

The framework for the anticorruption policy (the Anticorruption Strategy) in Ukraine is determined by the Verkhovna Rada of Ukraine (Parliament). The anticorruption strategy is developed by the National Agency for Corruption Prevention (hereinafter referred to as – “the National Agency”) on the basis of an analysis of the situation regarding corruption, as well as on the results of the implementation of the previous anti-corruption strategy. The anticorruption strategy is carried out through the implementation of the state program, which is prepared by the National Agency and is approved by the Cabinet of Ministers of Ukraine (the Government). The heads of state bodies bear the responsibility to ensure an effective realization of the state program on the implementation of the anti-corruption strategy. The state program on the implementation of the anticorruption strategy is subject to an annual review with taking into account the outcomes of the implementation of certain measures, conclusions and recommendations of the parliamentary hearings on corruption.

In order to ensure an effective implementation of the objectives of the anticorruption reform and the mission of the National Agency, a series of comprehensive measures aimed at improving and developing the state anticorruption policy have been undertaken.

In 2017, the implementation of these measures was carried out thorough the analysis of the situation on prevention and fight against corruption in Ukraine, the activities of state and local self-governmental authorities in the field of prevention and fight against corruption, results of monitoring, coordination and evaluation of the effectiveness of the Law of Ukraine "On the State Anti-Corruption Policy in Ukraine (Anticorruption Strategy) for 2014-2017 "and the State Program on the implementation of the Anticorruption Strategy.

In 2014, the draft Law of Ukraine "On the State Anti-Corruption Policy in Ukraine (Anticorruption Strategy) for 2014-2017" was drawn up by the Ministry of Justice of Ukraine in cooperation with the experts of the "Reanimation Package of Reforms".

The Reanimation Package of Reforms – is the largest coalition of the leading Ukrainian non-governmental organizations and experts, that have united together to promote and carry out reforms in Ukraine. It is a focal point for 84 non-governmental organizations and 21 expert groups that develop, promote and monitor the implementation of reforms.

The draft Resolution of the Cabinet of Ministers of Ukraine "On Approval of the State Program for Implementing the Principles of State Anti-Corruption Policy in Ukraine (Anticorruption Strategy) for 2015-2017" has been evaluated by the experts of the United Nations Office on Drugs and Crime (UNODC) with a positive conclusion. It also has been worked out by experts of the World Bank and generally received satisfied comments.

Approaches to prepare the draft program, main priorities, ways to accomplish the aims, international experience were being discussed on December 2, 2014 during the round table on the implementation of the new anti-corruption legislation, which has been organized by the Ministry of Justice of Ukraine in partnership with the UNDP, the EU, the International Renaissance Foundation, as well as on December 22, 2014 during a discussion between representatives of the Ministry of Justice of Ukraine and experts from the Anti-Corruption Group on Civic Initiative "Reanimation Package of Reforms" and the UNDP.

Initially, on January 31, 2015, the text of the draft program was presented to the public during national discussion on Ukraine's willingness to implement tangible anti-corruption reforms, which was attended by representatives of non-governmental organizations, experts, as well as by international organizations, including the UNDP, the EU and the OECD and has been organized both by the Transparency International Ukraine and the "Reanimation Package of Reforms".

Starting from March 9 to March 20, 2015 in order to take into account public opinion the draft program was made available on the website of the Ministry of Justice of Ukraine.

On March 4, 2015, during a special discussion, the draft program was revised in the light of the expressed proposals, particularly, on the determination of indicators for the implementation of

the program. The meeting was attended by representatives of state bodies and non-governmental organizations, including experts from the "Reanimation Package of Reforms" and from international organizations (the UNDP, the OECD, the United Nations Office on Drugs and Crime), who agreed with the draft resolutions on the implementation of the Anti-Corruption Strategy 2014 - 2017 years.

An analysis of statistical data, research findings and other information on the situation regarding corruption was carried out by conducting the survey on quantitative and qualitative indicators of corruption in Ukraine.

In particular, the National Agency jointly with the OSCE Project Coordinator in Ukraine, within the framework of international technical assistance program "Support for Diagnosis, Monitoring, and Persecution of Corruption in Ukraine", developed and approved the Standard Corruption Survey Methodology in Ukraine in order to build up a unified instrument for monitoring the situation on prevention of corruption in Ukraine, which allows to record the dynamics of indicators of the prevalence of corruption and the perception of the effectiveness of anti-corruption activities by the population (decision № 12 from January 12, 2017).

The need to establish and implement a special tool as the basic element of the assessment system on the level of corruption stems from the current requirements for development mechanisms and implementation of state anti-corruption policies, which are included, in particular, in the UN Convention against Corruption, that provides for a binding nature for the state to have mechanisms for monitoring situation on corruption and the effectiveness of countering corruption.

On September 18, 2017, the National Agency presented the results of the survey on the level of corruption perception in Ukraine, which were being carried out from May 29 to July 14, 2017, by an independent research company GFK Ukraine. A total of 3709 respondents were interviewed, of whom 2585 were the representatives of the population, 1005 entrepreneurs and 119 experts. The results of the survey of corruption perceptions in Ukraine are available on the National Agency's web site.

The results of the findings showed the same perception of the level of corruption in Ukraine, both by the public and business representatives.

The National Agency, together with experts from the European Union Anticorruption Initiative, analyzed the implementation of the Anticorruption Strategy for 2014-2017 and prepared an analytical report and related recommendations thereto. Thus, according to the results of the analysis, only 64% of the measures were taken during 2014-2017. At the same time, the lack of significant results starting from the adoption of the Anti-Corruption Strategy is due to the fact that most of the new state bodies, that have been established according to legislative acts from 2014-2015, began their comprehensive functioning only at the end of 2015 - beginning of 2016.

In 2018, the National Agency continued to work on draft Anti-Corruption Strategy for 2018-2020 and submitted for consideration to the Cabinet of Ministers of Ukraine, after receiving recommendations which have been jointly prepared by the EU Anticorruption Initiative in Ukraine and the International Foundation for Election Systems and the United Nations Development Program project in Ukraine "Transparency and Integrity of the Public sector", and holding a working meeting with them. The draft Anti-Corruption Strategy for 2018-2020 was approved by the Cabinet of Ministers of Ukraine and submitted to the Verkhovna Rada of Ukraine (Reg. № 8324 of April 26, 2018).

On September 18, 2018, although the draft was on the agenda of the ninth session of the Verkhovna Rada of Ukraine of the eighth convocation, but by the end of the year it wasn't considered.

Under an analysis of the situation regarding corruption in 2017, which was covered in the report of a survey of entrepreneurs, experts and the general public, "Corruption in Ukraine: Understanding, Perception, Prevalence" prepared jointly by the NACP, the independent research

company "GFK Ukraine" and the Institute of Applied Humanitarian Research, the Anti-Corruption Strategy for 2018-2020 was prepared.

Such a survey was carried out in accordance with the Standard Survey Methodology on the level of corruption in Ukraine (approved by the NACP decision № 12 of January 12, 2017<sup>1</sup>), that is a unified instrument for systematic monitoring and evaluation of corruption and allows to record the dynamics of indicators of corruption prevalence and the perception of the effectiveness of anti-corruption activities by the population. The outcomes of the survey indicate a high level of corruption and the negative society' perception thereto in Ukraine. Indeed, the perception of corruption by the population and business representatives is at the level of 3.98 and 3.47 under a five-point scale.

The main objectives of the draft Law of Ukraine "On the anticorruption strategy 2018-2020" are:

1) ensuring the implementation of effective anti-corruption policy by improving the legislation on preventing, detection and fight against corruption, identification and tackling reasons and conditions that lead to its manifestations, intolerant society's attitude to corruption in all fields of public life and in the private sector;

2) increasing transparency of the representative bodies, strengthening the financial discipline of political parties, adherence to the established procedure for receiving contributions from individuals and legal entities, and introducing an electronic reporting system for political parties;

3) carrying out the necessary anti-corruption measures in executive and local self-governmental bodies, ensuring their transparency and a significantly reduction of corruption;

4) completing reforming of the judiciary and criminal justice bodies in Ukraine, ensuring the integrity of prosecutors, a valuable reducing of the level of corruption in the activities of the prosecution bodies and eliminating corruption risks in the litigation;

5) combating corruption in privatization and management of public resources;

6) elimination of corrupt preconditions for building business up, formation of favorable business climate for abandoning corrupt practice and intolerance of business to corruption;

7) strengthening the system of detection and investigation of corruption and corruption-related offenses, seizure of proceeds of crime, returning of confiscated proceeds abroad, ensuring liability of individuals, who committed corruption or corruption-related offenses;

8) ensuring intolerance towards corruption, public trust to anti-corruption policy and positive attitude to whistleblowers, as well as systematic engagement of the population, public associations, business representatives into anti-corruption activities throughout the State.

Moreover, the establishment of actions to achieve objective goals was carried out under mandatory recommendations, which have been prepared by the Group of States against Corruption (GRECO) on the results of the fourth round of Ukraine's evaluation, as well as according to recommendations prepared during monitoring of the Istanbul Action Plan of the OECD AN.

The evaluation of the effectiveness of the Anticorruption Strategy will be carried out on the basis of annual studies on the situation of corruption in Ukraine and the determination of the level of implementation of international standards in anti-corruption policy.

The determination of the level of implementation of international standards will be evaluated on the basis of the implementation of the recommendations of Ukraine to the Group of States Against Corruption (GRECO), as well as according to recommendations provided for in the monitoring of the Istanbul Action of the OECD Anticorruption Network and the improvement of the Corruption Perception Index under the study of the Transparency International ».

An assessment of the implementation of the Strategy will be carried out annually on the results of parliamentary hearings in the Verkhovna Rada of Ukraine. To this end, the NACP will

prepare a draft annual national report on the implementation of the principles of anticorruption policy, which will include a report on realization of the Strategy.

In order to implement the measures provided for by the Anti-Corruption Strategy, the Cabinet of Ministers of Ukraine will approve the state program, which, if necessary, together with the results of the implementation of certain measures, conclusions and recommendations of parliamentary hearings on the national report on the state of corruption. will be annually revised.

One of the important aspects of the Law of Ukraine "On Prevention of Corruption" (hereinafter referred to as "the Law") are the measures that provide for institutional anti-corruption programs in governmental authorities aimed at preventing and rectifying (eliminating) corruption risks.

Indeed, since the adoption of this Law, general requirements for anti-corruption programs, the content and procedures for their adoption, as well as the powers of the National Agency for the Corruption Prevention (hereinafter referred to as "the National Agency") on their approval, are established at the legislative level.

The main object of the anti-corruption program is to establish a comprehensive system of action to prevent and counteract corruption in the authorities, to plan and coordinate their activities in the process of implementation of the anti-corruption reforms, as well as to build up legal, social, economic, organizational, managerial and practical instruments aimed at effective prevention of corruption.

In order to ensure unified criteria on the evaluation of corruption risks by the authorities according to their powers, the National Agency approved the Methodology for assessing corruption risks in state authorities (Des № 126 of December 2, 2016, registered in the Ministry of Justice of Ukraine on December 28, 2016 № 1718/29848).

This Methodology defines a set of rules and procedures for the assessment of corruption risks in state authorities that adopt anti-corruption programs in accordance with paragraph one of Article 19 of the Law. The assessment of corruption risks is carried out within preparation procedure of the draft anti-corruption program or during its periodic review.

The National Agency approved the Methodological Recommendations on the Preparation of Anti-Corruption Programs of the Authorities (National Decision Agency from January 19, 2017, No. 31) in pursuance to the State Program on implementation of Anti-Corruption Policy in Ukraine (Anticorruption Strategy) for 2015-2017, approved by the Cabinet of Ministers of Ukraine from April 29, 2015, № 265.

The National Agency also approved the Procedure for preparation and submission for approval of anticorruption programs by the National Agency on Corruption Prevention, which establishes unified procedures for the preparation and submission for approval of anti-corruption programs of the authorities, as well as defines mechanism and criteria to adopt relevant programs by the National Agency (decision of the National Agency of December 8, 2017, № 1379, registered in the Ministry of Justice of Ukraine on January 22, 2018, No. 87/31539).

In its turn, in the part of normative legal support of the activities of legal entities, in which anti-corruption programs are adopted in accordance with the requirements of the Law, the National Agency jointly with the experts of the UNDP Ukraine project "Transparency and integrity of the public sector" and according to the international standard ISO 37001 "Anti-bribery management systems", other international acts and standards of prevention of corruption among legal persons of public and private sectors of the economy approved the Standard Anti-Corruption Program of a legal entities (decision № 75 of March 02, 2017, registered in the Ministry of Justice of Ukraine on March 09, 2017 № 326/30194).

The draft Anticorruption Program was also developed by experts from the American Chamber of Commerce in Ukraine, the European Business Association and the Business Ombudsman Council.

In addition, the National Agency together with experts from the United Nations Development Program in Ukraine drafted Guidelines on the preparation and implementation of anti-corruption programs of legal entities (taking into account the comments and proposals of the American Chamber of Commerce in Ukraine, as well as the issues faced by legal entities while preparing anti-corruption programs).

These Guidelines also include best practices and examples developed by leading international organizations such as the United Nations, the Organization for Economic Cooperation and Development and the International Organization for Standardization.

Since January 2017, the coordination and methodological assistance on identification and elimination of corruption risks as well as preparation and implementation of anti-corruption programs has been given on a regular basis to state governmental authorities, authorities of the Autonomous Republic of Crimea, local self-governmental bodies of the Autonomous Republic of Crimea.

The typical (approved by the decision of the National Agency of December 28, 2017, № 1531 "On amendments to the Methodological recommendations for the preparation of anti-corruption programs of the authorities") and external corruption risks (a letter to the Cabinet of Ministers on the necessity of making changes in normative legal acts that contain corruption-related factors) were identified in accordance with the results of the analysis of the anti-corruption programs of the authorities.

Within the framework of the implementation of anti-corruption programs, the authorities ensured the functioning of special telephone lines, electronic communications to receive notifications on corruption from the citizens with their anonymity, verification of the facts of submissions (non-submission), the late submission of electronic declarations and other notifications, which were to be submitted to the National Agency.

In 2018, the National Agency received for approval 128 anti-corruption programs from state authorities.

In 2018, 414 oral consultations and explanations were ensured regarding identification and evaluation of corruption risks in the activities of the state authorities and legal entities that are within competence of their governance, as well as on the preparation and implementation of anti-corruption programs (including conclusions provided by the National Agency).

Since Anti-corruption programs as well as measures for their preparation aimed at real reduction of the level of corruption in all spheres of state activity through their use of certain measures which are the optimal and most expected for society, they should not be of a formal nature.

In 2018, 129 government agencies, 43 territorial bodies of executive power and local self-governmental authorities conducted an internal assessment of corruption risks and, based on the results of the assessment, developed and adopted anti-corruption programs for 2018 (of which 79 a / p of state bodies, 33 a / p of local authorities and self-governments are agreed with the proposals from the NACP. NACP refused to agree or left without consideration with substantial conclusions due to irrelevant quality of the others).

In order to improve the quality of anti-corruption programs, the NSCP has developed and launched a free 3-week online course "Anticorruption Programs of the Authorities" starting from 09.12.2018. The course is based on the NACP analysis of the practical implementation of anti-corruption programs by the authorities during 2017 and January-November 2018, in particular, the issues in carrying out an assessment of corruption risks and developing measures for their elimination. In accordance with the findings and analysis of comments with proposals received at the end of the course, the NACP intends to fatherly improve the legislative and methodological framework on the organization of corruption risk assessment and the preparation of anti-corruption programs.

With the participation of 384 representatives of state and private companies, 8 regional workshops on integrity and compliance, namely "Business Integrity: Join, Implement and Win" were held (Kharkiv, Lviv, Odessa, Vinnytsia, Dnipro, Ivano-Frankivsk, Rivne, Chernihiv). The purpose of the workshops aimed at raising awareness on business integrity, best practices for the implementation of anti-corruption programs.