

**Information to resolution 8/7
of Conference of the States Parties to the UN Convention against Corruption
"Enhancing the effectiveness of anti-corruption bodies"**

Article 6, paragraph

1 1. Each State Party shall, in accordance with the fundamental principles of its legal system, ensure the existence of a body or bodies, as appropriate, that prevent corruption by such means as:

(a) Implementing the policies referred to in article 5 of this Convention and, where appropriate, overseeing and coordinating the implementation of those policies;

(b) Increasing and disseminating knowledge about the prevention of corruption.

1. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

• Description of the main body or bodies that prevent corruption and, if applicable, oversee and coordinate the implementation of the policies referred to in article 5 of the Convention

In Ukraine the National Agency on Corruption Prevention (NACP) is the central executive body that ensures formation and implementation of state anti-corruption policy.

Given the legal nature and scope of competence in the system of state bodies of Ukraine, NACP assigned the role of preventive anti-corruption authority, responsible primarily for formation and monitoring of anti-corruption policy in the state, prevention and settlement of conflicts of interest, financial control over assets of public servants and their life style monitoring, ensuring the legality and transparency of financing of political parties, the formation of integrity and zero tolerance for corruption in the state and society, development of corruption-free business, as well as implementation of other preventive anti-corruption mechanisms.

The main program documents are Anti-Corruption Strategy and State Program for its implementation which are aimed at ensuring a formation of anti-corruption policy of Ukraine in a systematic, planned and progressive way.

A draft Anti-Corruption Strategy is developed by NACP on the basis of analysis of the corruption situation and the results reached from implementation of the previous anti-corruption strategy.

Anti-Corruption Strategy is implemented by means of a state program realization, a draft of which is developed by NACP and approved by the Cabinet of Ministers of Ukraine. Heads of state bodies are personally responsible for ensuring realization of the state program for implementation of Anti-Corruption Strategy.

The previous Anti-Corruption Strategy (for 2014 – 2017) and the state program for its implementation were highly praised by domestic and international experts, for the reasons that they were proved high-quality program documents in the field of preventing and combating corruption and were characterized highly potential for anti-corruption.

NACP was obliged to coordinate implementation of the measures provided for in these policy documents. In addition, NACP was required to provide an annual assessment of the effectiveness of implementation of the principles of anti-corruption policy, reflecting its results in the draft national report.

The results of this assessment were to be the basis for the annual update of the State Program for the Implementation of the Anti-Corruption Strategy for 2015 – 2017, which was to ensure periodic adjustment (updating) of the state's anti-corruption policy. In order to ensure contiguity, continuity, systematization and planning in formation of anti-corruption policy, the state program provided that, in 2017, the Anti-Corruption Strategy for the next period was to be developed and approved.

The analysis of implementation of the Anti-Corruption Strategy for 2014 – 2017 showed that, as of the end of 2017, approximately 80% of the measures envisaged by the State Program for Implementation of the Anti-Corruption Strategy for 2015 – 2017 had been implemented.

In 2017, NACP prepared a draft Anti-Corruption Strategy for 2018 – 2020 which based on analysis of the situation on corruption in 2017, reflected in the report on the results of the survey of entrepreneurs, experts and population "Corruption in Ukraine: understanding, perception, prevalence"¹, prepared by NACP in cooperation with the independent research company "GfK Ukraine" and the Institute for Applied Humanitarian Research. This survey was conducted in accordance with the Methodology of the Standard Survey on the Level of Corruption in Ukraine, a unified tool for systematic monitoring and evaluation of corruption, permitting to fix

¹https://old.nazk.gov.ua/sites/default/files/docs/2018/anticor_polityka/Level%20of%20Corruption%20Survey%20%28ENG%20TR%29%20D%205%20%28Re%2012W%29%20%28RT%20Checked%29%20%28UA%29.pdf

the dynamics of prevalence of corrupt practices and public perception of effectiveness of anti-corruption activities.

On October 20, 2017, NACP held a public discussion of the draft law with representatives of civil society. The event was attended by representatives of the Public Council under NACP, leading anti-corruption NGOs in Ukraine, as well as international organizations, such as the United Nations Development Program in Ukraine, the United States Agency for International Development and the EU Anti-Corruption Initiative in Ukraine.

According to the results of the event, the draft law was finalized, with comments and suggestions, received from the Public Council under NACP and NGOs (for instance, the Center for Political and Legal Reforms, the Open Society Foundation, the Anti-Corruption Headquarters), considered.

However, the draft law was not adopted by the Verkhovna Rada of Ukraine, and, therefore, during 2018 – 2020, there was no Anti-Corruption Strategy.

Lack of Anti-Corruption Strategy in 2018 – 2019 and low efficiency of NACP in formation and implementation of anti-corruption policy led to unbalanced and inefficient activities of public institutions in preventing and combating corruption.

As the result, there were observed a fragmented approach and a lack of coherence in implementation of anti-corruption policy, which were repeatedly pointed out by Ukraine's international partners (GRECO, OECD Anti-Corruption Network, etc.)

In this regard, on October 2, 2019, the Verkhovna Rada of Ukraine adopted the Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine to Ensure the Effectiveness of the Institutional Mechanism for Prevention of Corruption"², by which:

- the collegial management model of NACP has been changed to the uni-person model;

- the approach to formation of the commission for competitive selection of the NACP Chairman has been changed, which is set to include 6 people, 3 of whom are nominated by donors and have a decisive influence in selecting the winner of the competition;

- NACP has been provided for creation of the internal control unit, the corruption prevention unit, as well as the verification of NACP employees integrity;

- it is envisaged that all verifications are now distributed among the authorized persons of the NACP automatically;

² <https://zakon.rada.gov.ua/laws/show/140-20>

- the role of the Public Council under NACP has been strengthened, approaches to its formation have been changed;

- the level of accountability of NACP has been increased, due to introduction of the external independent evaluation of effectiveness of NACP, which is conducted every two years by the commission consisting of three persons nominated by donors;

- NACP has been granted the right of direct automated access to all necessary state-owned registers and databases, as well as the right to use foreign registers.

15 January, 2020, Oleksandr Novikov was appointed as the Head of NACP for a four years' term.

5 February, 2020, the Regulation on the apparatus of NACP was adopted.

28 February, 2020, the new structure of NACP was approved, with a staff of 354 people.

- ***Description of the measures taken that such body or bodies: effectively disseminate knowledge about the prevention of corruption and deal effectively with grievances and complaints from citizens concerning corruption;***

Conducting educational campaigns and anti-corruption trainings have proved to ensure formation of the negative attitude towards corruption in the minds of citizens, because their effective conduct combines the promotion of lawful behavior, education of legal awareness and awareness of personal responsibility.

According to p. 7, Art. 11 of the Law of Ukraine "On Prevention Corruption" (the Law), NACP is responsible for coordination and rendering methodological help in detection by state authorities, authorities of the Autonomous Republic of Crimea, local self-government of corruption risks in their activities and implementation of measures to address them, including preparation and implementation of anticorruption programs.

According to Art. 12 of the Law, NACP has the right to create commissions and working groups, to organize conferences, seminars and meetings on preventing and countering corruption.

During 2019, in practice, the assistance to the authorities in fulfilling the requirements of the Law by means of conducting trainings, seminars was provided by NACP, specifically:

- trainings on the topic: "Legal aspects of corruption risk assessment" for members of the Commission for Corruption Risk Assessment in the National Security and Defense Council of Ukraine, Commission for Corruption Risk Assessment in the State Fiscal Service of Ukraine, Commission for Corruption Risk Assessment at the National Agency of Ukraine for Civil Service;

- seminar on the topic: "Identification and assessment of corruption risks in the activities of the authorities" in the State Committee for Television and Radio Broadcasting;

- seminar on the topic: "Topical issues of formation and implementation of the anti-corruption program" for directors, employees of structural units of the State Committee for Television and Radio Broadcasting of Ukraine.

During 2019, NACP provided 415 clarifications, consultations, explanations and answers to those who assess corruption risks for preparation of anti-corruption programs.

In the area of prevention and settlement of conflicts of interest, in 2019, the free online training course "Conflict of interest: you need to know!"³ was launched.

Also, in 2019, the new free online training course "Conflict of interest: you need to know! From theory to practice"⁴, was launched, having covered more than 31 thousand trainees. Of these, more than 23 thousand (74% of users) received certificates of successful completion of the course, which is an extremely high indicator of the effectiveness of the online course. According to the statistics of the Prometheus platform, which hosts this online course, it has been very effective and dynamic during the year. This course helps both those who have a conflict of interest and those who are required to resolve such a conflict of interest. These courses are intended to provide and improve basic knowledge about conflicts of interest, increase effectiveness of identifying, preventing and settlement of conflicts of interest, following prohibitions and restrictions, taking into account the problematic issues identified during law enforcement practice.

In addition, in order to provide consulting assistance on the application of legislation on the prevention and settlement of conflicts of interest in the activities of persons authorized to perform the functions of state or local self-government, and persons equated to them, NACP held (participated in) 7 events (trainings, seminars, lectures, etc.).

During functioning of the electronic declaration system, NACP carried out extensive informational and explanatory work on filling out declarations, and published a large number of explanatory materials.

In particular, NACP has published recommendations for working with the Unified State Register of Declarations, explanatory materials on filling out declarations, answers to frequently asked questions from the declarants, links to the state-owned registers, which contain most of the information required for inclusion in a

³ <https://nazk.gov.ua/uk/novyny/nazk-rozpochalo-seriyu-regionalnyh-treningiv-iz-zastosuvannya-ovlenogo-antykoruptsiynogo-zakonodavstva/>

⁴ https://courses.prometheus.org.ua/courses/course-v1:NAZK+COI102+2019_T1/about

declaration. In order to promote detection of corruption, as well as to spread the practice of reporting corruption by whistleblowers, raising public awareness of guarantees of whistleblower protection, NACP has developed and disseminated on its official website explanations and infographics (booklet) "From corruption reports - to reward: how the mechanism for whistleblowers works"⁵.

Furthermore, NACP:

- has created a test for subjects of declaration "Find out which declarant you are"⁶ to promote educational materials about declaring;

- has ensured functioning of "hotlines" and technical support by e-mail for providing assistance to the subjects of declaration;

- has conducted 14 trainings for authorized persons on issues of prevention and detection of corruption of public authorities, employees of state bodies and local self-government bodies (with more than 860 people took part).

In March 2020, NACP conducted 2 trainings on e-declaration. 124 authorized persons for prevention and detection of corruption of Central Executive Bodies and Regional State Administrations took part in the event.

In the field of preventing political corruption, in 2019, NACP conducted informational and awareness raising campaigns on this issue (coverage of news and information obtained from analysis of the reports of political parties on property, incomes, expenses and liabilities of a financial nature, on the official NACP website and Facebook page).

In 2019, NACP repeatedly held joint briefings and press conferences with the National Council on Television and Radio Broadcasting of Ukraine and the Central Election Commission, participated in meetings, held by the National Council on Television and Radio Broadcasting of Ukraine, aiming at prevention of non-transparent funding of political parties during election campaigns.

In the first half of 2019, NACP organized and held the round table on the topic: "Methodology for determining the amount of contributions to support a political party in the form of works, goods or services" During this year, NACP employees participated in a number of other events (round tables, thematic meetings, etc.) with representatives of political parties, NGOs, international organizations, government agencies and the media in order to discuss current issues in the field of preventing political corruption.

⁵ https://www.mil.gov.ua/content/corruption/corruption_vk.pdf

⁶ <https://testdeclarant.nazk.gov.ua/>

It should also be noted that NACP has strengthened the dissemination of knowledge on the prevention of corruption. The new structure of NACP has already had the Awareness Raising and Anti-Corruption Training Programmes Office, with a total number of the 17 people. The office includes the Awareness Raising Unit, the Public Relations Unit, and the Training Programmes Development and Implementation Unit.

- ***Description of measures taken to ensure that such body or bodies can assess their own effectiveness.***

Pursuant to p. 2, Art. 18 of the Law, the Parliament of Ukraine annually, by June 1, holds hearings on the state of corruption, approves and publishes an annual report on implementation of anti-corruption policy grounds.

In accordance with the provisions of Art. 20 of the Law, NACP prepares a draft annual national report on implementation of the grounds of anti-corruption policy, which is, no later than April 1, submitted to the Cabinet of Ministers of Ukraine for consideration.

The national report on implementation of the principles of anti-corruption policy is stated to reflect the detailed information on the results of the activities of NACP and other specially authorized subjects in the field of corruption prevention and counteraction.

NACP has prepared four National Reports on Implementation of the Principles of Anti-Corruption Policy, to be more specific, in 2016⁷, 2017⁸, 2018⁹ and 2019¹⁰.

However, since the entry into force of the Law, parliamentary hearings on corruption have been held only twice in the Verkhovna Rada of Ukraine (in 2016 and 2017), which resulted in relevant recommendations adopted only in 2016, while in 2018 and 2019 parliamentary hearings on these issues were not conducted at all.

- ***Reports prepared by the body or bodies that prevent corruption, notably on their effectiveness;***

According to p. 5, Art. 14 of the Law, NACP prepares Annual Report on its activities.

The NACP's Report is given to the Public Council under NACP for conclusion, which is considered within two weeks from the date of receipt.

⁷ <https://nazk.gov.ua/wp-content/uploads/2019/06/Natsdopovid-2016.pdf>

⁸ <https://nazk.gov.ua/wp-content/uploads/2019/06/Natsdopovid-2017.pdf>

⁹ <https://nazk.gov.ua/wp-content/uploads/2019/07/Natsdopovid-2018.pdf>

¹⁰ <https://nazk.gov.ua/wp-content/uploads/2020/05/Proyekt-Natsdopovidi-2019.pdf>

NACP publishes the Annual Report no later than April 15 on its official website together with the conclusion of the Public Council under NACP.

The NACP's Annual Report must contain, in particular, the information as follows:

- 1) NACP's indicators of its activity efficiency and results of their achievement;
- 2) statistical data on the results of NACP activities, including data on:
 - the number of identified violations of the Law and the Law of Ukraine "On Political Parties in Ukraine";
 - the number of protocols, drawn up by the NACP authorized persons, on administrative offenses and the results of their consideration;
 - the number of issued by NACP instructions, sent materials on violations of the law to law enforcement and other bodies, the results of their consideration;
 - results of NACP's appeals to the court with claims (applications);
 - disciplinary sanctions applied to NACP's employees;
- 3) the results of the activities of the Internal Control Unit and Corruption Prevention Unit;
- 4) information on interaction with other state bodies, local self-government bodies, enterprises, institutions and organizations;
- 5) information on cooperation with the competent authorities of foreign states, international and foreign organizations;
- 6) the number of NACP's employees, their qualifications and experience, their training;
- 7) NACP's staff list and estimate, its implementation;
- 8) other information related to the results of NACP's activities.

In total, during 2016 – 2020, NACP prepared and posted on its website four annual reports, which reflected the results of the analysis of effectiveness of its activities in 2016 – 2019¹¹.

¹¹ Reports: 2016 - https://old.nazk.gov.ua/sites/default/files/docs/nazk_files/zvity/NAPK_annual-report_2016.pdf,
2017 - https://nazk.gov.ua/wp-content/uploads/2019/07/dodatok_2_zvit_pro_diyalnist.pdf,
2018 - <https://nazk.gov.ua/wp-content/uploads/2020/04/Zvit2018-1-1.pdf>,
2019 - <https://nazk.gov.ua/wp-content/uploads/2020/04/Zvit-NAZK-za-2019-rik-15.04.2020.pdf>

It should be noted that NACP operates on a planned basis. In particular, in 2016 – 2020, such activities were carried out on the basis of annual plans¹². At the end of each year, NACP prepares reports on implementation of its plans. Some of these reports were annexed to the NACP's annual report.

In addition, in August 2017, NACP prepared an Analytical Report on the Implementation of the Anti-Corruption Strategy for 2014 – 2017 and the State Program for Implementation of the Anti-Corruption Strategy¹³, an integral part of which was the analysis of the NACP's effectiveness in implementing these measures.

It should also be noted that on June 22, 2017, the NACP's Development Strategy for 2017 – 2020 and plans for its implementation were approved.

- ***External reports on the effectiveness of the body or bodies that prevent corruption;***

With the adoption on October 2, 2019, of the Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine to Ensure the Effectiveness of the Institutional Mechanism for Prevention of Corruption", the mechanism for external independent evaluation of the effectiveness of NACP, was introduced with such evaluation to be held once in two years.

The evaluation is conducted by the Commission for conducting an independent evaluation of the effectiveness of NACP (the Commission), consisting of three persons appointed by the Cabinet of Ministers of Ukraine on the basis of the propositions of donors, by who during the last two years, prior to the assessment, provided Ukraine with international technical assistance in the field of preventing and combating corruption.

May 18, 2020, the Cabinet of Ministers of Ukraine approved the criteria and methodology for conducting such an evaluation of the effectiveness of NACP.

The first external independent evaluation of the effectiveness of NACP will take place in early 2022 for the period starting from the launch of NACP to December 31, 2021. In future, such evaluation will take place every two years.

Thus, there are currently no official external reports presenting the results of the NACP performance evaluation.

¹² plans: 2016–2019 <https://old.nazk.gov.ua/plany>; 2020 - <https://nazk.gov.ua/wp-content/uploads/2020/04/Plan-Roboty.pdf>

¹³[https://old.nazk.gov.ua/sites/default/files/docs/2017/%D0%BC%D1%96%D0%B6%D0%BD%D0%B0%D1%80%D0%BE%D0%B4%D0%BD%D1%96%20%D0%BF%D1%80%D0%BE%D0%B3%D1%80%D0%B0%D0%BC%D0%B8/%D0%90%D0%BD%D0%B0%D0%BB%D1%96%D0%B7%20%D0%B2%D0%B8%D0%BA%D0%BE%D0%BD%D0%B0%D0%BD%D0%BD%D1%8F%20%D0%B0%D0%BD%D1%82%D0%B8%D0%BA%D0%BE%D1%80%D1%83%D0%BF%D1%86%D1%96%D0%B9%D0%BD%D0%BE%D1%97%20%D1%81%D1%82%D1%80%D0%B0%D1%82%D0%B5%D0%B3%D1%96%D1%97%202014-2017%20%D1%80%D0%BE%D0%BA%D0%B8%20\(1\).pdf](https://old.nazk.gov.ua/sites/default/files/docs/2017/%D0%BC%D1%96%D0%B6%D0%BD%D0%B0%D1%80%D0%BE%D0%B4%D0%BD%D1%96%20%D0%BF%D1%80%D0%BE%D0%B3%D1%80%D0%B0%D0%BC%D0%B8/%D0%90%D0%BD%D0%B0%D0%BB%D1%96%D0%B7%20%D0%B2%D0%B8%D0%BA%D0%BE%D0%BD%D0%B0%D0%BD%D0%BD%D1%8F%20%D0%B0%D0%BD%D1%82%D0%B8%D0%BA%D0%BE%D1%80%D1%83%D0%BF%D1%86%D1%96%D0%B9%D0%BD%D0%BE%D1%97%20%D1%81%D1%82%D1%80%D0%B0%D1%82%D0%B5%D0%B3%D1%96%D1%97%202014-2017%20%D1%80%D0%BE%D0%BA%D0%B8%20(1).pdf)

At the same time, in 2016 – 2019, public anti-corruption organizations also analyzed the effectiveness of anti-corruption policy in this period and indirectly assessed the effectiveness of NACP.

Thus, in 2017, was published the analytical study titled "Assessment of Anti-Corruption Strategy Implementation: Achievements and Challenges", conducted by the Anti-Corruption Research and Education Centre at the National University of Kyiv-Mohyla Academy "ACREC"¹⁴ and "Alternative Report on Evaluation of Public Anti-Corruption Policy", prepared by the Center for Political and Legal Reforms, Transparency International Ukraine and independent experts¹⁵.

Also, the Center for Political and Legal Reforms, Transparency International Ukraine, «StateWatch» and independent experts, in 2019, prepared an Alternative Report on Evaluation of Public Anti-Corruption Policy, which covered 2017 and 2018¹⁶.

Article 6, paragraph

2 2. Each State Party shall grant the body or bodies referred to in paragraph 1 of this article the necessary independence, in accordance with the fundamental principles of its legal system, to enable the body or bodies to carry out its or their functions effectively and free from any undue influence. The necessary material resources and specialized staff, as well as the training that such staff may require to carry out their functions, should be provided.

Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention

• *Description of laws, policies and procedures ensuring the independence of the body or bodies that prevent corruption, notably those aligned with the “Jakarta Statement on Principles for Anti-Corruption Agencies”, aimed at enabling them to carry out their functions effectively and protect them from any undue influence;*

The independence of NACP and its employees is guaranteed by Art. 9 of the Law, namely:

- special status of NACP;
- special procedure for selection, appointment and termination of powers of the NACP Head;

¹⁴ <https://acrec.org.ua/wp-content/uploads/2017/11/unnamed-file-1.pdf>

¹⁵ https://pravo.org.ua/img/zstored/files/AZ_final.pdf

¹⁶ https://www.pravo.org.ua/img/books/files/1553535186shadow%20report%20on%20evaluating%20the%20effectiveness%20of%20state%20anticorruption%20policy%20implementation_short.pdf

- special, legally established procedure for financing and logistical support of NACP, appropriate conditions of remuneration of the Head, Deputy Heads and employees, defined by the Law and other laws;

- transparency of its activities.

The independence of NACP is the basis of its activities and determines an independent, exclusive place in the system of anti-corruption bodies and its relations with other state and local governments, legal entities and citizens on the basis of separation of powers and inadmissibility of any undue influence or interference in NACP activities.

Independence is a necessary precondition for the exercise of the powers of NACP staff, as only a sufficient level of independence allows them to perform their duties honestly, conscientiously and impartially.

The effect of the principle of independence can be considered in two aspects, namely:

1) political independence, which excludes any influence of political parties, social movements or their representatives on NACP;

2) socio-economic independence, which is guaranteed by the procedure established by law for financing and organizational support of NACP activities, proper material support of its employees.

The system of guarantees of independence defined by this system can be represented as follows:

1) personnel guarantees - a special procedure for selection, appointment and termination of powers of the NACP Head. In particular, the Law introduces a transparent, competitive procedure for selecting candidates for the position of the NACP Head, establishes the criteria that a candidate must meet;

2) material guarantees - observance of the procedure for financing and logistical support of the NACP established by the Law. Thus, the State provides funding and proper conditions for the functioning of NACP and the activities of its employees. Ensuring functioning of NACP provides for: determination in the State Budget of Ukraine of expenditures for financing NACP not lower than the level that provides the possibility of full and independent exercise of its powers in accordance with the law; legislative guarantee of full and timely financing of NACP; guaranteeing a sufficient level of material support for NACP employees. The fact that NACP is financed from the State Budget of Ukraine allows it to be independent of any other sources of funding;

3) personal guarantees - the State guarantees protection to the NACP staff, their relatives and property. They are covered by the guarantees provided by the Law "On Ensuring the Safety of Persons Participating in Criminal Proceedings".

P. 3, Art. 9 of the Law enshrines the principle of depoliticization in the activities of NACP. Prohibition on political parties in NACP should be understood as prohibition for the NACP's employees to be members of political parties, political campaigning to be run among the NACP's employees, and prohibition on any exerting political pressure on the Head and the Deputy Heads in the exercise of their powers.

The Law stipulates that in exercising the functions of NACP, its Head is independent of any illegal influence, pressure, interference and is guided only by the Constitution and laws of Ukraine. This provision can be seen as a guarantee not only of the NACP's independence, but also of the integrity, objectivity and impartiality in its activities. The Law establishes the obligation of all participants in legal relations: state bodies, local governments, their officials, political parties, public associations, others, to respect the independence of NACP and refrain from any form of interference in its activities.

However, encroachments on NACP independence have been reported recently.

Thus, in the Verkhovna Rada of Ukraine there were registered drafts laws № 2720¹⁷, of 13 January 2020, and № 3445¹⁸, of 07 April 2020, which provided for reduction in salaries for the NACP's employees and additional grounds for dismissal of the NACP Head.

It should be emphasized that any encroachment on the independence of NACP is inadmissible and unacceptable. Moreover, the increase in salaries for NACP's employees, as a guarantee of integrity, and in order to prevent the leveling of NACP status, as an independent body, is emphasized in the seventh paragraph of recommendation "g" of paragraph 46 of the NATO Expert Report on Expert Analysis in Ukraine (Self-Assessment of Integrity Program Implementation).

This recommendation is based on the provisions of Article 6, paragraph 2, Article 36 of the UN Convention against Corruption and the Jakarta Declaration of Principles for Anti-Corruption Agencies (Jakarta Principles).

Ensuring the personnel, organizational and logistical capacity for NACP to perform its functions is provided by paragraph 13 of the Action Plan for implementation of the Association Agreement between Ukraine, on the one hand,

¹⁷ http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=67852

¹⁸ http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=68770

and the European Union, the European Atomic Energy Community and their Member States, on the other.

These standards were implemented by the Law of Ukraine of October 2, 2019, № 140 IX “On Amendments to Certain Legislative Acts of Ukraine to Ensure the Effectiveness of the Institutional Mechanism for Preventing Corruption”. This Law strengthens the guarantees of the independence of NACP, in particular by envisaging directly in the provisions of the Law double salaries for NACP's employees (calculated from the salaries of employees of central executive bodies).

- *Description of the material resources, specialized staff, and training facilities for staff*

According to Article 17 of the Law, financial support of NACP is secured from the State Budget of Ukraine. Financing of NACP through any other sources is prohibited, except in cases envisioned by international treaties of Ukraine or projects of international technical assistance.

Year	2017	2018	2019	2020
General Fund of the State Budget of Ukraine	605 million* UAH ¹⁹ (\$ 21 million)	683 million* UAH ²⁰ (\$ 24 million)	748 million* UAH ²¹ (\$ 30 million)	685 million* UAH ²² (\$ 25 million)

*** The amount includes funding for political parties**

In 2019, NACP constantly took measures to provide staff with the necessary accessories and technical means in order to properly organize the production process, ensuring document flow. NACP's staff are sufficiently provided with office paper for printing, appropriate stationery and accessories. Air conditioners (air conditioners, split systems, etc.) are installed in the offices to ensure the proper temperature regime.

The Resolution of the Cabinet of Ministers of Ukraine of November 28, 2018 No. 1192 increased the maximum number of NACP's employees by 97 people (currently 408 people). Due to this, the area of the available premises of NACP does not correspond to the standards of arrangement of workplaces.

In 2019, NACP initiated the development and approved a draft order of the Cabinet of Ministers of Ukraine "On the transfer of non-residential premises in Kyiv

¹⁹ <https://zakon.rada.gov.ua/laws/show/1801-19>

²⁰ <https://zakon.rada.gov.ua/laws/show/2246-19>

²¹ <https://zakon.rada.gov.ua/laws/show/2629-19>

²² <https://zakon.rada.gov.ua/laws/show/294-20>

to the NACP" to provide NACP with premises for tasks and functions aimed at forming and implementing state anti-corruption policy²³.

NACP's staff is characterized by number, structure, professional suitability, competence and other characteristics. The structural characteristics of the staff are determined by the qualitative composition (availability of specific knowledge and professional skills, work experience) and the quantitative ratio of certain categories and groups of NACPs employees.

Work with personnel in NACP is an integral part of the organization of its activities for the formation, training, placement and rational use of personnel in order to ensure the effective operation of each employee, unit of NACP as a whole in accordance with their tasks and functions.

As of December 31, 2019, NACP employed 270 people, which is 87.1% of the total staff. Analysis of the NACP's staff shows that 56% (152 people) were female, respectively 44% (118 people) are male. At the same time, the vast majority of managerial positions are held by males: 57% (37 people) of the registered number of executives²⁴.

Qualitative staff is characterized by age structure and length of service. The NACPs staff in 2019 consisted of experienced and quite competent employees. The degree of higher education and length of service of NACP's employees in 2019 met the requirements of the Law of Ukraine "On Civil Service", general and special requirements for professional competence of civil service positions.

According to p. 4, Art. 8, of the Law, employees of the NACP's Staff and its territorial bodies (in case of established) on a regular basis, but not less than once in two years, undergo mandatory skills improvement trainings.

In 2019, 166 NACP's employees were trained (242 in-service training measures), including 67 people under the professional training program for civil servants, 171 people under the thematic short-term seminars programs, and 4 people under the thematic permanent seminars programs.

²³ <https://zakon.rada.gov.ua/laws/show/437-2020-%D1%80>

²⁴ <https://nazk.gov.ua/wp-content/uploads/2020/04/Zvit-NAZK-za-2019-rik-15.04.2020.pdf>