12.2020)

### NABU LAWYERS ANALYZED AND GAVE CONCLUSIONS IN REGARD TO



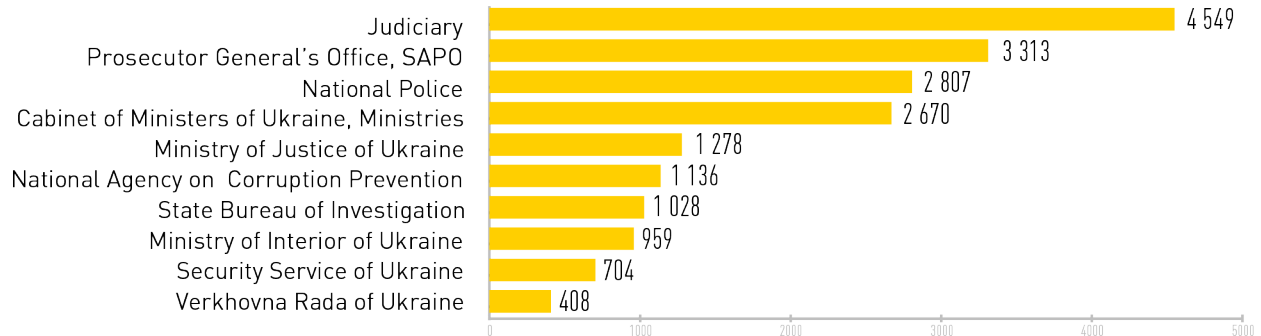
Verkhovna Rada of Ukraine	<b>29</b>
Ministry of Defence of Ukraine	<b>2</b>
Ministry of Justice of Ukraine	<b>2</b>
Cabinet of Ministers of Ukraine	<b>1</b>
Prosecutor General`s Office	<b>1</b>
Ministry of Interior of Ukraine	<b>1</b>
Ministry for Strategic Industries of Ukraine	<b>1</b>
Ministry for Development of Economy, Trade and Agriculture of Ukraine	<b>1</b>

- 11** Ministry for Strategic Industries of Ukraine
- 5** Ministry of Defence of Ukraine
- 4** Ministry of Finance of Ukraine
- 4** National Agency of Ukraine for finding and management of assets
- 3** Ministry of Interior of Ukraine
- 3** Ministry of Youth and Sports of Ukraine
- 2** Cabinet of Ministers of Ukraine
- 2** Ministry of Foreign Affairs of Ukraine
- 2** Ministry of Justice of Ukraine
- 2** The State Financial Monitoring Service of Ukraine
- 1** Ministry for Development of Economy, Trade and Agriculture of Ukraine
- 1** State Audit Service of Ukraine



## TOP 10 GOVERNMENT AUTHORITIES BY VOLUME OF CORRESPONDENCE\*

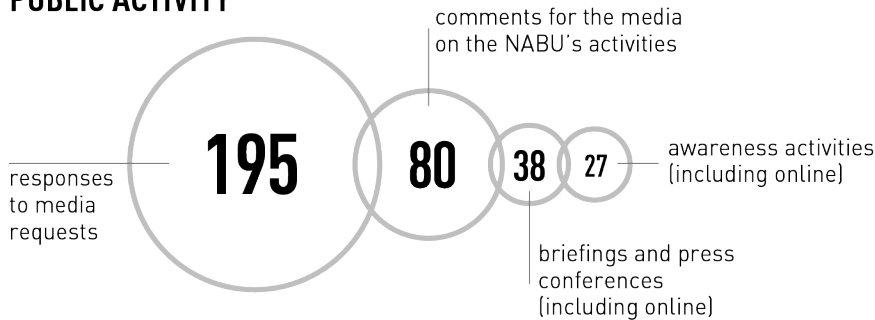
\*incoming and outgoing correspondence, letters



# REQUESTS TO THE NATIONAL BUREAU

(from 01.07.2020 until 31.12.2020)

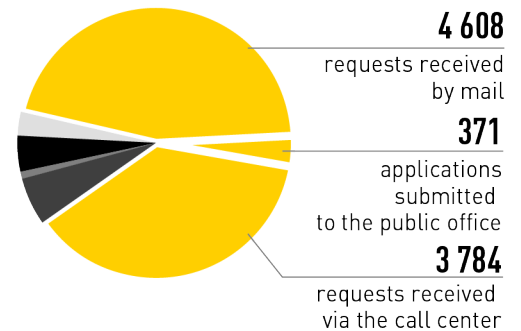
## PUBLIC ACTIVITY



## PUBLIC CONTROL (COC ACTIVITIES)

- 41 requests to government authorities, embassies and international organizations sent
- 144 packages of documents from candidates for positions in NABU analyzed
- 6 official statements published
- 4 analytical publications prepared
- 1 meeting of the Verkhovna Rada committee attended
- 1 report on the results of the HACC work presented

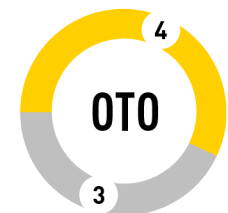
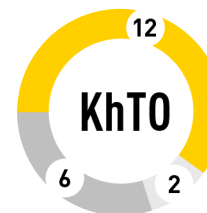
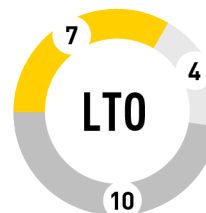
## REQUESTS TO THE NATIONAL BUREAU



- Members of Parliament of Ukraine 276
- NGOs 416
- government authorities 87
- legal entities 550

## PUBLIC EVENTS IN THE REGIONS

- forums, conferences, discussions, etc. (including online)
- activities at universities
- communication with the media



# EXPENDITURES AND PROCUREMENT

According to the results of 2020, the National Anti-Corruption Bureau of Ukraine used 97% of the funds provided by the state budget, taking into account budget allocations reduced in April and December by UAH 119.1 million.

In the second half of 2020, 113 goods and services procurement procedures were announced, 66 contracts worth UAH 37.63 million were concluded. Based on tender results, savings amounted to UAH 7.86 million. The most savings became possible during the procurement of services for maintenance of the premises and the territory adjacent to NABU's buildings (UAH 584.1 thousand saved), data storage media (UAH 564 thousand saved), electricity (UAH 422 thousand saved) and non-standard electricity connection services (UAH 369 thousand saved).

In the second half of the year, the total amount of funds kept on NABU's deposit accounts increased by UAH 16.74 million and amounted to UAH 47.98 million. Those funds were seized in the framework of criminal proceedings and do not contain traces of crime, in particular: UAH 9 million, EUR 272 thousand (equivalent to UAH 9.4 million), USD 1 million (UAH 29.3 million), RUR 104.5 thousand (UAH 39.5 thousand) and GBP 5.8 thousand (UAH 225 thousand). The aforementioned funds will remain in the authorized bank until court orders to transfer them to the state budget or return to legal owner. Meanwhile, interest accrued on deposit funds shall be directed to the budget of Ukraine.

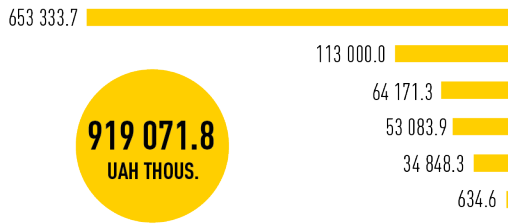
As part of international technical assistance projects, in the reporting period, NABU received technical assistance from the Government of the United Kingdom of Great Britain to the total amount of UAH 2.3 million. Those funds were used to update the software at the criminal laboratory of the Analytics and Data Processing Department and organize online trainings for the Detectives and Analysts. Overall, 2020 accounts for almost a third of all international technical assistance that NABU has received from donors since 2016 – UAH 29 million out of UAH 95.7 million.



# NATIONAL BUREAU BUDGET

## APPROVED FOR 2020

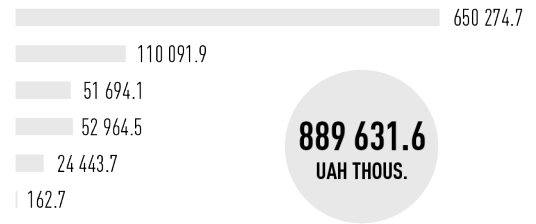
[UAH thous.]



- payroll expenditures
- payroll charges
- purchase of goods and services
- social security
- capital expenditures
- other (current) expenditures

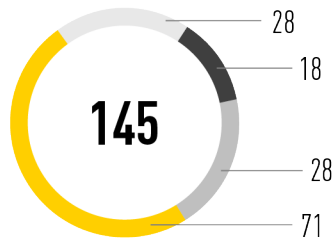
## CASH EXPENDITURES

[UAH thous.]

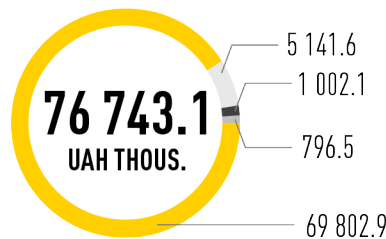


# GOODS AND SERVICES PROCUREMENT IN 2020

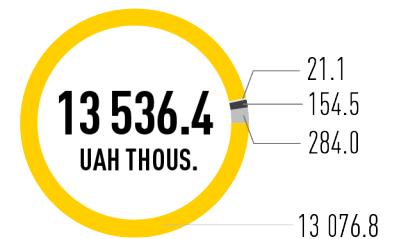
## SIGNED CONTRACTS



## AMOUNT OF SIGNED CONTRACTS



## SAVED FUNDS



public tender

procurement negotiations

fast-track procedures

threshold purchases



CENTRAL APPARATUS  
CIVIL SERVANTS

Position	Number of persons*	Salary
National Bureau Director	1	126 120
National Bureau Deputy (First Deputy) Director	2	100 896
Internal Control Department Head	1	75 672
Internal Control Department Deputy Head — Head of the Unit	1	70 627
Department Head	7	55 493
Department Deputy Head	7	52 970
Detectives Unit Head	6	75 672
Detectives Unit Deputy Head	5	70 627
Unit Head	19	50 448
Unit Deputy Head	21	47 926
National Bureau Senior Detective	154	55 493
National Bureau Detective	156	47 926
Sector Head (independent)	1	39 600
Sector Head (dependent)	2	34 560
Chief specialist	100	30 600

## SALARIES OF THE NABU EMPLOYEES

(as of 31.12.2020)

\* according to Staff list

CENTRAL APPARATUS SENIOR  
RANKED PERSONNEL

Position	Number of persons*	Salary
National Bureau Deputy Director	1	100 896
Department Head	2	55 493
Department Deputy Head	4	52 970
Unit Head	16	50 448
Unit Deputy Head	23	47 926
Senior Operative Officer	147	39 600
Operative Officer	3	30 600

TERRITORIAL OFFICE  
EMPLOYEES

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



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# POLITICAL PRESSURE

In the second half of 2020, the National Bureau suffered unprecedented pressure on the part of political elites. It comes to attempts to remove legal foundations on which NABU's activities are based, and gross disregard for the legislation providing for the work of Ukraine's anti-corruption institutions.

Such a reaction in the second half of the year was apparently triggered by certain decisions of the High Anti-Corruption Court. It was launched in the fall of 2019 and has since demonstrated a new quality of justice: regardless of positions and political expediency, based on the objective analysis of the evidence gathered by the NABU Detectives under the procedural management of SAPO.

During 2020, the High Anti-Corruption Court collected more than UAH 60 million as bail, investigating judges ordered investigative actions towards persons considered "inviolable" in Ukraine and stopped the attempts to delay the trial by defence attorneys of the accused. In the fall, the society witnessed jail sentences for corruption. Such work of the High Anti-Corruption Court became an additional incentive for the NABU Detectives, who have been exposing even more corruption schemes and corrupt officials since 2019.

However, in the second half of 2020, the Constitutional Court of Ukraine issued a number of rulings affecting the system of anti-corruption agencies. In September 2020, the CCU recognized certain provisions of the Law On the National Anti-Corruption Bureau of Ukraine as inconsistent with the Basic Law, without setting enough time to tackle the situation. All this was aimed at creating additional grounds for deprivation of the National Bureau of its institutional independence. In October 2020, the CCU judges, acting in a conflict of interest, abolished criminal liability for lies in e-declarations of public officials. Both decisions were made upon the request of the MPs, many of whom were involved in investigations by the NABU Detectives.

The CCU's rulings resulted in the closure of criminal proceedings under Article 366-1 of the Criminal Code of Ukraine (92 were completely closed, 19 — under Article 366-1 of the Criminal Code of Ukraine) investigated

as of October 27, 2020. Thus, the political elites in Ukraine for the second time received an amnesty for illegally acquired wealth: the first amnesty happened in February 2019 after the CCU abolished criminal liability for illicit enrichment.

Another challenge for the NABU Detectives and SAPO Prosecutors consisted in the absence of the SAPO Head in the last four months of 2020. As a result, notices of suspicion and other documents concerning a number of persons under investigation in NABU have to be signed by the Prosecutor General. This, on the one part, slows down the adoption of relevant decisions, and, on the other part, undermines the independence of procedural supervisors in NABU's cases.

In addition, in the second half of 2020, the facts the Prosecutor General's Office interference and creation of obstacles to the NABU Detectives in investigations into top-corruption became more frequent.

Thus, in September 2020, despite the provision of sufficient evidence that the incumbent MP received an illegal benefit, NABU faced a reluctance of the Prosecutor General's Office to bring him to criminal liability. In December 2020, the Prosecutor General secretly, without warning, substituted the group of prosecutors in another criminal proceeding, right on the eve of serving a notice of suspicion to a Deputy Head of the Office of the President of Ukraine, thus blocking this procedure. Later, the Prosecutor General's Office executives, despite the exclusive jurisdiction of NABU, illegally sent the case to another pre-trial investigation agency.

Similarly, in the second half of the year, NABU and SAPO faced a number of illegal rulings by courts of general jurisdiction cast with violation of jurisdiction and physical blocking of any possibility to appeal those decisions legally — to the Appeals Chamber of the High Anti-Corruption Court. The purpose of those decisions is to take cases from NABU by any even illegal means and prevent their further sending to the High Anti-Corruption Court.



The COVID-19 epidemic and measures to curb its spread influenced the work of the National Bureau. In the second half of the year, as compared to its first half, these restrictions were relieved, allowing the intensification of investigations. However, COVID-19 remains one of the factors influencing the terms of pre-trial investigations.

For instance, competent authorities of other states started working online and sending materials upon NABU's requests in electronic form. This affected the possibility of using them as evidence in Ukraine and attaching to case materials. In some countries, the quarantine restrictions made investigative actions (searches) upon NABU's requests impossible.

Since the legislation fails to define a particular procedure for the work of law enforcement agencies in the conditions of a pandemic, the quarantine became a valid reason for persons not to arrive upon summons of the Detectives. Participants in criminal proceedings abused this right, deliberately extending investigations. The absence of experts and specialists at work due to illness also negatively affected the duration of investigations. At the same time, no criminal proceedings were closed or suspended due to the quarantine.

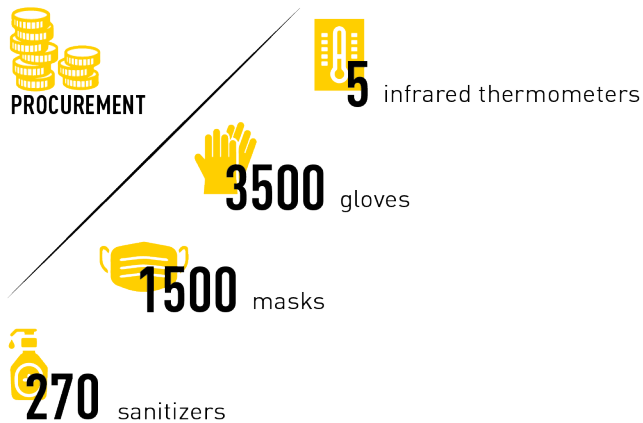
The quarantine also influenced the process of competitive selection for positions in NABU: the members of tender committees were offered to work remotely. Provided there are ample reasons, candidates for positions in the National Bureau have the right to be interviewed via videoconference. This practice was successfully used in the reporting period.

NABU continues to take care of the health of its employees and visitors, providing sanitizers, body temperature measuring, denying access to the building for visitors without masks. Keeping a safe distance was a mandatory condition during public events organized by the Bureau. Most events took place online or in a mixed format. The visits of students and representatives of public organizations became online. This allowed NABU to approach more participants.

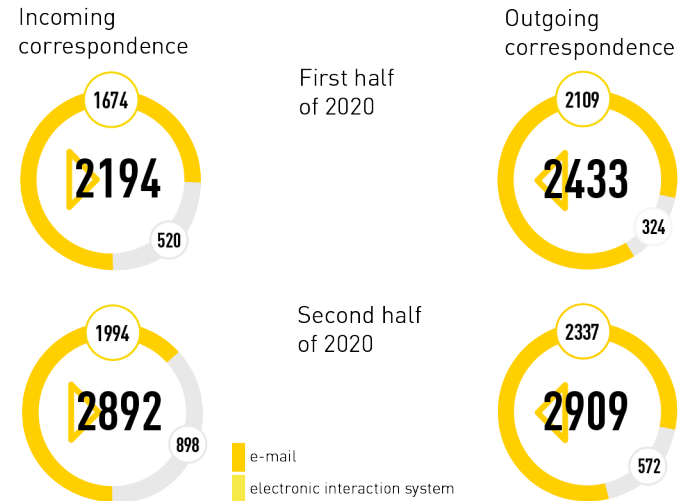
# WORK DURING THE COVID-19 QUARANTINE

## COVID-19 PREVENTION

(from 01.01.2020 until 31.12.2020)



## ELECTRONIC DOCUMENT FLOW



## MEASURES TAKEN DURING QUARANTINE:

- 1 Personal reception of citizens and public events held according to quarantine restrictions
- 2 Daily temperature measurements, wearing masks inside the building
- 3 Use of shoe covers, gloves, masks during investigative actions
- 4 Implementation of electronic document management stepped up
- 5 Online participation in competition commissions allowed

# INTRODUCTION OF ECASE MS SYSTEM

The National Anti-Corruption Bureau of Ukraine and the Specialized Anti-Corruption Prosecutor's Office are about to start experimental implementation of the interdepartmental information and telecommunication system of pre-trial investigation eCase Management System. This means that in December 2020, more than 70% of Detectives and Prosecutors worked out typical scenarios of criminal proceedings in the test mode and generally confirmed the system was ready for commissioning. In addition, progress in terms of security was observed. In summer 2020, based on the results of state expert examination of the comprehensive information protection system for eCase MS, a certificate of conformity and positive expert opinion was obtained.

System's test run will begin after the adoption of a joint order of the National Bureau and the Prosecutor General's Office on the implementation of the eCase Management System. At this stage, the NABU Detectives and SAPO Prosecutors will be filling the system with data about actual criminal proceedings, at the same time maintaining cases in paper format. Due to inconvenience caused by this parallel documentation, the experimental implementation stage will be perhaps the most difficult and, at the same time, the most important in the process of launching eCase MS. It is during this period preceding the full-fledged launch of the system that the troubleshooting will be done the most. Should eCase MS require finalization, it will be done at the cost of the European Union Anti-Corruption Initiative in Ukraine (EUACI) that has supported the development of the system since September 2019.

The full-fledged transition of the anti-corruption triad – NABU, SAPO and the High Anti-Corruption Court – to electronic criminal proceedings, certain legislative grounds are needed. The work is underway to prepare a draft law to amend the Criminal Procedure Code of Ukraine. So far, the start of eCase Management System remains a challenge not only for the National Bureau and other involved agencies, but also for public authorities.



## ECASE MS FUNCTIONAL POSSIBILITIES



online document exchange



document exchange integration  
with other document flow systems



provision of electronic documents to  
participants in criminal proceedings



data protection



pre-trial investigation  
electronic management



system access role model



automated filling of procedural  
document templates



calendar with reminders of legal  
proceedings and tasks deadlines



analysis of criminal process and  
reports management data



united pre-trial investigation  
planning for Detectives and  
Prosecutors

## ADVANTAGES OF ECASE MS

1

automation of investigation  
processes

3

standardization of procedural  
documents forms

5

rapid documents exchange between NABU,  
SAPO, the HACC, and other participants in  
criminal proceedings

2

reducing printing and mailing  
expenditures

4

speeding up investigation  
process

6

high-quality analytics for making  
management decisions

## STAGES OF LAUNCHING ECASE MS

### I Stage (2019)

study of needs,  
system development

### II Stage (2020)

beta version launch,  
system testing and  
setup

### III Stage (January-June 2021)

user training, trial operation of  
the system by the NABU and  
SAPO users, bug shooting,  
connecting the HACC users

### IV Stage (July-December 2021)

eCase commissioning, the use of  
the system by the NABU,  
the SAPO, and the HAAC users





## 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 second 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 01.07.2020 until 31.12.2020

№	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	386
2.	Number of investigation initiated by the National Bureau and their results	5
		3
3.	Number of persons standing indicted for committing criminal offences classified by the law as those under the jurisdiction of the National Bureau	56
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*** 293 384 015 420**
		UAH 1 688 543 430** including in the second half of 2020: UAH 370 666 429

Nº	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	7
12.	The results of integrity tests	9 (2 negative results)
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	—

*\*\* as of 31.12.2020*

*\*\*\* 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 01.07.2020 until 31.12.2020

№	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.	<b>Persons authorised to perform the state or local government functions:</b>			
	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	1	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	3	2	
	c) public officials, officials of local government	3	4	



	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	4		
	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)	1	1	2
	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		2	
	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	2	1	
	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		1	
	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			
<b>2.</b>	<b>Persons who, for the purposes of the Law, have an equal status to persons authorised to perform functions of the state or local governments:</b>			
	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	13	12	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.	3	2	

	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	8	9	
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	38	20	3








\*\*\*\* 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 01.07.2020 until 31.12.2020

Nº	Type of property	Quantity	Total amount
1.	Land plots	6	—

2.	Residential real estate	23	—
3.	Non-residential real estate	7	—
4.	Means of transportation	20	—
5.	Funds, including:		
	in UAH	—	572 697
	in USD	—	15 200
	in EUR	—	3 850
	in CHF	—	20 711
6.	Mobile phones	1	—
7.	Jewellery	38	—
8.	Participatory interests	—	UAH 13 562 676

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