

NATIONAL
ANTI-CORRUPTION
BUREAU OF UKRAINE

IDENTIFYING AND SEIZING OF ASSETS ABROAD. INTERACTION WITH
INTERNATIONAL ORGANIZATIONS IN THE SEARCH FOR ASSETS.
EXPERIENCE OF UKRAINE.

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What is the NABU?

- **The National Anti-Corruption Bureau of Ukraine** is a brand new agency in Ukrainian law enforcement, created after the Revolution of Dignity of 2014 with the purpose of eradicating governmental corruption in order to enable the formation and development of a successful society and efficient state
- The launching of the National Anti-Corruption Bureau was one of the requirements set forth by Ukraine's international partners to facilitate Ukraine's integration with Europe.

NABU's jurisdiction

The NABU detectives conduct pre-trial investigations into criminal corruption allegations under the corresponding articles of the Criminal Code of Ukraine, if crimes are committed by high level officials or if the value of a crime exceeds a living wage for employable persons by 500 times.



NABU'S JURISDICTION



The detectives conduct pre-trial investigations into allegations of criminal corruption under the corresponding articles of the Criminal Code of Ukraine (if high level officials are being investigated):

Article 191 "Misappropriation, embezzlement, or conversion of property by abuse of official post".

Article 206² "Illegal appropriation of property of an enterprise, institution, or organization" (ex. appropriation of property of company, institution or organization by the use of false or stolen documents, stamps, seals (one of the possible raiding form)).

Article 209 "Legalization (laundering) proceeds from crime".

Article 210 "Violation of laws of state funds"(ex. budget funds designated for repairs at social sector objects are using for purchase of new furniture for the head of the state authority by his own decision [minimum for an amount exceeding 500 living wages for employable persons on the day of crime committed] (800 thousand UAH on 01.01.2017).

Article 211 "Making of regulations or directives that modify budget revenues and expenses contrary to the procedures prescribed by law".

Article 354 "Receiving illegal benefits by an employee of a state enterprise, institution, or organization" (ex. bribing an ordinary employee of the state body to accelerate the paperwork or committing acts in favor of the briber).

Article 364 "Abuse of authority or office" (ex. deliberate violation of the law contrary to the interests of the public service to receive illegal benefits, if the crime value exceeds 100 non-taxable minimum incomes of citizens (80 thousand UAH on 01.01.2017).

Article 366¹ Submission of false data (ex. indication of false information in the electronic declaration, where the information is different from accurate in excess of 250 living wages for employable persons (386 thousand UAH on 01.01.2017).

Article 368 "Accepting an offer, promise, or receipts of illegal benefits by an official"(ex. accepting an offer (orally, in writing or in any other form) or receiving a bribe by official).

Article 368² "Illegal enrichment"(ex. property purchase, whose value does not correspond to official incomes).

Article 369 "Offer, promise, or give illegal benefits to an officer"(ex. an offer to (orally, in writing or in any other form) or direct bribing official).

Article 369² "Trading in influence" (ex. promise to assist illegally in «solving problems» with another official).

Article 410 "Stealing, appropriation, extortion, or fraudulent obtaining of weapons or ammunition, explosives or other weapons, vehicles, military or special equipment, or abuse of office, by a military serviceman".



Officials under the Bureau's jurisdiction:



- Proceeding President
- Member of Parliament
- Prime Minister of Ukraine
- Members of the Cabinet of Ministers of Ukraine
- First deputies and deputy Ministers
- Members of the National Council of Television and Radio
- Member of the State Commission on Regulation of Financial Service Markets
- Member of the National Securities and Stock Market Commission
- Member of the Anti-Monopoly Committee
- Head of the State Committee on Ukrainian Television and Radio Broadcasting
- Head of the State Property Fund of Ukraine, first deputy, and deputies
- Members of the Central Election Commission
- Head of the National Bank of Ukraine, first deputy, and deputies, members of the Council of the National Bank of Ukraine
- Secretary of the National Security and Defence Council, first deputy, and deputies
- The Permanent Representative of the President of Ukraine in the Autonomous Republic of Crimea, first deputy, and deputies
- Adviser and assistant of the President, the Head of the Verkhovna Rada (Parliament), and the Prime Minister of Ukraine
- Public officials falling within "A" category
- Deputies of the Verkhovna Rada of the Autonomous Republic of Crimea
- Deputies of regional councils, Kyiv and Sevastopol city councils
- The official of local government falling within first and second category
- Judge
- Judge of the Constitutional Court of Ukraine
- People's assessors (when they are on duty)
- Chairman, Deputy Chairman, members, and disciplinary supervisors of the High Council of Justice

- Chairman, Deputy Chairman, members, and disciplinary supervisors of the High Qualification Commission for judges of Ukraine
- Prosecutor General of Ukraine, first deputy and deputies (except of the Head of the Specialized Anti-Corruption Prosecutor's Office)
- Head of Department, deputies and prosecutors in the Prosecutor General's office of Ukraine
- Head of Regional Prosecutor's Office, first deputy, and deputies, head of Department of Regional Prosecutor's Office
- Senior officers of the State Criminal-Executive Service of Ukraine, Civil Protection units and National Police
- Customs services official at or above the 3rd rank of the state counsel of tax and customs services
- State tax administration officials at or above the 3rd rank of the state counsel of tax and customs services
- Military officers in the high command of the Armed Forces of Ukraine, the Security Service of Ukraine, the State Border Guard Service of Ukraine, the State Special Transport Service, the National Guard of Ukraine, and other military units established in accordance to the laws of Ukraine
- Heads of a major entity with the shares owned by the state or communal ownership of more than 50%



any other state official, law enforcement agencies, military forces, or local self-governments who committed a corruption offense valued at or having caused damage which exceeds the living wage for employable persons by 500 times on the day of the crime (over 800 thousand UAH as January 1, 2017)

Ukrainian corruption in the world

DAMAGE CAUSED TO THE STATE INTERESTS BY CORRUPTION OFFENCES UNDER NABU INVESTIGATIONS, IN WHICH THE FOREIGN CONTRACTORS WERE INVOLVED

1.84
bln UAH

22.07
mln USD

12.03
mln EUR

3

Belize, Panama,
Dominican Republic

20

Hong Kong, Georgia, Kazakhstan, PRC, UAE, Austria, Great Britain, Estonia, Italy, Cyprus, Latvia, Monaco, Netherlands, Germany, Poland, Russia, Turkey, Czech Republic, Montenegro

33

Germany (1*), Bulgaria (1), Georgia (1), Spain (2), Kazakhstan (1), Cyprus (1), Monaco (1), Lithuania (1), Poland (2), Russia (15), Moldova (1), Montenegro (1), Switzerland (1), EU countries (4)

1

Uruguay



Country of registration of the contractors involved in the corruption schemes investigated by the NABU



Countries where the suspects hide



* The number of persons allegedly hide in the country

Methods for detecting assets abroad

1. Identification of information about the assets of suspects following the results of **investigative actions or secret investigative actions**.
2. Use of **confidential cooperation** with individuals.
3. Detection of information about assets on the results of **OSINT**, including from the media.
4. Detection of assets abroad in cooperation with the State Financial Monitoring Service of Ukraine (**financial intelligence unit**).
5. Cooperation with the National Agency of Ukraine for Finding, Tracing and Management of assets derived from Corruption and Other Crimes (**ARMA**).

Cooperation with international, intergovernmental organizations, networks, institutions working in the field of tracing illegal assets



Follow the NABU's activities

- <https://nabu.gov.ua/>
- <https://www.youtube.com/c/NABUofficial>
- https://twitter.com/nab_ukr
- <https://www.facebook.com/nabu.gov.ua>
- <https://arma.gov.ua/en/>

**Thank you for
attention!**
