

**THEMATIC COMPILATION OF RELEVANT INFORMATION SUBMITTED BY  
UKRAINE**

**ARTICLE 8, PARAGRAPH 4 UNCAC**

**REPORTING ON ACTS OF CORRUPTION**

**UKRAINE (EIGHTH MEETING)**

*a) Establish or improve procedures, rules and regulation for the reporting, including by members of criminal justice institution, of acts of corruption to appropriate authorities and the mechanisms for the protection of reporting persons*

In April 2015 the entered into force Law of Ukraine “On Prevention of Corruption”, aiming at reforming the corruption prevention system in a complex way in compliance with international standards and successful practices experienced by foreign countries, stipulates establishing independent preventive anti-corruption body free from any undue influence – the National Agency on Corruption Prevention (the central body of executive power with special status), that is aimed at coordinating development and implementation of inter-ministerial anti-corruption programmes exercised by state bodies, ensuring compliance with legislation on prevention and solving conflict of interest, code of conduct for public officials, and taking measures for financial control over their performance.

According to this Law A person providing assistance in preventing and combating corruption (a whistle blower) – is a person who, having reasonable belief that the information is accurate, reports violations of the requirements of this Law by another person. 114 Persons providing assistance in preventing and combating corruption are under state protection. When there is a threat of life, dwelling, health and property of persons assisting in preventing and combating corruption, or of their close persons in connection with the made notification about violation of requirements of this Law, law enforcement agencies may apply to them legal, organizational and technical and other measures, aimed to protect against illegal attempts and envisaged by the Law of Ukraine On Ensuring the Safety of Persons Involved in Criminal Proceedings. A person or its family member shall not be discharged or forced to resign, brought to disciplinary liability or subjected to other negative measures of impact by a supervisor or employer (reassignment, certification, changing working conditions denial of appointment to a higher position, wage cutting, etc.) or to the threat of such measures of impact in connection with notification the person makes about violation of the requirements of this Law by other person. Information about the whistle blower may be disclosed only upon his/her consent except for cases stipulated by law. NACP as well as other state authorities, authorities of the Autonomous Republic of Crimea, local self-government authorities provide conditions for their employees to notify about violations of requirements of this Law by other persons, in particular through the phone lines, official websites, electronic means of communication. Reporting about violation of requirements of this Law may be done by an employee of a respective agency without attribution (anonymous). Anonymous report on violation of the requirements of this Law shall be considered if the information provided in the report is about a specific person, contains the actual data

that can be verified. Anonymous reports about violations of requirements of this Law are subject for review within fifteen days from the date of their receipt. If it is impossible to verify the information contained in the report within the said term, head of the relevant agency or his deputy shall prolong term for report's review up to thirty days from the date of its receipt. If the information contained in the report on violation of the requirements of this Law is confirmed, the head of the relevant agency takes measures to terminate the revealed violation, eliminate its consequences and bring the offenders to disciplinary liability and, in case of detection of a criminal or administrative offense, the head shall also inform specially authorized subjects in the field of anti-corruption. NACP constantly monitors implementation of the law regarding protection of whistleblowers, conducts an annual review and revision of state policy in this area.

What is more, the institute of protection of whistle-blowers who inform facts of corruption is strengthened by the NACP engagement as the third party in civil cases on appealing negative consequences for a whistleblower caused by the manager or employer.

In addition, in 2016 the National Agency drafted Procedure of handle messages about corruption and the draft of Guidelines on the organization of work with reports on corruption, which are currently undergoing public and expert discussion.