

2021  
23

**DEVELOPMENT  
STRATEGY**

**OF THE NATIONAL  
ANTI-CORRUPTION  
BUREAU OF UKRAINE**



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## LIST OF ABBREVIATIONS & ACRONYMS

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AC	.....	anti-corruption
ACA	.....	anti-corruption authority
Art	.....	article
Asst.	.....	assistant
BI	.....	Building Integrity (Program by NATO)
ca.	.....	circa
CCU	.....	Constitutional Court of Ukraine
CoBIT	.....	Control Objectives for Information and Related Technology
e	.....	electronic
e.g.	.....	exempli gratia, for example
etc.	.....	et cetera
ETL	.....	extract, transform, load (of data)
EU	.....	European Union
EUACI	.....	EU Anti-Corruption Initiative in Ukraine
EUR	.....	euro (currency)
HACC	.....	High Anti-Corruption Court (of Ukraine)
HC	.....	holding company
HR	.....	human resources
i.e.	.....	id est, that is / that means
ICT	.....	Information and communications technologies
IEC	.....	International Electrotechnical Commission
INL	.....	Bureau of International Narcotics and Law Enforcement Affairs
ISO	.....	International Organization for Standardization
ITIL	.....	Information Technology Infrastructure Library

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JEF	.....	Young European Federalists
JSC	.....	joint-stock company
KPI(s)	.....	key performance indicator(s)
MFA	.....	Ministry of Foreign Affairs
MP	.....	member of parliament
MS	.....	management system
NABU	.....	National Anti-Corruption Bureau of Ukraine
NACP	.....	National Agency on Corruption Prevention (of Ukraine)
NATO	.....	North Atlantic Treaty Organization
NGO(s)	.....	non-governmental organization(s)
NNEGC	.....	National Nuclear Energy Generating Company
OECD	.....	Organisation for Economic Co-operation & Development
OJSC	.....	open joint-stock company
OSINT	.....	open source intelligence
PJSC	.....	public joint-stock company
SAPO	.....	Specialized Anti-Corruption Prosecutor's Office (of Ukraine)
SE	.....	state enterprise
SOP	.....	standard operating procedure
SSU	.....	Security Service of Ukraine
SWOT analysis	.....	strengths, weaknesses, opportunities, threats analysis
UAH	.....	Ukrainian hryvnia (currency)
UNDP	.....	United Nations Development Programme
USD	.....	United States dollar (currency)

# VISION

**We are** an independent, professional anti-corruption law enforcement agency which enjoys public trust, operates in accordance with global best practices, and implements effective methods for combating and preventing corruption.

# MISSION

**We eradicate** corruption in the government for the sake of building and developing a successful society and an effective state.

# KEY VALUES

## INDEPENDENCE

**We are** an institutionally independent anti-corruption law enforcement agency that takes all the necessary internal and external measures to maintain and enhance its independence. NABU shall be free from any political or other undue influence.

## **EXCELLENCE**

**We adhere** to the highest professional standards.

## **ACCOUNTABILITY**

**We are accountable** for our actions, decisions, and their outputs.

## **RULE OF LAW**

**We strictly abide** by the Constitution and the laws of Ukraine, all necessary statutory regulations, and the Code of Professional Ethics.

## **INTEGRITY**

**We operate** in compliance with the principles of honesty and transparency. **We adhere** to high ethical standards and fair practices, and **we pursue** a zero tolerance policy towards all forms of corruption, in and outside of NABU.

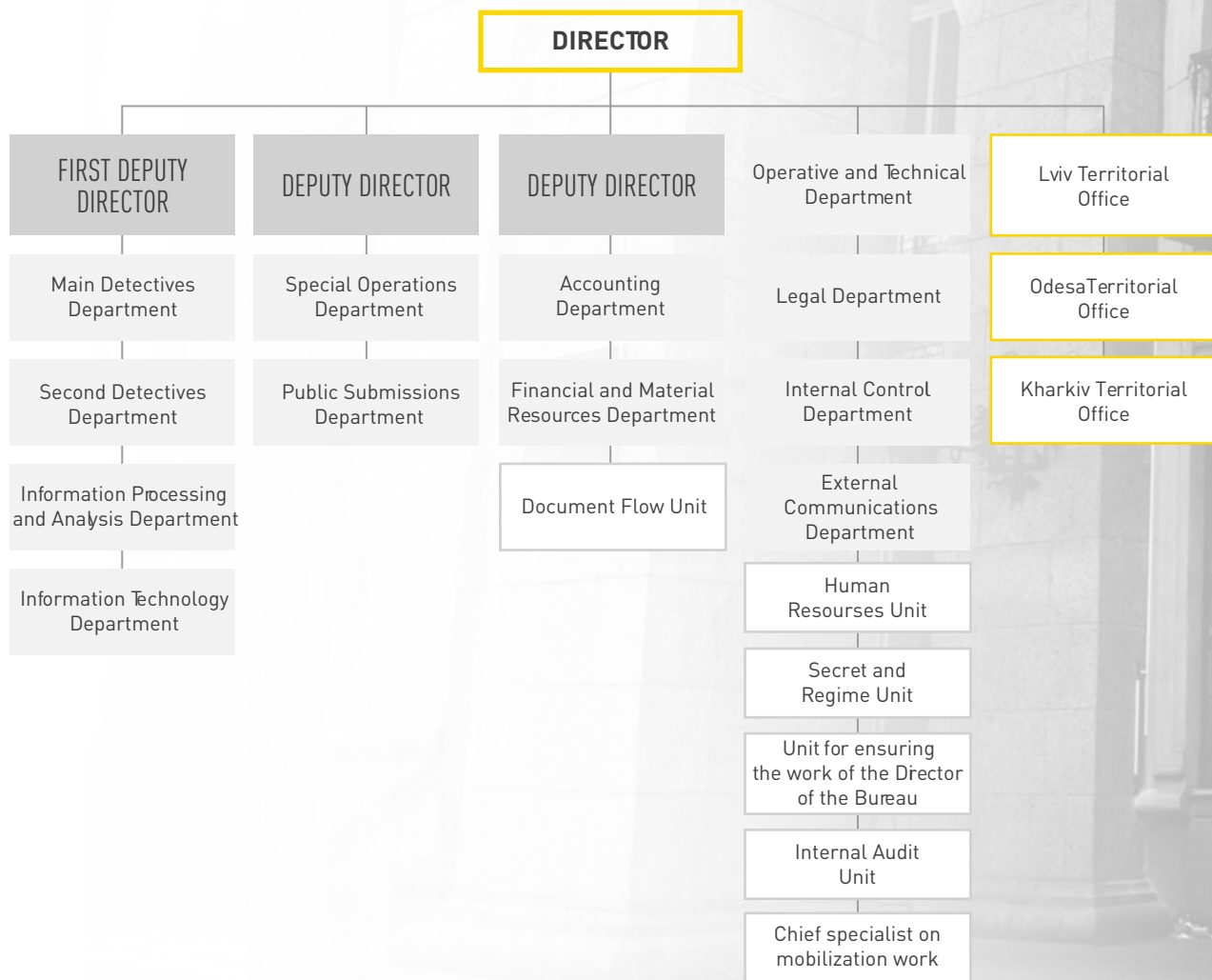
## **OPENNESS**

**We are open** to cooperation and collaboration with the public, and **we inform** the public of NABU's objectives and achievements on a regular basis.

## **PREVENTION**

**We contribute** to the evolution and progression towards zero tolerance for corruption among the public.

# STRUCTURE





УКРАЇНА  
НАЦІОНАЛЬНЕ  
АНТИКОРУПЦІЙНЕ  
БЮРО УКРАЇНИ



# HISTORY, CONTEXTS, AND ENVIRONMENT

Over the four-year period from the adoption of the Strategy for Institutional Capacity and Personnel Potential Building of the National Bureau<sup>1</sup>, approved by NABU Director order No. 215-o, dated 28 November 2017, the National Bureau (NABU) covered a long path from institutional foundation, implementing and optimizing operational processes and professional management systems, towards becoming the driving force of Ukraine’s anti-corruption reform. As such, NABU has been universally acknowledged and commended as a paragon of integrity and professionalism.

During that period, the Ukrainian parliament adopted a series of national documents defining the general development trajectory for Ukraine’s anti-corruption institutions and policies. Against that backdrop, also NABU’s Strategy had to be revised.

On 14 September 2020, the “National Security Strategy of Ukraine” was enacted by President of Ukraine Decree No. 392. The document declares zero tolerance towards corruption. That goal is set as a top priority in order to support effective operation of national bodies tasked with preventing and countering corruption.

A draft law, titled “On the Foundations of State Anti-Corruption Policy in 2020-2024”, defining the priority areas in preventing and combating corruption —

<sup>1</sup> hereinafter “2017 Strategy”

taking on board the latest conceptual approaches to shape anti-corruption policy in Ukraine — is currently under consideration by the Parliament. Once adopted, that law will directly affect NABU’s activities as an anti-corruption institution.

Last but not least, every year the President of Ukraine enacts an Annual National Programme under the auspices of the Ukraine-NATO Commission. Developing an effective system to reduce the level of corruption in Ukraine and contribute to the country’s economic growth has remained among its top priorities. NABU has established itself as an invaluable asset in those activities and has been successfully implementing the provisions of the NATO Building Integrity Programme (BI Programme) in order to strengthen integrity, transparency, and accountability and reduce the risks of corruption in the defense and security sector.

Nonetheless, the successful operations of NABU in combating corruption were often met with considerable resistance. Oligarch-funded influencers, politicians, and government officials have launched political pressure, media attacks and smear campaigns, sometimes turning into a full-scale battle against NABU’s institutional independence.

All the aforesaid imposes the need for a new and updated strategy document in order to become the guiding beacon for further developing NABU within the next three years. That being said, the provisions of NABU’s New Strategy shall be systemically aligned with those of the preceding one in order to fully meet consistency and continuity requirements.

**NABU covered a long path from institutional foundation towards becoming the driving force of Ukraine’s anti-corruption reform. However, due to its successful performance, the agency faced systematic resistance from politicians and high-ranking officials**

# ACHIEVEMENTS & ACCOMPLISHMENTS

From day one of NABU's existence, its efforts were aimed at achieving lasting and convincing results. NABU is recognized at the national, regional, and international level as a most professional anti-corruption authority of law enforcement provenience.\*

\* pursuant to Art 36 of the United Nations Convention against Corruption, UNCAC

НАБУ

## SUCCESSFUL INVESTIGATIONS IN HIGH-PROFILE CASES AGAINST SENIOR OFFICIALS

From the commencement of proceedings in 2015, NABU has brought 64 officials of the highest ranks to criminal responsibility to, including former Members of Parliament, Ministers and Deputy Ministers, Heads of national authorities, Directors of state enterprises, judges, etc. Before NABU was set up, government officials of such level had never been brought to criminal justice on corruption charges. They were considered, though mistakenly, as “untouchable”. NABU broke that stereotype. As one of the consequences, NABU is regularly exposed to considerable political pressure and smear campaigns which aim to discredit the institution and hamper its operations.

**981**

persons  
prosecuted overall

**6**

Ministers and  
Deputy Ministers

**11**

Heads of  
national authorities

**20**

MPs of different  
convocations

**67**

judges  
of all levels

**78**

Directors of state  
enterprises

as of 30 June 2021

**UAH 2,81 bln**

(equivalent to  
ca. EUR 91.4 mln)  
of losses reimbursed  
in total

**over  
UAH 1,5 bln**

(equivalent to  
ca. EUR 48 mln)  
saved from  
misappropriation

**over  
UAH 2 bln**

(equivalent to  
ca. EUR 65 mln)  
refunded to state  
enterprises

**UAH 65 mln**

(equivalent to  
ca. EUR 2 mln)  
received in bail  
funds

**UAH 50 mln**

(equivalent to  
ca. EUR 1.54 mln)  
voluntarily paid by  
a former MP

**UAH 1.5 mln**

(equivalent to  
ca. EUR 46,314)  
returns of illegal  
compensations for  
accommodation  
expenses by MPs

The National Bureau is an effective pre-trial investigation agency. About UAH 2 billion was reimbursed to the state at the pre-trial stage, mainly to state enterprises. This was possible due to the right of NABU to call upon courts to invalidate contracts deriving from underlying corruption schemes. Overall, 107 such contracts worth UAH 6.3 billion were annulled. Relevant court decisions came into force, while state enterprises got a working loss compensation tool. Regrettably, NABU was stripped of that power by decision of the Constitutional Court of Ukraine in summer of 2019.

as of 30 June 2021

## SOME OF THE HIGH-PROFILE CASES SUCCESSFULLY INVESTIGATED BY NABU

**Trading in influence and receiving undue advantage thereof with regard to mining amber in Ukraine**, provided to a foreign company. This investigation broke new ground in terms of collecting evidence: for the first time ever in Ukraine, an undercover operation was launched. As a result, 2 MPs were prosecuted for lobbying the legislation in the interest of third parties and obtaining undue advantage.



**Illegal transfer of 15 hectares of specially designated [for research purposes] state land (in the suburbs of Kyiv)** in the interest of private parties. The plots were distributed among the officials of the National Academy of Agrarian Sciences of Ukraine (NAAS), the Ministry of Agrarian Policy, and SSU officers. The investigation ended with an indictment against 9 people, including the former president and vice-president of NAAS, officials of state-owned enterprises and the State Land Agency in Kyiv region.

**Embezzlement of state funds during the exploration and sale of natural gas** under joint activity contracts with SE "Ukrigasvydobuvannya", resulting in losses of approximately UAH 3 billion (equivalent to ca. EUR 92.628). The investigation is over. 30 persons were prosecuted, including a former MP, former Chairman and ex-Head of the Department of the State Fiscal Service of Ukraine.





**Misappropriation of funds from SE “Eastern Mining and Processing Plant” and NNEGC “Energoatom”,** causing a loss to the state of over UAH 695 million (equivalent to ca. EUR 21.5 million). The investigation ended with an indictment against 6 persons, including a former MP, executives of state-owned enterprises and a top official of Naftogaz of Ukraine. This is a record-breaking investigation in the history of the National Bureau in terms of international cooperation.



**Misappropriation of UAH 346.22 million (equivalent to ca. EUR 11 million) from 60% state-owned OJSC “Zaporizhzhiaoblenerho”** (name/status changed to PJSC in 2017). The investigation ended with an indictment against 2 persons: the former Chairman of the board of PJSC “HC “Energomerezha” and the former acting Director General of JSC “Zaporizhzhyaoblenergo”. Due to NABU’s work, a number of agreements on assignment of the right of claim worth over UAH 346 million were declared invalid, while UAH 74 million were reimbursed to the state.

**Misappropriation of UAH 247 million (equivalent to ca. EUR 7.6 million) from SE “Administration of Seaports of Ukraine”,** caused by the procurement — at an inflated price — of dredging services for the seaports of Berdiansk and Mariupol. The investigation ended with an indictment against 7 persons, including the former SE Head and his Deputy.



## NABU'S ACHIEVEMENTS: ACKNOWLEDGEMENT BY INTERNATIONAL EXPERTS

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**Giovanni Kessler,**  
Director-General  
of the European Anti-  
Fraud Office  
(2010-2017)



**Martin Kreutner,**  
Dean Emeritus of  
the International  
Anti-Corruption  
Academy



**Eka Tkeshelashvili,**  
former Head of the  
EU Anti-Corruption  
Initiative in Ukraine  
(2017-2021)



**Allan Pagh  
Kristensen,**  
Head of the EU  
Anti-Corruption  
Initiative in Ukraine

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“I took part in the establishment of NABU. I believe that this is an important independent pre-trial investigation agency, which did not exist in Ukraine before”<sup>[1]</sup>

[1] Radio NV, 20 March 2020

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“NABU need to be commended and applauded for their steadfast, their extremely committed and highly professional work. They have built, in short time, an impressive reputation in the international anti-corruption community”.

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“NABU championed digital transformation of law enforcement in Ukraine. EU assistance has been crucial in enabling integration of IT, analytical and data retention tools in development of NABU”.

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“I am proud that we supported the initiative of the NABU team to update the NABU Strategy. This approach shall strongly underlie NABU’s further development, given the accomplishments of the previous seven years”.



**Robert Storch,**  
Inspector General  
for the US National  
Security Agency

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“So this is the engine to address corruption in Ukraine (about NABU)”.



**Drago Kos,**  
Chair of the OECD  
Working Group on  
Bribery in Inter-  
national Business  
Transactions

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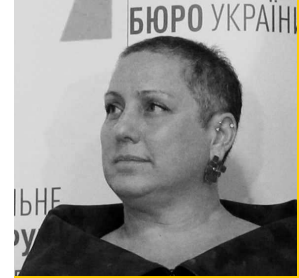
“After NABU really started to function politically independently and launched some serious and valid investigations, it faced threats and attacks”.



**Johannes Hahn,**  
EU Commissioner  
for EU Neighbour-  
hood Policy and  
Enlargement Nego-  
tiations (2014-2019)

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“I would like to note the effectiveness of NABU’s work, which, despite constant pressure and resistance, has achieved tremendous results. Hundreds of detectives do important and complex work every day”.



**Kirsten D. Madison,**  
Asst. Secretary of  
State for Internatio-  
nal Narcotics and  
Law Enforcement  
Affairs (2018-2021)

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“The United States fully supports this hard work. We recognize that aggressively pursuing real change comes with real costs, including time away from your families, outside pressures to give up, and sometimes danger”.

## SETTING UP EFFECTIVE COOPERATION WITH OTHER LAW ENFORCEMENT AGENCIES, CIVIL INSTITUTIONS, AND INTERNATIONAL ORGANIZATIONS

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International and inter-agency cooperation is one of the key areas for NABU. This is especially relevant since persons involved in corrupt activities often utilize economic entities registered in foreign jurisdictions. Such companies are typically used for funnelling money from Ukraine and, subsequently, laundering it thereby. To obtain information and, eventually access data on the ultimate beneficiaries of such structures and assets on foreign accounts, NABU regularly files applications for international legal assistance.

Effective communication with foreign law enforcement agencies helped carry out a number of successful operations to expose persons involved in high-level corruption. For the first time ever in Ukraine's history, a joint investigation team (JIT) was established between NABU and the Specialized Anti-corruption Prosecutor's Office (SAPO) of Ukraine, on the one hand, and the Central Anti-corruption Bureau of Poland (CBA) and the Regional Prosecutor's Office in Warsaw, on the other. The cross-border teamwork resulted in exposing a criminal group headed by the former acting Head of the State Agency of Roadways of Ukraine.

At the end of 2019, the National Agency on Corruption Prevention (NACP) restored full access to the register of income/asset declarations of persons authorized to perform the functions of the state or local self-government.

In the period 2018 to 2021, NABU entered into agreements and signed memoranda of cooperation with:

- the National Anti-Corruption Center of the Republic of Moldova;
- the European Investment Bank;

- 
- the Estonian Police and Border Guard Board;
  - the US Federal Bureau of Investigation (FBI) (International Corruption Unit);
  - the Swiss Agency for Development and Cooperation;
  - the Commission for Counteracting Corruption and Illegal Assets Forfeiture of the Republic of Bulgaria;
  - the Central Anti-corruption Bureau of Poland (CBA);
  - the National Crime Agency of the United Kingdom of Great Britain and Northern Ireland (NCA); and
  - other agencies and institutions.

From day one, NABU has maintained dialogue with the public based on its key principles of transparency, openness, and accountability. Every six months NABU reports on the results of its activities. NABU's Director submits the respective report to the President of Ukraine, the Verkhovna Rada of Ukraine, and the Cabinet of Ministers.

The general public receives information about NABU from media briefings, conferences, interviews, comments on investigations etc. To share information about its work in a consistent and clear manner, NABU — with the support of the European Union Advisory Mission (EUAM), the U.S. Embassy, and the EU Anti-Corruption Initiative in Ukraine (EUACI) — formed a pool of speakers from among the Heads of its structural units, Directors of Territorial Offices, and selected NABU Detectives. Those speakers provide comments on the most prominent cases, inform about the progress of the anti-corruption reform,

explain what government decisions hinder its implementation, etc. NABU uses social media platforms such as Facebook, Twitter, Telegram, YouTube, and Instagram to engage in pro-active communication with the public.

In autumn 2019, NABU launched a special multi-channel phone hotline, which was instrumental in delivering 7,400 alerts regarding potential corruption crimes in the second half of that year. This was a 250% increase in numbers of telephone calls received by the institution compared to previous periods.

Awareness-raising efforts and interaction with the student community is another important area of NABU's operations. In 2016, NABU started study visits, a new format of interaction with the student community, which was timed to the International AC Day (9 December). Students were given a unique opportunity to get behind the scenes and see how NABU operates: observe analysts and investigators at work, take a tour of the forensic ICT lab, see the interview rooms, and try on the gear of the Special Operations Department. NABU arranged study visits for groups of students from other countries including representatives of the European Law Students Association ELSA Germany, youth associations JEF France, and JEF Deutschland e.V, members of Uppsala Association of Foreign Affairs from Sweden, and others.

NABU implemented several awareness-raising projects with assistance from its international partners. The information campaign "Students against Corruption", launched in collaboration with UNDP in Ukraine, was the largest so far. Within the period from 2017 to 2018, NABU and UNDP visited 17 cities of Ukraine and 21 higher educational establishments. Over 3,500 students were provided an insight into the progress of the anti-corruption reform, the functionality of the newly established anti-corruption agencies in general, and NABU cases in particular.

Since 2017, NABU has taken part in summer schools and camps organized by EU Study Days in Ukraine with assistance from the EU Delegation in

Ukraine. During the one-week Criminal Justice in Action summer school, held in 2018 and 2019, NABU employees, FBI representatives, prosecutors, and judges teamed up to teach law students and NGO lawyers how to investigate corruption crimes. The event was organized by the National University of Kyiv Mohyla Academy with assistance from the U.S. Embassy in Ukraine. Due to the COVID-19 pandemic, the NABU Anti-Corruption School continued to work online.

In 2018 and 2019, NABU teamed up with UNDP, EUACI, and anti-corruption civic organizations to convene the first anti-corruption opinion exchange festival — DumkoFest.

The Civil Oversight Council with NABU contributes to effective communication with the public. The Council is composed of 15 representatives of civic organizations who specialize in countering corruption. The Council's composition rotates once a year based on the results of an online rating vote.

**NABU maintains a constant dialogue with society on the principles of transparency, openness, and accountability. The focus is also on awareness-raising efforts and interaction with the youth**

Within the framework of its activities, the Civil Oversight Council initiated a joint meeting of NABU representatives and attorneys to ensure the objective hearing of a case regarding an attorney's complaint against certain investigative activities by NABU. The Civil Oversight Council also initiated an extended meeting of the NABU Disciplinary Board to review the facts presented in a journalist investigation of corruption at State Concern "Ukroboronprom". It was the first meeting of the Disciplinary Board attended by independent observers — in particular, representatives of international organizations — to ensure a transparent and unbiased process.

## **BUILDING A TEAM OF TRUSTWORTHY PROFESSIONALS**

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NABU owes the success in having built a professional team to open multi-tier competitive selection processes which are mandatory for all candidates (with the exception of Deputy Directors). Candidates take legal, general aptitude, and psychological tests. Then, candidates are interviewed by the Competitive Selection Committee while being monitored by representatives of the public — members of the Civil Oversight Council. The latter file a notice of concern if they discover any information on social and mass media, which casts doubt on the integrity of the candidate. These checks combined with a special vetting procedure help select the best candidates for NABU.

Since 2015, NABU has received more than 35,000 applications, including over 11,000 applications for Detectives. The average number of candidates per vacancy ranges from 30 to 35. This level of interest is a clear manifestation of the fact that NABU has become one of the most attractive and appealing employers of the country's public sector.

NABU developed a support programme for incoming staff members, adopted under NABU Director order No. 20, dated 14 February 2020. Upon hiring, employees are involved in defining their key objectives and KPIs. These criteria are subsequently used for annual evaluation of their performance. In addition, it regularly analyses vocational training needs of NABU staff. NABU arranges access to relevant courses and trainings both in Ukraine and abroad. This approach provides an opportunity for NABU staff to grasp best international practices and experience in fighting corruption.

All training courses fall into two categories: basic and functional. The former are meant to gain knowledge and skills which every employee shall have (such as, on legislation, soft skills etc.). The latter are



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intended to improve employees' professional capacity depending on their individual profile. Information on training opportunities and requirements is published (updated) on the internal NABU portal. Furthermore, National Bureau has implemented a software module to automate the staff training process.

An e-learning platform has been created by NABU with the support of the European Union Anti-Corruption Initiative in Ukraine. It allows for remote training of NABU staff. In particular, that platform hosts the course "Basic Principles of Ethical Behaviour for NABU Employees", which contains visualized learning materials as well as tests and situation-based tasks (case studies). The completion of this course is an integral element of the annual competency-based evaluation.

NABU also introduced annual surveys to obtain feedback from its employees on its institutional development. The results help clarify the action points for team building and motivation. What is more, NABU continues developing its organizational culture, based upon the "Code of Professional Ethics of the NABU Employees".

Following best international practices, this Code defines the principles and standards of ethical behaviour for NABU's employees with the aim of preventing and resolving potential conflict of interest situations, ensuring high quality and effectiveness

**NABU is one of the most sought-after employers in the public sector: the average number of candidates per vacancy ranges from 30 to 35. In total, NABU has received more than 35,000 applications**

of the Bureau's operations and, consequently, strengthening public trust in NABU.

**The National Bureau has introduced a comprehensive whistle-blowing framework enabling not only to prevent corruption and dishonesty within the institution, but also to protect its positive image**

Polygraph tests proved to be highly effective in exposing corruption risks while evaluating the behaviour of both candidates for NABU employment and active staff. Polygraph testing is constantly improved using the latest methodologies and best international practices.

NABU uses integrity checks to identify potential employee propensities to commit crimes or violate the standards of ethical behaviour. Candidates are offered a series of simulated situations which must be resolved in line with the law. Over a five-year period, NABU has conducted a total of 75 integrity checks of which only six resulted negative.

To reflect its European values, NABU implemented a comprehensive whistle-blowing framework which, among other things, enables citizens to report any violation of laws and ethics by NABU's employees. Not only does this help prevent acts of corruption and malpractice inside the institution but it also is essential for maintaining an immaculate image of the institution.

To compare declared assets with an employee's level of income, the Internal Control Department (ICD) monitor lifestyle, provide consultations and advice on the completion of the annual declaration forms and notices of substantial change of the financial situation. These activities are part of a large-scale effort to ensure that NABU adheres to high standards of integrity.

## IMPLEMENTING AN EFFECTIVE INTERNAL CONTROL SYSTEM

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NABU has implemented a system of internal control in accordance with the COSO (The Committee of Sponsoring Organizations of the Treadway Commission) model. Moreover, NABU has combined it with the anti-bribery management system built in accordance with International (anti-corruption) Standard ISO 37001:2016 and National Standard ISO 37001:2018 (ISO 37001:2016, IDT). The former assists organizations in setting up effective processes with the aim of preventing corruption both internally and externally. In particular, they cover such areas as development and implementation of anti-corruption practices, policies, and training, financial control and monitoring activities, etc.

According to the results of the 2019 certification audit, carried out by a group of international experts of PECB (Professional Evaluation and Certification Board) and with the support of the European Union Anti-Corruption Initiative in Ukraine (EUACI), NABU became the first government authority in Ukraine and one of the first law enforcement agencies in Europe to be fully compliant with ISO 37001:2016. The supervisory audits carried out in 2020 and 2021 confirmed the effectiveness of the aforementioned system.

Following the results of the 2020 annual assessment of corruption risks specific to NABU's activities, a new three-year NABU Anti-Corruption Programme was adopted. The programme's objectives are as follows:

- ensure effective functioning of the anti-bribery management system at NABU in accordance with the requirements of the anti-bribery legislation contained in National Standard ISO 37001:2018 (ISO 37001) and the provisions of the NATO Building Integrity Programme

(BI Program) to strengthen integrity, transparency, and accountability and reduce the risk of corruption in the defence and security sector;

- identify external and internal corruption risks in NABU's activities and implement activities aimed at their elimination or mitigation in accordance with state-of-the-art risk management methodologies;
- eliminate corruption risks in NABU's activities by means of improving the regulatory framework and optimizing the key management processes and procedures, with emphasis on public procurement;
- prevent and counter corrupt practices by NABU's employees in procedural matters;
- ensure maximum transparency and accountability of NABU's HR policies in close cooperation with civil oversight bodies, in particular, in terms of procedures for entering senior staff posts by NABU's civil service employees;
- develop the information security management system in accordance with the requirements of the national standards of the ISO/IEC 27000 series;
- strengthen the internal control and audit system;
- improve interaction with whistleblowers;
- implement innovative forms of communication and training on compliance with anti-corruption legislation and international standards in the field of preventing and countering corruption;
- ensure full accountability for corruption offences;
- advance NABU's involvement in international and domestic projects aimed at developing anti-corruption policy and improving the mechanisms of its implementation.

## OPTIMIZING THE ORGANIZATIONAL STRUCTURE

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Considering the limited number of NABU staff (700 persons), the organizational structure of NABU was optimized to ensure proper and effective performance of its tasks and duties — including regional operations.

The year 2020 marked the inception of a dedicated Internal Audit Sector (IAS), subordinated directly to NABU’s Director; the IAS was established in accordance with international standards and international best practices.

An organizational and methodology department was set up in 2019 within the Main Detectives Department. Among other things, the objectives of the newly established unit include drafting pre-trial investigation guidelines.

To ensure proper information processing and analysis and provide the necessary technical facilities for crime analysis, a special unit was formed early on — the Analysis and Information Processing Department. Its staff have backgrounds in finance, economics, and ICT. This expertise allowed for creating an effective think tank within NABU which provides qualified consulting services to staff as need be.

**NABU’s organizational structure is optimized to ensure proper and effective performance of its tasks and duties — including regional investigations**

To streamline NABU’s operations, a specialized unit was established within the Analysis and Information Processing Department in 2018 — the Data Management Unit tasked with shaping and implementing policies for information interface with state or local self-government authorities. Its employees develop and submit for approval documents governing data management policy, as well as ensure the creation, implementation, and maintenance of data management systems.

## MAINTAINING STATE-OF-THE-ART PHYSICAL INFRASTRUCTURE

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In 2019, NABU successfully passed a public audit by the Accounting Chamber, which certified the Bureau's full adherence to financial regulations and its effective use of budgetary funds.

Throughout 2018 to 2020, the technical needs of NABU were covered by the State Budget of Ukraine and through international technical assistance programmes. The allocation of funds from the State Budget of Ukraine is based upon the KPKVK (Code of the Program Classification of Spending and Lending) 6321010 "Financing the Activities of the National Anti-Corruption Bureau of Ukraine".

**NABU invests in its information and technical capacity, as well as information security systems. 80% of Bureau's staff have received training on information security**

The largest contribution to the development of NABU's technical capabilities under international technical support programmes was made by the U.S. Embassy, the British Embassy, the EU and the Danish MFA — in particular, the EU Anti-Corruption Initiative in Ukraine (EUACI). Those projects resulted

in the delivery of ICT equipment, forensic lab equipment, special operations gear, software licenses, and many other assets.

The end of 2016 marked a rapid increase in the number of tasks for data processing and analysis, prompting the need for bringing new tools into the digital forensic scientist's toolkit. Upon the financial support of the British Embassy in Ukraine and with partial funding from the German Society for International Cooperation (GIZ), NABU's forensic laboratory was fitted and equipped with the necessary *lege artis* hard- and software; those included forensic workstations, mobile workstations, hard drive repair equipment, and general and forensic software.

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Within the period from 2018 to 2020, NABU was able to further improve and augment its database operation capabilities, with financial support from the EU Anti-Corruption Initiative in Ukraine (EUACI).

In the future, NABU's ICT system is to receive functionality upgrades enabling internal electronic communication, electronic workflow management, task performance tracking and control, cross-cutting search and information exchange management, and information resource quality control.

Throughout the period from 2018 to 2020, the INL Section (Technical Assistance to Ukrainian Law Enforcement Agencies) provided technical assistance to enhance the forensic laboratory and extend the licenses for technical support and software upgrades. This assistance was instrumental in expanding NABU's capability in analyzing electronic evidence. So was, in late 2020, the British National Crime Agency (NCA) acting through the British Embassy in Ukraine, provided assistance in further extending NABU's forensic capabilities.

In 2020, NABU — with support from the EU Anti-Corruption Initiative in Ukraine — commenced deployment of the eCase MS for optimizing pre-trial investigations. In June 2021, the Verkhovna Rada of Ukraine passed the law which allowed for electronic criminal proceedings.

Staying at the forefront of high-tech law enforcement, NABU invests substantial resources into developing information and technical capabilities, information security systems. NABU continues with the implementation of ISO/IEC 27001:2015 standard "Information technology — Security techniques — Information security management systems". This standard covers requirements for the development, implementation, operation, monitoring, assessment, support, and continuous upgrading of information security management systems. In line with its implementation plan, about 80% of NABU's staff have received training on information security.

# CHALLENGES, THREATS, OPPORTUNITIES

НАЦІОНАЛЬНЕ  
АНТИКОРУПЦІЙНЕ  
БЮРО УКРАЇНИ





## CHALLENGES

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From the inception, NABU has been setting an example of a fundamentally different approach to investigating corruption offences. The manner was in stark contrast to the then existing practices in Ukraine. Consequently, NABU staff was repeatedly offered undue benefits — reaching the equivalent of USD 5 million - in exchange for supposedly dropping charges against persons involved in high-scale corruption. However, all such offers were rejected, and the brokers faced criminal charges for attempted bribing of law enforcement officers.

The increase in NABU investigation efforts and the integrity of its employees were strongly challenged by the political establishment and oligarch-sponsored structures. Those challenges have been growing each year taking different shapes of systemic pressure, such as:

- continuous attempts to strip NABU of its institutional independence being a core foundation in investigating corruption crimes committed by high-ranking officials;
- de-facto amnesty for corruption crimes committed, by declaring respective criminal proceedings unconstitutional (such as the case with illegal enrichment and providing false information in declarations submitted by public officials);
- manipulation of public opinion;
- harassment of NABU employees both physically and by initiating criminal proceedings under fabricated charges;
- illegal court decisions in favour of high-level corruption suspects;
- illegal change of jurisdiction in criminal proceedings which are to be investigated exclusively by NABU;
- interventions by members of the judiciary and other law enforcement agencies to assist alleged persons involved in political corruption in avoiding prosecution by NABU.

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In general, NABU staff have faced various kinds of pressure while investigating at least 30 criminal cases involving approximately 140 persons.

Yet, improvements to NABU’s effectiveness and independence were achieved by the further advance of the country’s anti-corruption architecture, in particular the creation of the High Anti-Corruption Court in autumn 2019 and the revitalization of the National Agency on Corruption Prevention and restoring its capacity. The completion of the formal procedures required to implement NABU’s capacity to send requests for international legal assistance on behalf of Ukraine to foreign jurisdictions also had a positive impact.

At the same time, multiple problems and threats identified in the 2017 Strategy remain relevant and have been compounded by new challenges. For instance, no (revised) National Anti-Corruption Strategy and concurring action plan were approved by now. That, for obvious reasons, undermines the systemic nature and consistency of all anti-corruption efforts in the country and leaves open clear guidelines and performance criteria. Furthermore, since NABU was created no external performance audit of NABU, pursuant to Article 26 of the Law of Ukraine “On the National Anti-Corruption Bureau of Ukraine”, has been carried out. Instead, the issue has been the subject of political speculation.

The right to autonomous access to information transmitted via telecommunications networks is an integral element of NABU’s functional independence. The institution was granted this right only during the fifth year of existence — contrary to Ukraine’s commitments vis-à-vis the international community at the launch of NABU. In October 2019, the newly elected

**The increase in NABU investigation efforts and the integrity of its employees were strongly challenged by the political establishment and oligarch-sponsored structures**

parliament made the necessary changes to the existing legislation. However, the practical implementation of that power still requires resolving important issues of legal nature (e.g., safeguarding compliance with Article 263 of the Criminal Procedure Code of Ukraine) and complex technical capacity building.

In November 2019, the Prosecutor General's Office was deprived of the functions of pre-trial investigation. That led to the transfer of investigative jurisdiction to NABU of more than 190 criminal cases. The total number of materials handed over to NABU exceeds 22,000 volumes of which over 15,000 relate to the economic part of the "Maidan cases". As a matter of fact, that almost doubled the workload to be handled by NABU and increases the strain on the already limited resources of the institution.

In December 2019, the parliament passed a law which limited the immunity of Ukrainian lawmakers. At the same time, that new law presents a serious challenge for exposing crimes committed by active members of parliament. First and foremost, such challenges are due to the exclusive right of the

Prosecutor General to enter investigation commencement records to the Unified Register of Pretrial Investigation (URPI). The said norm threatens the independence of both NABU and SAPO.

In 2020, a significant threat to

NABU's institutional independence resulted from a number of decisions by the Constitutional Court of Ukraine (CCU), declaring unconstitutional the President of Ukraine decrees to establish NABU and appoint the NABU Director, and some provisions of the Laws of Ukraine "On the National Anti-Corruption Bureau of Ukraine" and "On the Prevention of Corruption". Presently, the issues considered by CCU remain unresolved, primarily regarding NABU's subordination and position in the system of government authorities. One of the CCU's rulings threatens invalidation of the Decree of the President of Ukraine № 272/2015 of 15 May 2015 approving the respective regulations

**Effective fight against political corruption, as well as exposure of high-ranking officials requires strong international and public support for NABU**

on the Civil Oversight Council. Such a scenario will have a negative impact on Council's work and may cause legal ambiguities.

The decision of the CCU in October 2020 on declaring Article 366-1 of the Criminal Code of Ukraine (which provided for criminal liability for misstatements in asset declarations) unconstitutional was a major setback to the investigations conducted by NABU. At that moment, NABU had over 110 cases on approximately 180 facts of misstatement in e-declarations. In December of that year, the Parliament restored criminal liability for misstatements in e-declarations. However, the new provisions prevent the re-opening of proceedings under the previously established facts.

In 2020, NABU was put under unprecedented pressure by the political elites. They attempted to dismantle the legal framework which provides the basis for NABU's activities; in parallel, gross neglect of the legal frameworks which govern the activities of the anti-corruption institutions in Ukraine was exposed. The decisions of the HACC, which commenced operations in autumn 2019, served as a catalyst for such pressure as the HACC has demonstrated a radically different quality of justice: it gives no consideration to and "bonus" for political rank and file; instead, it is rather based on objective analysis of the evidence collected by NABU under procedural guidance of SAPO. As a result, persons investigated by NABU started taking efforts to create artificial grounds for changing NABU's investigative jurisdiction in respective criminal proceedings in order to transfer them from the HACC to courts of general jurisdiction.

A certain challenge for the work of NABU and SAPO was caused by the vacancy of the post of SAPO Head since August 2020; parts of the Head's authority are currently vested with the Prosecutor General. Again, that undermines the independence of SAPO which provides procedural guidance in proceedings carried out by NABU.

In this context, it becomes clear that the further effective fight against political corruption, as well as exposure of high-ranking officials requires strong international and public support for NABU.

## THREATS AND OPPORTUNITIES

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To identify internal strengths and weaknesses as well as external opportunities and threats, the new Strategy is based on a SWOT analysis. That evaluation, conducted with the participation of NABU personnel, helped identify a range of factors which may have both positive and negative effects on the achievement of NABU's strategic goals and outputs.

### THREATS

- depriving NABU of its institutional independence as a result of its subordination to the Cabinet of Ministers of Ukraine or another political body;
- active opposition by the “business and political forces of influence” (“oligarchs”);
- biased actions of the members of the Constitutional Court of Ukraine, the judiciary, and agencies of judicial governance;
- legal deficiencies and gaps governing the procedures for pre-trial investigation of criminal offences including corruption crimes;
- inadequate cooperation with other law enforcement entities;
- illegal interference with cases investigated by NABU and with the exclusive legal jurisdiction of the HACC;
- legislative loopholes and gaps governing some of NABU's activities, e.g. regarding NABU's right to receive and process information contained in electronic information resources owned/administered by state and local self-government authorities as well as information from financial and other institutions, enterprises, and organizations;
- legislative loopholes and gaps governing procurement of goods and services necessary for operative search and pre-trial investigations;
- public smear campaigns and media pressure aimed at discrediting NABU;
- limited funding to maintain and further improve NABU's ICT infrastructure.

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## OPPORTUNITIES

- adoption of legislation aimed at strengthening NABU's institutional independence;
- an effective reform of the judicial system;
- setting up effective forms of cooperation with the Prosecutor General's Office and the State Bureau of Investigations;
- improved forms and mechanisms of interaction with whistleblowers;
- the high level of professionalism, ethics, and integrity of NABU staff;
- NABU's corporate culture as a modern law enforcement agency;
- the broad support and recognition by international partners, such as foreign states, international organizations, and reputed NGOs, in particular those active in Rule of Law issues as well as corruption prevention and combating;
- further awareness-raising efforts by NABU in combating and preventing corruption;
- effective prevention of corruption and other offences within NABU;
- transparent, competitive, expertise- and merit-based systems of staff recruitment within NABU;
- guilty verdicts in high-profile investigations conducted by NABU;
- depriving the SSU of its investigative functions in corruption cases and abolishing its factual monopoly on the interception of information transmitted through electronic communication networks;
- support of NABU activities by the prevailing majority of the Ukrainian society.




# THE STRATEGIC GOALS AND EXPECTED OUTPUTS

The Strategy hereby defines four key areas with respective strategic goals and expected outputs.



НАЦІОНАЛЬНЕ  
АНТИКОРУПЦІЙНЕ  
БЮРО УКРАЇНИ

НАЦІОНАЛЬНЕ  
АНТИКОРУПЦІЙНЕ  
БЮРО УКРАЇНИ

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**FURTHER SUCCESSFUL  
IMPLEMENTATION OF  
NABU'S OBJECTIVES IN  
COMBATING CORRUPTION**

## **1.1. FURTHER EMPOWERMENT AND PROFESSIONALIZATION OF NABU PERSONNEL**

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### **STATUS QUO**

Professional skills and technical support of NABU staff require continuous improvement in order to respond to technical, legislative, social, and criminological developments, the emergence of new corruption schemes and the culmination of existing ones, and active countermeasures by the parties involved in criminal proceedings using a variety of legal techniques and state-of-the-art technology. Furthermore, procedures for staff performance evaluations need to be revised and updated.

### **EXPECTED STRATEGIC OUTPUTS**

1. NABU will develop and implement an educational platform to train investigative legal experts in line with international best practices, and support the continuous improvement of the knowledge and skills of NABU's staff engaged in analytical and investigative activities. This furthers the effectiveness of their anti-corruption efforts.
2. A transparent and unbiased evaluation system for NABU employees will be implemented.

## **1.2. ENHANCEMENT OF INTER-AGENCY AND INTERNATIONAL COOPERATION**

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### **STATUS QUO**

Joint efforts by NABU, other anti-corruption agencies, and relevant entities in combating corruption carry a potential for improvement.

### **EXPECTED STRATEGIC OUTPUTS**

1. Improved cooperation with SAPO.
2. Enhanced cooperation and information exchange with other Ukrainian anti-corruption agencies with a special focus on analytical work, investigations, and joint operations.
3. International cooperation will be fostered and expanded, with a particular view to support mutual legal assistance requirements, inter alia, by concluding agreements/memoranda of understanding.
4. Mechanisms for effective interaction with whistleblowers will be augmented and promoted.

## **1.3. STABLE AND SOLID LEGAL FRAMEWORK ENSURING NABU'S INDEPENDENCE AND EFFECTIVENESS**

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### **STATUS QUO**

Inconsistent law-making - driven by attempts of individual interest groups trying to satisfy their own economic and political interests - significantly undermines NABU, weakens its operational capacities, and threatens its institutional independence.

## **EXPECTED STRATEGIC OUTPUTS**

1. Loopholes in legislation which favor corrupt practices and/or hamper anti-corruption activities shall be closed, including through the development and advocacy, inter alia, with the involvement of international partners, of respective legislation acts and systemic reforms.
2. SOPs for the investigation of all categories of crimes and offences will be improved and complemented.

### **1.4. SHARPENING OF NABU'S TOOLS AND PROCESSES IN INVESTIGATING CORRUPTION**

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#### **STATUS QUO**

Absence of adequate information and analytical support, necessary soft- and hardware resources limits the effectiveness of exposing and investigating high-profile corruption.

#### **EXPECTED STRATEGIC OUTPUTS**

1. Joint activities of NABU and SAPO at the stage of planning criminal investigation shall be automated; an electronic exchange system of procedural documents between NABU, SAPO, and the HACC shall be set up and implemented, hence allowing for, inter alia, the streamlining of the time and resources spent on document exchange; centralized storage of electronic case documents in the "Information and Analytical System eCase" for pretrial investigations shall be ensured as well as secure online access to the materials of criminal proceedings by NABU.
2. Procedures and systems will be implemented allowing for electronic (and automated) access to materials of criminal proceedings to the parties concerned (i.e. the suspects, attorneys, and legal representatives, etc.).

## **1.5. STRENGTHENING NABU'S INDEPENDENCE AND CAPABILITIES IN INFORMATION GATHERING AND PROCESSING**

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### **STATUS QUO**

Lack of the factual implementation of NABU's legal right to autonomous access to data transmitted over information and telecommunications networks. Likewise, intercepting such information requires the involvement of other state agencies. As a result, NABU needs to rely on the Security Service of Ukraine which consequently results in secrecy and operational risks.

### **EXPECTED STRATEGIC OUTPUTS**

1. NABU's legal right to autonomously access data transmitted over information and telecommunications networks shall be realized through adopting, inter alia, with the help of international partners, appropriate laws and regulations.
2. NABU shall be assigned the necessary financial and human resources and shall be provided with the equipment required for the independent interception of data transmitted over information and telecommunications networks.
3. A proprietary data interception and managing system shall be built to ensure autonomous access and processing of such data without using the infrastructure (including transport/transfer systems) of other agencies.
4. The working processes for conducting secret investigative (search) activities over electronic telecommunications channels shall be automated<sup>1</sup>.

<sup>1</sup> provided that the draft Law of Ukraine "On Intercepts of Telecommunications" No. 4042-1 is adopted.

## **1.6. ENHANCEMENT AND SAFEGUARDING LOGISTICAL SUPPORT AND FUNDING OF OPERATIVE SEARCH AND PRETRIAL INVESTIGATIONS**

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### **STATUS QUO I**

Limited logistical support and funding of NABU's activities present a serious challenge for the effective identification and investigation of high-level corruption cases.

### **EXPECTED STRATEGIC OUTPUTS I**

1. The overall success ratio of criminal investigations conducted by NABU will improve by ensuring appropriate logistical support and funding including the allocation of sufficient working space (such as offices, laboratories, document and evidence storage rooms, archives, staff rooms, etc.)

### **STATUS QUO II**

Lack of clear legal regulation in the application by state customers of procurement procedures stipulated by the laws of Ukraine «On Public Procurement» or «On Defense Procurement» during the procurement of goods, works and services carried out by NABU to meet the needs of investigative (search) activities.

### **EXPECTED STRATEGIC OUTPUTS II**

1. Gaps in the legislation related to the lack of criteria for classifying the procurement of goods, works or services carried out by NABU to meet the needs of investigative (search) activities shall be closed, including through the development and advocacy, inter alia, with the involvement of international partners, of respective legislation acts.



**STATE-OF-THE-ART  
ICT INFRASTRUCTURE  
AND DATA PROCESSING**



## **2.1. INFORMATION ACCESSIBILITY AND WIDER INFORMATION SPACE**

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### **STATUS QUO**

At present, the gap between the scope of tasks and the level of information support actualizes the introduction of new and improvement of existing tools and mechanisms for searching and collecting information, its further accumulation and storage.

### **EXPECTED STRATEGIC OUTPUTS**

1. A comprehensive system for accessing databases, video surveillance systems etc., owned and administered by state and local self-government authorities, shall be established in order to find, obtain, and process necessary information at any given time.
2. Automated workplaces for gaining access to video surveillance systems operated by local government authorities shall be implemented.
3. An improved mechanism for exchanging information with financial institutions, telecommunications service providers and other relevant entities, e.g., by a single data exchange platform, shall be implemented, allowing to obtain information considerably faster.
4. The internal system for the collection and processing of materials and information pertaining to criminal proceedings will be improved and extended.
5. Highly qualified data stream managers and database/ICT architects shall be employed to augment NABU's staff.

## **2.2. IMPLEMENTATION OF A CRIMINAL ANALYSIS AND A FINANCIAL/DIGITAL EXPERT REVIEW SYSTEM FOR BETTER EXPOSURE AND INVESTIGATION OF CRIMINAL CORRUPTION OFFENCES**

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### **STATUS QUO**

An ever-expanding data space and increasing complexity of digital evidence investigation and analysis require additional human resources and advanced expertise.

### **EXPECTED STRATEGIC OUTPUTS**

1. Knowledge, skills, and expertise of NABU's experts in data search, collection, processing, and analysis shall be further enhanced.
2. A team of certified forensic analysts and OSINT specialists with a high level of competency in data search, collection, processing, and analysis shall be part of NABU's professional staff.
3. A team of certified financial and digital experts with a high level of expertise in conducting financial, economic and digital research shall be part of NABU's professional staff.
4. An automated monitoring and "yellow/red flag" mechanism in public administration shall allow for respective data collection, processing, and analysis in the information space.

## **2.3. INCREASING THE TECHNICAL CAPABILITIES AND DEPLOYING STATE-OF-THE-ART ICT ANALYTICS AND PROCESSES**

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### **STATUS QUO**

The current ICT infrastructure and automation tools fail to meet the needs of a constantly evolving information/data landscape; as a result, the scope of tasks assigned to the investigators, analysts, and operatives cause time delays and adversely affect the quality of outputs.

### **EXPECTED STRATEGIC OUTPUTS**

1. NABU will be provided with versatile ICT data management systems and ETL tools enabling automated accumulation, storage, and processing of information.
2. NABU will deploy state-of-the-art ICT facilities for data collection, processing, and analysis in order to relieve the investigators, analysts, and operatives from routine procedures; to recover data (information) from any media; and to enable processing and analysis of data regardless of their complexity.
3. A functional forensic digital laboratory shall be launched as part of the information support system.
4. NABU's investigators, analysts, and operatives will be equipped with the skills necessary to use special-purpose analytical and ICT tools.

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**ENSURING THE INDEPENDENCE  
AND EFFECTIVENESS OF NABU  
AND ITS OPERATIONS**

## **3.1. OPTIMIZING NABU'S ORGANIZATIONAL STRUCTURE**

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### **STATUS QUO**

Weaknesses of the current organizational structure associated with the regulatory cap on NABU's maximum staff size; inefficiencies in internal communication and managerial oversight due to lack of authorized/responsible persons therefor; missing archive unit; the organizational structure of the NABU territorial offices hardly corresponds to their mandates.

### **EXPECTED STRATEGIC OUTPUTS**

1. The organizational structure of the central and regional offices will be optimized to allow for more efficiency and effectiveness, particularly in the regions.
2. An efficient internal communication system will be implemented to enable proper information exchange, faster implementation of management decisions, and timely control of their realization.
3. All NABU units will be structurally streamlined and further staffed with highly professional personnel (also observing the gender equality principle).
4. NABU will augment its technical and analytical departments with additional experts and specialists (such as engineers, programmers, database administrators etc.), on competitive terms.

## **3.2. IMPROVING THE EFFECTIVENESS OF THE INTERNAL CONTROL SYSTEM**

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### **STATUS QUO I**

The internal control system requires organizational adjustments and improvements; the latter includes transparent processes to evaluate the performance of units.

### **EXPECTED STRATEGIC OUTPUTS I**

1. An improved internal control and audit system will be implemented to enhance NABU's overall performance and to establish clear-cut criteria for evaluating the performance of the institution's units.
2. A state-of-the-art risk management system will be implemented. NABU's internal procedures, processes, and rules will be upgraded.
3. Further development of NABU's anti-corruption management system (compliance control) shall be ensured.

### **STATUS QUO II**

The spectrum of laws, rules, regulations, orders, and other frameworks affecting NABU's activities are sometimes confusing. Access and accessibility thereto are often burdensome and time-consuming.

### **EXPECTED STRATEGIC OUTPUTS II**

1. The laws and regulations which govern NABU's activities will be systematized and cataloged in an "easy-access" manner.
2. Constant monitoring of the current state of relevant legislation and regulations will ensure effective control of adherence thereto.

### **3.3. INTRODUCTION OF THE INFORMATION SECURITY MANAGEMENT SYSTEM IN ACCORDANCE WITH THE REQUIREMENTS OF ISO/IEC 27000:2015 STANDARD AND OTHER INTERNATIONAL INFORMATION SECURITY STANDARDS**

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#### **STATUS QUO**

Sporadic use of security measures cannot ensure adequate protection of sensitive information during its creation and processing. Therefore, physical and information security should become part of NABU's general information security management system built in line with requirements of international standards ISO 27000.

#### **EXPECTED STRATEGIC OUTPUTS**

1. NABU's information security shall be upgraded through:

- implementation of new solutions to ensure information security;
- optimization of already implemented and configured protection tools;
- ensuring the processing and management of information security incidents (events) in accordance with the requirements of ISO/IEC 27000:2015 standard and international standards in the field of information security;
- audit of information security management processes for compliance with the requirements of international standards ISO 27001/27002, CoBIT, ITIL, etc.

2. The Operational Security Center (SOC) will be set up to reduce response time in dealing with information security events, including cybersecurity incidents or cyber attacks. In particular, the exchange of information on cyber incidents with relevant authorities will be secured.

3. NABU's regulations on cybersecurity (information security) will be brought in line with the requirements of international standards due to the ongoing analysis of standards and improvement of the Bureau's regulatory framework.
4. The enhancement of awareness of NABU employees in terms of potential and real threats to information security will be secured through the development and implementation of NABU information security training programs.
5. Proper control over the process of providing access to information and data systems inside NABU will be ensured due to the introduction of a centralized system to manage the NABU staff ID data and access rights.
6. Automated monitoring and detection of information security events, including cybersecurity incidents or cyber attacks against NABU's information systems will be introduced as part of an information security event management system.
7. Protection of transmitted, stored, and processed information will be ensured due to the introduction of state-of-the-art data encryption systems.
8. Increased information security during the remote access sessions by NABU staff will be achieved through a state-of-the-art remote access model.



### **3.4. IMPROVING THE PROFESSIONAL SKILLS AND COMPETENCIES OF NABU STAFF**

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#### **STATUS QUO I**

Presently, there are limited possibilities for in-service training as there are no in-house training facilities or a specific unit responsible for in-service training; formal frameworks for mentoring and tutoring are applied.

#### **EXPECTED STRATEGIC OUTPUTS I**

1. An integrated staff training system will be implemented, including internal training delivered by seasoned NABU experts or by enlisting other agencies, institutions, and national and international experts.
2. Strategic partnerships with leading academic, educational, and training institutions, specializing in areas relevant to ACA, law enforcement, and judicial personnel will be assumed.
3. An efficient mentoring and tutoring system will be implemented as part of internal training and staff empowerment, with an emphasis on incoming staff.

#### **STATUS QUO II**

Procedural deficiencies in staff performance evaluation due to the lack of a clear-cut regulatory framework for such procedures and subject criteria.

#### **EXPECTED STRATEGIC OUTPUTS II**

1. An integrated, transparent, and fair system of periodic assessment of staff performance, including for management, will be implemented.
2. An integrated, transparent, and fair incentive system for staff will be introduced, taking into account the high level of general exposure, challenges, and threats deriving from NABU's mandate.

## **STATUS QUO III**

Limited promotion (career development) opportunities; procedural deficiencies for competitive recruitment complicating or precluding internal replacements/transfers to other positions.

## **EXPECTED STRATEGIC OUTPUTS III**

1. Revision of the recruitment and career development procedures, allowing for and safeguarding a clear, transparent, merit-based, and objective mechanism for promotion and/or transferal to other positions through appropriate legislation and legal safeguards .

## **3.5. ENSURING SOCIAL GUARANTEES FOR NABU STAFF**

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### **STATUS QUO**

Absence of norms regarding social benefits and guarantees (such as pensions, accommodation, health services etc.) which the state provides to employees of other law enforcement agencies.

### **EXPECTED STRATEGIC OUTPUTS**

1. Factual inequalities and unfair treatment of NABU staff vis-à-vis employees of other law enforcement agencies shall be eliminated by appropriate legislation and legal safeguards.



**FOSTERING PUBLIC TRUST  
IN NABU AND BUILDING  
EFFECTIVE COMMUNICATION  
WITH STAKEHOLDERS**

## 4.1. FURTHERING PUBLIC TRUST IN NABU

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### STATUS QUO I

NABU is being faced with decreasing public trust due to inflated expectations of quick results and biased coverage of its activities in mass media («media attacks»).

### EXPECTED STRATEGIC OUTPUTS I

1. NABU will unwaveringly remain committed to the principles of transparency, reliability, and legal certainty.
2. The level of corruption risks in NABU's activities shall be significantly minimized by, inter alia, the unrestricted yet regulated access of the public to the discussion/assessment of corruption risks, the draft of the NABU Anti-Corruption Programme, and participation of the public in the NABU disciplinary commission etc.
3. Effective and transparent mechanisms for raising public awareness of biased and false information about NABU at large and certain criminal proceedings in specific, as well as about willful acts by interested parties aimed at discrediting NABU staff and management, will be set up.
4. Prompt coverage of information on the status of pretrial investigations in high-profile cases, as well as on verdicts of those found guilty of corruption; all that as proof of the inevitability of liability for corruption.
5. The practice of communication performance evaluation in preventing and combating corruption will be introduced.
6. Effective and systemic cooperation with the Civil Oversight Council and NGO representatives will be further enhanced and formalized.
7. Effective cooperation with NABU's structural units will be improved in order to receive prompt and reliable updates on work outputs.

**STATUS QUO II**

NABU is incorrectly and inaccurately portrayed as the sole agency responsible for combating all forms of corruption in Ukraine. As such, it suffers insufficient funding to counter that incorrect perception.

**EXPECTED STRATEGIC OUTPUTS II**

- 1. The general public will be aware to a higher extent of NABU’s jurisdiction and objectives as a pretrial investigation body.
- 2. The general public will be informed to a higher extent about the important outputs of NABU, using convenient and easy-accessible formats and channels.
- 3. NABU representatives will partake in public events aimed at addressing corruption and its severe consequences for Ukraine’s society, economy, and security.
- 4. A comprehensive system of public opinion monitoring and public consultations will be established in order to regularly obtain information about the level of public awareness of NABU’s activities.

**STATUS QUO III**

Currently, some legal uncertainties concerning Civil Oversight Council’s activities remain to be resolved given that certain provisions of the Law of Ukraine “On the National Anti-Corruption Bureau of Ukraine” have been declared unconstitutional.

**EXPECTED STRATEGIC OUTPUTS III**

- 1. Clear and comprehensive provisions shall be adopted to ensure successful operations of the Civil Oversight Council .

## **4.2. INCREASING AWARENESS ON NABU MANDATE AND ACTIVITIES AMONG OTHER NATIONAL, REGIONAL, AND INTERNATIONAL STAKEHOLDERS AND PARTNERS**

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### **STATUS QUO I**

NABU was active in effectively using instruments of technical assistance provided by international partners and donors. That avenue, however, still carries a significant additional potential which should not go unattended.

### **EXPECTED STRATEGIC OUTPUTS I**

1. (Continuation of) Full and timely implementation of scheduled activities by international partners, which contribute to improving the performance of NABU.
2. International experts stay involved in auditing compliance of systems and processes in NABU, in line with the requirements of international standards and best practices.
3. NABU's expertise and best practices in combating corruption will be broadly shared with relevant stakeholders and partners in the international community.

### **STATUS QUO II**

There still are a potential and requirements for enhanced interaction with national NGOs and educational institutions.

### **EXPECTED STRATEGIC OUTPUTS II**

1. Public awareness-raising events on NABU's activities will be held by engaging representatives of NGOs, experts, and the youth.
2. PR campaigns aimed at building and fostering zero tolerance for corruption in all its forms and promoting the instrument of whistleblowing will be rolled out.

3. Joint research and practical studies dedicated to NABU's activities will be organized and conducted.
4. Leading scholars, experts, and public figures will be invited to engage in drafting regulatory legal acts in order to improve the activities and the legal status of NABU as well as social guarantees for its staff.

## **STATUS QUO II**

There is still room to improve cooperation between the government bodies combating corruption, both at the national and international level, in particular with the agencies of the EU Member States, and relevant international organizations.

## **EXPECTED STRATEGIC OUTPUTS III**

1. Effective participation of NABU representatives in joint international anti-corruption events, conferences, and meetings will be ensured.
2. Joint algorithms for the investigation of transnational crime phenomena will be developed and adopted.
3. Joint recommendations and issue-specific guidebooks on compliance control (anti-corruption management) in ACAs will be compiled.

# STRATEGY IMPLEMENTATION MECHANISM

The NABU Strategy 2021-2023 is implemented by means of planning and implementing activities within the framework of the three-year Plan of Action (PoA). The plan is reviewed and adjusted as necessary on an annual basis.

Evaluation of the Strategy implementation status includes routine monitoring and annual assessment of the successful implementation of scheduled activities based on designated indicators.

# STRATEGY IMPLEMENTATION FUNDING

The State Budget of Ukraine is the main funding source for the strategy implementation containing expenditure items to ensure proper operation and sustainable development of NABU. Additional funding may be obtained from international technical assistance projects.



## NABU CONTACTS:



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