

Functioning of Democratic Institutions



Chapters 23 and 24



Shadow Report

Assessment
of Ukraine's Progress
in Implementing
the European
Commission's
Recommendations
under the
'Fundamentals of the
Accession Process'
Cluster

Summary
version



This is a short summary of the Shadow Report 'Assessment of Ukraine's Progress in Implementing the European Commission's Recommendations under the "Fundamentals of the Accession Process" Cluster' and is intended solely for presentation purposes.

The full version of the Shadow Report is available at <https://parlament.org.ua/>.

The Shadow Report was prepared by a coalition of civil society organisations coordinated by the Agency for Legislative Initiatives (ALI), comprising ALI, Transparency International Ukraine, the Human Rights Centre ZMINA, Tomorrow's Lawyer, the Ukrainian Bar Association, Europe Without Barriers, Civil Network OPORA and the Centre for Democracy and Rule of Law, with media support from European Pravda. Its contents are the sole responsibility of the authors and do not necessarily reflect the views of the European Union.

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List of Abbreviations

AC HACC — Appeals Chamber of the High Anti-Corruption Court

AEPS — Automated Enforcement Proceedings System

AFU — Armed Forces of Ukraine

AGE — Advisory Group of Experts

AI — artificial intelligence

AML/CFT — anti-money laundering and countering the financing of terrorism

ARMA — National Agency of Ukraine for Finding, Tracing and Management of Assets
Derived from Corruption and Other Crimes

BCR — Bar Council of the Region

BCU — Bar Council of Ukraine

BSG bodies — Bar self-governance bodies

CAP of Ukraine — Code of Administrative Procedure of Ukraine

CC of Ukraine — Criminal Code of Ukraine

CCU — Constitutional Court of Ukraine

CEB — central executive bodies

CEC — Central Election Commission

CJU — Council of Judges of Ukraine

CPC of Ukraine — Criminal Procedure Code of Ukraine

CPU — Council of Prosecutors of Ukraine

CSO — civil society organisation

CUAO — Code of Ukraine on Administrative Offences

DACK — District Administrative Court of Kyiv

DEC — district election commissions

DESS — State Service of Ukraine for Ethnic Policy and Freedom of Conscience

Diia Portal — Unified State Web Portal of Electronic Services

EC of Ukraine — Electoral Code of Ukraine

ECTHR — European Court of Human Rights

EDA — election district abroad

Educational Centre — Educational Centre of the Verkhovna Rada of Ukraine

EPA — election precincts abroad

ESBU — Economic Security Bureau of Ukraine

EU — European Union

EU acquis — the legal system of the European Union, which includes (but is not limited to) European Union legislation adopted within the framework of the European Community, the Common Foreign and Security Policy, and cooperation in the field of justice and internal affairs

EU Enlargement Package 2025 Report — European Commission's Ukraine 2025 Report under the EU Enlargement Package

Eurojust — European Union Agency for Criminal Justice Cooperation

European Parliament Mission — European Parliament's Needs Assessment Mission led by Pat Cox

Europol — European Union Agency for Law Enforcement Cooperation

FATF — Financial Action Task Force

FDI Roadmap — Roadmap on the Functioning of Democratic Institutions

FIMI — foreign information manipulation and interference

FLA — free legal aid

GC SC — Grand Chamber of the Supreme Court

GMAP — Government Medium-Term Action Plan

Government — Cabinet of Ministers of Ukraine

Government Programme — Programme of Activities of the Cabinet of Ministers

GPAP — Government Priority Action Plan

HACC — High Anti-Corruption Court

HCJ — High Council of Justice

HEI — higher education institution

HQCJ — High Qualification Commission of Judges of Ukraine

HQDC — High Qualification and Disciplinary Bar Commission

ICC — International Criminal Court

IDP — internally displaced person

ISBM — Integrated State Border Management

JIT — Joint Investigation Team

LSG bodies — local self-government bodies

MA — military administrations

MAS — military administrations of settlements

MCCs — migration custody centres

MFA — Ministry of Foreign Affairs of Ukraine

Ministry for Development — Ministry for Development of Communities and Territories of Ukraine

Ministry of Agrarian Policy — Ministry of Agrarian Policy and Food of Ukraine

Ministry of Communities — Ministry for Communities, Territories and IDPs of Ukraine

Ministry of Culture — Ministry of Culture of Ukraine

Ministry of Digital Transformation, MDT — Ministry of Digital Transformation of Ukraine

Ministry of Economy — Ministry of Economy, Environment and Agriculture of Ukraine

MLD — Main Legal Department of the Secretariat of the Verkhovna Rada of Ukraine

MoD — Ministry of Defence of Ukraine

MoES — Ministry of Education and Science of Ukraine

MoF — Ministry of Finance of Ukraine

MoH — Ministry of Health of Ukraine

MoIA — Ministry of Internal Affairs of Ukraine

MoJ — Ministry of Justice of Ukraine

MONEYVAL — Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism

MP — Member of Parliament of Ukraine

MSED — Main Scientific and Expert Department of the Secretariat of the Verkhovna Rada of Ukraine

MSEs — micro and small enterprises

MSP — Ministry of Social Policy, Family and Unity of Ukraine

NABU — National Anti-Corruption Bureau of Ukraine

NACP, Agency — National Agency on Corruption Prevention

NAQA — National Agency for Higher Education Quality Assurance

National Council, media regulator — National Council of Television and Radio Broadcasting of Ukraine

National Programme — National Programme for the Adaptation of Ukrainian Legislation to European Union Law (EU acquis)

NBU — National Bank of Ukraine

NPM — National Preventive Mechanism

NPO — non-profit organisations

NPU — National Police of Ukraine

NSDC — National Security and Defence Council of Ukraine

NSJU — National School of Judges of Ukraine

NTNOC — National Centre for Operations and Technology Management of Telecommunications Networks

OAS — Overarching Strategic Plan for Law Enforcement Reform as part of the Security and Defence Sector of Ukraine for 2023–2027

ODIHR — OSCE Office for Democratic Institutions and Human Rights

OECD — Organisation for Economic Co-operation and Development

Office of the President — Office of the President of Ukraine

Ombudsman, Commissioner — Ukrainian Parliament Commissioner for Human Rights

OAS Action Plan — Action Plan for the implementation of the Overarching Strategic Plan for Law Enforcement Reform as part of the Security and Defence Sector of Ukraine for 2023–2027

PCIE — Public Council of International Experts

PEC — precinct election commission

PGO — Prosecutor General's Office

PHC MoH — Public Health Centre of the Ministry of Health of Ukraine

PIC — Public Integrity Council

PIT — personal income tax

POLITDATA Register — Unified State Register of Political Party Reports on Property, Income, Expenses and Financial Obligations

President — President of Ukraine

PTDC — pre-trial detention centre

QDCB — Qualification and Disciplinary Commission of the Bar

QDCP — Qualification and Disciplinary Commission of Prosecutors

Research Service — Research Service of the Verkhovna Rada of Ukraine

Rome Statute — Rome Statute of the International Criminal Court

SAPO — Specialised Anti-Corruption Prosecutor's Office

SBGS — State Border Guard Service of Ukraine

SBI — State Bureau of Investigation

SC — Supreme Court

SCMU — Secretariat of the Cabinet of Ministers of Ukraine

SCS — State Customs Service of Ukraine

Shadow Report 2025 — Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's Progress under the 2024 EU Enlargement Package

SFMS — State Financial Monitoring Service of Ukraine

SFRD — State Fund for Regional Development

SJA — State Judicial Administration of Ukraine

SLAPPs — strategic lawsuits against public participation

SMS — State Migration Service of Ukraine

SRPR — State Register of Property Rights to Immovable Property

SSU — Security Service of Ukraine

SSU Counterterrorism Centre — Counterterrorism Centre of the Security Service of Ukraine

State Budget — State Budget of Ukraine

SVR, Register — State Voter Register

TAIEX — European Commission's Technical Assistance and Information Exchange

TEC — territorial election commission

TIC — Temporary Investigative Commission of the Verkhovna Rada

TOT — temporarily occupied territories

UBO — ultimate beneficial owner

Ukraine Facility — the European Union's financial assistance programme for the country for the period 2024–2027

UN — United Nations

UNBA — Ukrainian National Bar Association

UNBA HSB — Higher School of the Bar of the Ukrainian National Bar Association

United States — United States of America

UOC — Ukrainian Orthodox Church

URAU — Unified Register of Advocates of Ukraine

URD — Unified Register of Debtors

URPTI — Unified Register of Pre-Trial Investigations

USQE — Unified State Qualification Exam

USREOU — Unified State Register of Legal Entities, Individual Entrepreneurs and Public Associations

Verkhovna Rada, Parliament — Verkhovna Rada of Ukraine

Introduction

Ukraine has consistently demonstrated its commitment to becoming a full member of the European Union as soon as possible. During 2025 and the first half of 2026, Ukraine completed the screening of its national legislation for compliance with EU law under all six negotiation clusters, presented the Report on the Implementation of the Association Agreement between Ukraine and the European Union for 2025 and approved the National Programme for the Adaptation of Ukrainian Legislation to European Union Law (EU *acquis*).

At the same time, the information system for monitoring the implementation of Ukraine's commitments in the field of European integration, 'Accession Pulse', is operating to monitor the implementation of the National Programme for the Adaptation of Ukrainian Legislation to European Union Law (EU *acquis*), the roadmaps on the rule of law, the functioning of democratic institutions and public administration reform, the Action Plan on the Protection of the Rights of Persons Belonging to National Minorities (Communities) of Ukraine and other strategic documents in the field of European integration.

For its part, the European Commission published the Ukraine Progress Report under the 2025 European Union Enlargement Package and provided Ukraine with the accession benchmarks for all negotiation clusters. In addition, the European Commission and the Ukrainian side agreed on a list of 10 key reform priorities aimed at strengthening the rule of law, ensuring an effective fight against corruption and reinforcing democratic institutions.

A landmark development in summer 2026 was the holding of the EU–Ukraine Intergovernmental Conferences, which resulted in the opening of negotiations on Cluster 1 'Fundamentals of the Accession Process' on 15 June 2026 and Cluster 6 'External Relations' on 14 July 2026.

Over the past few years, the coalition of civil society organisations led by the Agency for Legislative Initiatives has consistently monitored and assessed Ukraine's progress on the European integration track and proposed solutions to the problems identified.

In this report, civil society focused on selected components of Cluster 1, 'Fundamentals of the Accession Process', which is decisive throughout the negotiations on Ukraine's accession to the European Union, as it is opened first and closed last. In previous years, the coalition of civil society organisations monitored and assessed Ukraine's progress under Chapter 23, 'Judiciary and Fundamental Rights', and Chapter 24, 'Justice, Freedom and Security'. In 2026, this work was extended to the area of 'Functioning of Democratic Institutions'.

Drawing on their long-standing experience, knowledge and the broad sectoral expertise of their specialists, the members of the coalition of civil society organisations distributed the areas of responsibility for preparing the report as follows:

- **Agency for Legislative Initiatives** — 'Parliament', 'European Integration', 'Governance', 'Multi-Level Governance', 'Judicial Reform' (except for the topic 'Digitalisation of Justice'), 'Prosecution Reform', 'Combating Serious and Organised Crime' (except

for certain topics), 'Cooperation in the Field of Drug Control', 'Countering Terrorism and Preventing Radicalisation and Violent Extremism' and 'Judicial Cooperation in Criminal, Civil and Commercial Matters'.

- › **Civil Network OPORA** — 'Elections'.
- › **Centre for Democracy and Rule of Law** — 'Civil Society'.
- › **Tomorrow's Lawyer** — 'Bar Reform'.
- › **Ukrainian Bar Association** — 'Judicial Reform' (the topic 'Digitalisation of Justice') and 'Legal Education Reform'.
- › **Transparency International Ukraine** — 'Fighting Corruption' and certain aspects under 'Combating Serious and Organised Crime'.
- › **ZMINA Human Rights Centre** — 'Protection of Fundamental Rights and Freedoms', certain aspects under 'Combating Serious and Organised Crime' and 'Legal and Illegal Migration', as well as 'Asylum'.
- › **Europe Without Barriers** — 'Visa Policy', 'Integrated Border Management' and certain aspects under 'Legal and Illegal Migration'.
- › **European Pravda** — communication partner for covering current issues related to Ukraine's European integration processes.

Given the Russian Federation's full-scale invasion of Ukraine and the challenges faced by Ukrainian society on a daily basis, in this report the Agency for Legislative Initiatives, together with ZMINA Human Rights Centre, has included a standalone section, '**War-Related Justice**'. This section addresses the capacity of the national system to prosecute perpetrators of international crimes, collaboration activities and other crimes against the foundations of national security, as well as international cooperation in this area.

Monitoring and assessment of Ukraine's progress under Chapters 23 and 24 covered the period from *September 2025 to August 2026*. In the context of the area 'Functioning of Democratic Institutions', experts also analysed the state of play in the relevant areas over a broader period, extending to before September 2025, to demonstrate the factors that may have contributed either to the emergence of certain negative trends or, conversely, to the adoption of progressive decisions.

This report follows the structure of the Ukraine Progress Report under the 2025 European Union Enlargement Package with respect to the area 'Functioning of Democratic Institutions' and Chapters 23 and 24.

Methodology

Once again, the coalition of civil society organisations uses the shadow report format to present the results of its monitoring and assessment of Ukraine's progress. A shadow report is an independent alternative analysis of public policy and of a candidate country's fulfilment of its commitments to the EU. It is a systematic audit conducted by subject-matter experts from civil society organisations, which does not duplicate official state documents or the European Commission's assessment. Instead, it serves as an instrument of civic oversight and expert involvement in the reform process. At the same time, it assesses the compliance of Ukrainian legislation and the overall system with EU standards. One of the objectives of the shadow report is to identify gaps and encourage the effective implementation of changes.

This report is a summary version **of the Shadow Report 'Assessment of Ukraine's Progress in Implementing the European Commission's Recommendations under the "Fundamentals of the Accession Process" Cluster'**, prepared by a coalition of civil society organisations in 2026.

A methodology was developed for the preparation of this report, with the aim of carrying out an alternative independent assessment of Ukraine's progress in the area of 'Functioning of Democratic Institutions', Chapter 23 'Judiciary and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of negotiating Cluster 1 'Fundamentals of the Accession Process'. Based on this assessment, experts from the coalition of civil society organisations drew conclusions on the effectiveness of the mechanisms selected to achieve objectives in the relevant public policy areas and provided recommendations reflecting their own vision for addressing the problems identified.

It should be emphasised that the summary version of the report presents only the most significant problems and recommendations requiring priority consideration. A detailed analysis of Ukraine's progress in the area of 'Functioning of Democratic Institutions', Chapter 23 'Judiciary and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of negotiating Cluster 1 'Fundamentals of the Accession Process', together with the problems identified and recommendations for addressing them, is provided in the full version of the report.

In accordance with the methodology, for each area covered by the report the experts of the coalition of civil society organisations analysed national legislation (laws and acts of the President, the Government, central executive authorities and other institutions) and international law (conventions, statutes, resolutions, principles, etc.); draft legal acts; the practice of Ukrainian judicial authorities and the European Court of Human Rights; open registers and databases; research and reports by state and civil society institutions; media materials; and information obtained through requests for access to public information.

When monitoring and assessing Ukraine's progress in each area, the experts determined how timely and effective the country had been during the reporting period in implementing, in particular: (1) the recommendations provided by the European Commission in its reports on Ukraine's progress under the European Union Enlargement Package in 2023–2025; (2) measures provided for by the Roadmaps on the Rule of Law, the Functioning of

Democratic Institutions and Public Administration Reform, the Ukraine Facility Plan and other international commitments of Ukraine that may affect the European integration process; and (3) measures provided for by Ukraine's strategic documents in each area.

The report follows the structure of the European Commission's 2025 Ukraine Report under the European Union Enlargement Package in relation to the area of 'Functioning of Democratic Institutions' and Chapters 23 and 24.

In order to take into account and reflect different positions, including alternative views, the coalition of civil society organisations conducted approximately **139** semi-structured in-depth interviews, **8 consultations** and **14 written surveys** with representatives of public authorities,¹ international technical assistance projects, various non-governmental organisations, academics and experts, using pre-prepared interview guides for the respective areas.

¹ Annex to this report.

Functioning of Democratic Institutions



Elections

In 2019, the Parliament adopted the EC of Ukraine. Its adoption marked a significant step towards implementing the recommendations of the OSCE/ODIHR and the Venice Commission, including those on the harmonisation of electoral legislation. The regular local elections in 2020 were held under the new EC of Ukraine but following the introduction of martial law in Ukraine (which precludes elections until it is lifted or terminated), the EC of Ukraine has not subsequently been applied in practice.

Russia's full-scale invasion of Ukraine and the introduction of martial law not only made it impossible to hold any elections but also halted further implementation of electoral reform. Following 24 February 2022, MPs submitted a number of draft laws to the Verkhovna Rada proposing modifications to electoral systems or addressing specific shortcomings in electoral legislation. None of them was adopted even at first reading. As of 2025, the activities of the working groups on electoral reform under the Committee of the Verkhovna Rada of Ukraine on the Organisation of State Power, Local Self-Government, Regional Development and Urban Planning (2021) and under the CEC (2022) had effectively ceased.

In 2025, the European Commission identified four priorities for electoral reform in Ukraine: (1) ensuring the political rights of Ukrainian citizens who are internally displaced within Ukraine or residing abroad, as well as the rights of service members; (2) conducting an audit and updating the SVR; (3) countering cyber threats and disinformation; and (4) reforming the rules on political advertising. Electoral reform is prioritised in the FDI Roadmap, although most of its measures scheduled for 2026–2027 remain at an early stage of implementation.

On 22 December 2025, the Chairman of the Verkhovna Rada of Ukraine established a Working Group to prepare comprehensive legislative proposals on the specific arrangements for organising and conducting elections during a special period and/or post-war elections in Ukraine. Discussions within the Working Group were based on the draft special law on the first post-war elections prepared by the CEC in December 2025. Seven thematic sub-groups were established within the Working Group to discuss the draft. They developed proposals on problematic aspects of the special law on the first post-war elections and submitted them to the Working Group for consideration in February 2026. However, no meetings of the Working Group have been held since 5 May 2026. As of 31 August 2026, it had still not finalised the draft special law on the first post-war elections. Accordingly, overall progress in implementing electoral reform in Ukraine and the European Commission's recommendations under the four identified reform priorities remains minimal.

Electoral System

The EC of Ukraine substantially changed the electoral systems for parliamentary elections and elections of local council members. The key change was the transition, for parliamentary elections and elections of local council members (in communities with at least 10,000 voters), to an open-list proportional representation system. Under this system, a voter may vote both for a list of candidates and for an individual candidate on that list.

However, the new system has a number of significant shortcomings. Specifically, it does not allow for the self-nomination of lists of independent candidates, which is inconsistent with the OSCE Copenhagen Document and does not facilitate the representation of national minorities. The system also contains elements that reduce voters' influence over the order in which mandates are allocated among party candidates and make the system less open. First, it gives priority in obtaining mandates for the first nine candidates (in parliamentary elections) and the first candidate (in elections of local council members) on the nationwide and, for local elections, single electoral lists ('guaranteed seats'). Guaranteeing seats runs counter to the very nature of elections because it does not reflect voters' expressed will: voters do not cast votes for candidates who are guaranteed representation. Second, for a candidate to move up a regional or territorial list (in local elections), they must receive a significant number of votes amounting to 25% of the electoral quota. The 2020 local elections showed that only a small proportion of candidates on lists (10–17%) could obtain that number of votes. In addition, applying the new system in local elections in smaller communities leads to excessive politicisation of local councils and prevents them from focusing on matters of local significance. In 2025–2026, a number of draft laws seeking to change the electoral systems introduced by the EC of Ukraine were submitted to the Parliament. They envisaged either abandoning open-list proportional representation systems entirely, changing the threshold for their application or substantially modifying those systems. The draft laws were critically assessed by civil society organisations² and, although none was adopted even at first reading, all of them were included in the agenda of the Verkhovna Rada of the current convocation.

The Verkhovna Rada should prioritise addressing the main shortcomings of the open-list proportional representation system rather than abandoning it. This should include: (1) enabling the self-nomination of lists of independent candidates; (2) completely abolishing 'guaranteed seats'; (3) reducing the number of votes a candidate must receive to move up the list (from 25% to 5% of the electoral quota); and (4) raising the threshold for applying this system in local elections (to councils of communities with 50,000 voters rather than the 10,000 voters provided for by the EC of Ukraine).

Territorial Organisation of Elections

The EC of Ukraine does not provide effective safeguards for the political impartiality of TECs when determining electoral constituency boundaries in local elections. It also allows constituencies to be formed with a significant (15%) deviation in the number of voters and does not require TECs to take the boundaries of administrative-territorial units into account when establishing constituencies. TEC consultations with parties and other stakeholders on draft decisions establishing constituencies are not mandatory. At the same time, the CAP of Ukraine restricts the ability of parties and voters to challenge decisions on the establishment of constituencies in court. All these regulatory gaps and shortcomings increase the risks of gerrymandering and other abuses.

To address these problems, the EC of Ukraine should provide for: (1) reducing the permissible deviation in the number of voters between constituencies from 15% to 10%; (2) mandatory public consultations on draft TEC decisions establishing constituencies; (3) a requirement to take the administrative-territorial structure into account when establish-

² Analytical Note on Legislative Initiatives to Change Electoral Systems for Local and Parliamentary Elections. Civil Network OPORA, 2025. ; Proposed Updates to the Electoral Code: Who Will Control the Mandates? Vox Ukraine, 2025. ; Opinion on Draft Law No. 13464 / Ukrainian Women Lawyers Association 'JurFem', 2025. 9 p.

ing constituencies; and (4) effective mechanisms enabling voters and local party organisations to challenge decisions on the establishment of constituencies.

Administration of Elections. Reform of the CEC. Election Observation

In the first post-war elections, there will be a significant risk that elections or voting cannot be organised in a particular territory because of a deterioration in the security situation or the absence of conditions for holding democratic elections. Electoral legislation should define clear criteria and requirements for decisions not to hold elections or voting in a particular territory. However, it does not currently establish such criteria or requirements. This creates opportunities for political abuse. Elections in certain territories may be unjustifiably cancelled on the grounds that the conditions for holding them are absent, while in other territories they may, conversely, be held despite the absence of such conditions. The law should therefore establish an exhaustive list of requirements for decisions not to hold elections or voting in a particular territory. It should also establish a procedure for adopting such decisions that ensures their impartiality and objectivity and guarantees an effective right of appeal.

Another important problem is the absence of effective legislative safeguards for the independence, professionalism, integrity and transparency of the CEC. This is particularly important because the CEC plays a key role in administering elections and ensuring that they are held in accordance with international standards. Current legislation does not provide for an open competition for CEC member positions and does not require all CEC members to have a legal education or undergo specialised training in electoral law. The Law of Ukraine 'On the Central Election Commission' allows both the early termination of the powers of individual CEC members on grounds that are evaluative in nature, in particular breach of oath, and the early termination of the powers of the entire Commission for political reasons. The CEC's institutional capacity is significantly weakened by the absence of territorial offices, which have not been established due to insufficient funding. The CEC's practice of holding working meetings 'behind closed doors' and, consequently, the formal nature of discussions of draft CEC decisions at its public meetings reduce the transparency of the Commission's work. Addressing these problems should include: (1) excluding the possibility of early termination of the powers of the entire CEC; (2) establishing a clear list of objective grounds for the early termination of a CEC member's powers; (3) moving to a transparent competitive procedure for forming the Commission; (4) gradually establishing the Commission's territorial offices; and (5) introducing safeguards against using Commission meetings 'behind closed doors' as an alternative to open CEC meetings.

The legislation also lacks effective safeguards for the independence, professionalism and efficient operation of lower-level election commissions (DECs/TECs and PECs). In presidential elections, there is no maximum limit on the number of members of DEC and PECs. Given the potential lack of premises suitable for the work of commissions, this may complicate the holding of meetings and negatively affect the overall quality of election administration. Conducting a single drawing of lots for nominees to all election commissions simultaneously (rather than separately for each DEC/TEC and PEC) creates risks of non-transparency and controlled formation of commission membership. The right of parties and candidates to initiate, at any time, the replacement of commission members appointed upon their nominations makes commission members dependent on them and

undermines professionalism in election administration: a commission member may be replaced by an untrained person even on election day. The professionalism of election commissions is substantially weakened by the absence in the EC of Ukraine of requirements for mandatory electoral training and certification of commission members confirming the results of such training. The independence and professionalism of election commissions are negatively affected by the unpaid nature of the work of a significant proportion of their members and by the practice of parties and candidates paying for this work unofficially. The efficiency of commissions is also adversely affected by the predominance of paper-based document flow and the absence of automated verification of vote-counting protocols. Paper-based document flow increases overall election costs and the time needed to verify and submit documents and complicates oversight of lower-level commissions. The absence of automated verification of the correct completion of vote-counting protocols results in protocols being returned for clarification, thereby delaying the establishment of voting results and election results.

To improve the independence, professionalism and efficiency of lower-level election commissions, it is necessary to: (1) establish a reasonable maximum number of members of DEC and PEC in presidential elections; (2) provide for a separate drawing of lots for the allocation of leadership positions in each commission rather than for all commissions simultaneously; (3) establish time limits and clear restrictive grounds for replacing election commissioners; (4) limit the possibility of repeated rotations by the same nominating entity; (5) introduce a mandatory system of prior training and certification for election commission members and provide proper remuneration for their work; and (6) introduce electronic document management in election commission activities and automated verification of vote-counting protocols.

The EC of Ukraine does not fully ensure opportunities for effective independent observation of the electoral process. Fake or politically motivated observation remains widespread, with civil society organisations and individual 'observers' being used in the interests of particular candidates or the authorities. This undermines trust in observation. The EC of Ukraine does not contain effective safeguards for the transparency of party congresses/conferences and conferences of their local organisations at which candidates are nominated. This hampers independent observation of this stage of the electoral process. The process by which civil society organisations obtain permission to have official observers is overly formalised (for example, they must submit notarised copies of their statutes to obtain such permission). In local elections, the EC of Ukraine does not guarantee observers access to the early stages of the electoral process, such as the establishment of TECs and electoral constituencies. This reduces the transparency of those stages. To address these problems, legislation should: (1) guarantee observers the right to observe all stages of the electoral process in all elections; (2) establish mechanisms to ensure the transparency of party congresses and conferences/local party organisation conferences at which candidates are nominated; and (3) launch an inclusive discussion of mechanisms for countering fake observation.

Voter Registration and Voter Lists, Updating and Auditing the State Voter Register

Following the start of Russia's full-scale invasion of Ukraine, the SVR database became outdated. This was caused by the suspension of the work of SVR maintenance bodies, mass displacement of voters, the absence of up-to-date data on voters in the TOT and

other war-related factors. Inaccurate and incomplete SVR data may significantly complicate voting and lead to abuses (multiple voting, voting by persons who are not entitled to vote, etc.). Even if the SVR database is updated, it will be possible to assess its completeness, accuracy and protection against unlawful interference only after a comprehensive independent audit of the SVR. Such an audit should be conducted before the first post-war elections. However, its legislative framework remains undefined. Before the start of the electoral process for the first post-war elections, it is necessary to: (1) fully update the SVR database (including by introducing active voter registration procedures in the EDA) and other information resources and registers whose voter data are used to update the SVR database; and (2) establish a legal framework for an independent audit of the SVR and conduct the audit itself.

In 2020, electoral legislation was amended to simplify the procedure for changing a voter's electoral address. This contributed to the fuller realisation of the principles of universal and equal suffrage. However, the short time limit for submitting applications to change an electoral address (only five days after the start of the electoral process) may become an obstacle to the exercise of the right to vote. This risk is increased by the absence of timely, complete and clear information for voters about the procedure for changing their electoral address and place of voting in elections. Proper exercise of the right to vote requires: (1) further simplification of the procedure for changing the electoral address and place of voting, including by allowing voters to submit relevant applications through the voter's personal account and the Diia application or through an authorised person; (2) extending the time limits for changing the place of voting and electoral address; (3) establishing a mechanism for including in the SVR persons whose details are absent from the Register; (4) establishing sufficient time for voters to verify their details in voter lists; and (5) conducting effective information campaigns on procedures related to voter registration, changing the place of voting and clarifying voter lists.

Political Parties in Elections. Candidate Nomination and Registration

The current Law of Ukraine 'On Political Parties in Ukraine' was adopted in 2001 and is largely outdated. It does not provide effective mechanisms for ensuring internal party democracy, representativeness and transparency. In the electoral context, the EC of Ukraine does not ensure the transparency of party congresses/conferences and conferences of their local organisations at which candidates are nominated. Comprehensive reform of legislation on political parties is envisaged by Draft Law No. 14289 of 10 December 2025, but the Parliament has not considered it. Although the draft law contains certain shortcomings, they may be addressed after its adoption at first reading, and the Parliament should therefore prioritise its consideration and adoption.

The residence requirement for candidates in nationwide elections and the prohibition on standing for election applicable to persons with a conviction for an intentional criminal offence (unless the conviction has been expunged or extinguished) do not comply with international standards and are inconsistent with the principle of proportionality. The special ad hoc law on the first post-war elections or amendments to the EC of Ukraine should provide for exceptions to the residence requirement for persons who were forced to remain abroad because of the Russian Federation's armed aggression. Once the restrictions related to martial law cease to apply, a review should be initiated of the constitutional restriction on the right to be elected on the grounds of a conviction for an intentional crime, narrowing it to cases involving clearly defined serious offences.

The potential nomination in the first post-war elections of persons who collaborated with the aggressor state has brought renewed attention to the idea of introducing mechanisms for their lustration. Discussion among politicians and experts on the optimal model for applying lustration to candidates for elected office is still far from complete. In any event, such a model should take into account international standards in this area and constitutional requirements: it should provide for the principle of individual guilt rather than collective responsibility, the possibility of effectively challenging lustration decisions, proportionality of lustration restrictions and time limits for their application.

An obstacle to the exercise of the right to stand for election remains the absence of a clear distinction between grounds for refusing candidate registration and grounds for amending documents submitted for candidate registration. The absence of such a distinction creates scope for unjustified or selective refusals to register candidates. Accordingly, it is necessary to provide for: (1) a mechanism for correcting minor errors and inaccuracies in documents submitted for candidate registration; and (2) an obligation for election commissions to promptly inform the entities submitting such documents of identified deficiencies and provide sufficient time to remedy them.

A similarly significant obstacle to standing for election is the amount of the election deposit in nationwide elections. For candidates for President, it amounts to 650 minimum wages, while for parties in parliamentary elections it amounts to 1,000 minimum wages. In addition, the grounds for returning the election deposit are limited. In parliamentary elections, a party must pass the electoral threshold for the deposit to be returned, while in presidential elections a candidate must win the election or advance to the second round of voting. Accordingly: (1) the amount of the election deposit in nationwide elections should be reduced, while keeping it at a level that would prevent the nomination of large numbers of technical candidates; and (2) in presidential elections, the deposit should be returned to candidates who receive a significant share of the vote (for example, 10%), rather than only to the winner or candidates participating in the repeat vote.

Contrary to international standards (the principle of a free and independent mandate) and the case law of the ECtHR, the Constitution of Ukraine expressly provides for the loss of a parliamentary mandate by an MP elected on a party list who fails to join, or leaves, the parliamentary faction of the party on whose list they were elected. Once the martial-law-related restrictions on amending the Constitution of Ukraine cease to apply, a separate draft law amending Article 81 of the Constitution of Ukraine should be initiated. The amendments should remove this ground for the early termination of the powers of an MP of Ukraine.

Election Campaigning and Information Coverage of Election

The EC of Ukraine contains a number of gaps and shortcomings in the regulation of election campaigning. In particular, the concept of covert election campaigning is not defined, which leads to shadow financing of election campaigns and campaigning during a prohibited period (before candidates are registered). The EC of Ukraine does not regulate online campaigning, which results in shadow financing and violates the principle of equality of candidates. Mechanisms for countering the abuse of administrative resources by candidates holding public office are ineffective, creating campaigning advantages for such candidates. 'Jeansa' — de facto campaigning in the media presented as informational coverage of the election without payment from election funds — also

remains widespread. 'Jeansa' encourages shadow financing of election campaigns and gives certain parties and candidates advantages in access to the media.

Another problem is the conduct of fictitious public opinion polls concerning elections and electoral subjects by little-known companies. Fictitious polls undermine voters' trust in polling results, enable electoral manipulation and may distort the expression of voters' will. Regulation of the right of reply is inconsistent with international standards: the media may not refuse to provide a party/candidate with a right of reply at all. As a result, a party or candidate may demand a rebuttal of information (the exercise of the right of reply) even when the information disseminated about them is true. The media regulator's insufficient powers to oversee compliance with election campaigning legislation reduce the effectiveness of such oversight and effectively allow breaches of the rules it is supposed to enforce to go unpunished. Mechanisms for addressing the vast majority of these problems are provided for in Draft Law No. 8310. It was included in the agenda of a regular session of the Verkhovna Rada but was not adopted even at first reading. The Parliament should accelerate its consideration and adoption.

Because the war caused mass displacement of voters abroad, post-war elections will require additional safeguards for their rights, including the right to campaign in the EDA. However, the EC of Ukraine expressly excludes this possibility and prohibits the financing of campaigning in the EDA. The special law on the first post-war elections and the EC of Ukraine should allow both election campaigning in the EDA and its financing, while establishing safeguards against abuse and hidden financing. Such safeguards should consider Ukraine's limited ability to oversee campaigning conducted in the territory of foreign states.

In the context of post-war elections, there is a significant risk of external interference in the electoral process, disinformation and attempts by Russian propaganda to influence the results of those elections. Current electoral legislation does not provide effective safeguards against these risks. Broad discussion of mechanisms for preventing foreign interference and disinformation in the electoral process should continue, and inter-institutional cooperation to counter foreign information manipulation and interference (FIMI), including disinformation, should be established.

Voting and Establishment of Election Results

Under the EC of Ukraine, voting results at an election precinct may be declared invalid only if the number of violations during voting exceeds a certain threshold (for example, where the number of cases of unlawful voting at an election precinct exceeds 5% of the number of voters who received ballot papers). In practice, this establishes 'tolerance thresholds' for violations and abuses at election precincts during voting. The EC of Ukraine does not provide for the possibility of annulling election results at all. These legislative shortcomings enable election commissions, which are political in nature, effectively to adjust election results by declaring invalid the voting results at election precincts where a particular candidate or party received the largest number of votes. The EC of Ukraine should permit the invalidation of voting results at an election precinct and election results as a whole where any violations make it impossible to establish the result or have affected that result. The power to annul voting and election results should be vested either in a court or in the election commission establishing the election results.

Problems in establishing voting results include significant queues during the receipt and transfer of PEC vote-counting protocols to higher-level commissions, lengthy processing of such protocols and delays in establishing voting results. To address these problems, it is necessary to introduce: (1) staggered receipt of protocols and electoral documents from PECs, while simultaneously ensuring protection against theft, damage and other abuses involving documents that are only awaiting transfer to a higher-level commission; and (2) digitisation of vote-counting protocols. Digitisation would minimise the need to correct protocols because of errors in their completion and enable the rapid publication of voting results for each election precinct on the CEC website.

Regulation of the use of the 'Withdrawn' stamp in elections is not uniform. For example, where the registration of a candidate included in a regional electoral list is cancelled, changes using this stamp are made not to the ballot paper but to the party's information booklet. In elections in out-of-country vote in parliamentary elections and in presidential elections, changes using the stamp are made directly to ballot papers. The absence of a uniform approach to the use of the 'Withdrawn' stamp may confuse voters and consequently distort the expression of their will. If ballot papers used in the first post-war elections contain information about candidates in the respective elections, the 'Withdrawn' stamp should be used to make changes to the ballot papers rather than to posters or booklets. If ballot papers do not contain such information, the stamp should be used to make changes to information posters and booklets. The EC of Ukraine should provide for the use of special fluorescent ink for the 'Withdrawn' stamp, and the size of the stamp should ensure that it can be applied accurately and correctly.

Election Disputes Resolution and Liability for Violations of Election Legislation

The EC of Ukraine does not guarantee professional and impartial consideration of complaints by election commissions. This reduces the effectiveness of election commissions in protecting and restoring violated electoral rights. The problem could be partly addressed by: (1) establishing deadlines and clear grounds for replacing election commission members; (2) introducing mandatory electoral training and certification for commission members; (3) introducing an electronic complaints administration system; (4) requiring all election commission resolutions adopted following consideration of complaints to be transmitted to the CEC; and (5) requiring the CEC periodically to analyse and summarise election commission practice in considering complaints.

During elections, the CEC and other election commissions leave a significant proportion, or even the majority, of complaints without consideration (or without consideration on the merits). This reduces the role of election commissions in the effective resolution of election disputes. The problem could be addressed by requiring election commissions under the EC of Ukraine to consider complaints that, although not prepared in accordance with the prescribed requirements, contain sufficient evidence of violations. The number of errors in the preparation of complaints and claims and, accordingly, the proportion rejected on formal grounds could also be reduced if the CEC published templates for complaints and claims and instructions for completing them on its website.

The practice of election commissions ignoring or failing to comply with court decisions in election disputes also remains widespread. To minimise this practice, the EC of Ukraine should provide for the mandatory early termination of the powers of an election com-

mission where it fails to comply with a court decision or adopts a new decision that, in substance, repeats a decision annulled by a court.

Some election-related disputes are considered by courts under the general rather than the simplified procedure, where a dispute arose before the start of the electoral process. As a result, the period between filing a claim and the judgment becoming final may amount to 125 days or more, meaning that resolution of the dispute may take longer than the electoral process itself. This effectively undermines the possibility of restoring violated electoral rights. The CAP of Ukraine should provide for shortened and simplified procedures for resolving all election disputes, including those arising before the start of the electoral process.

Judicial practice in resolving election disputes remains inconsistent. This is contrary to the principles of equality before the law and legal certainty. To ensure consistency, it is necessary to: (1) introduce a preliminary reference procedure; (2) require the SC to summarise the practice of appellate and district administrative courts in resolving election disputes; and (3) introduce mandatory training during the inter-election period for judges on the judicial resolution of election disputes.

Sanctions for violations of electoral legislation do not comply with the principles of effectiveness, proportionality and deterrence and are also applied ineffectively in practice. They should be brought into line with these principles. The procedural provisions of the CUAO concerning procedures for imposing administrative liability should ensure the effectiveness of administrative liability for electoral violations. The effectiveness of sanctions could also be strengthened by introducing mandatory training programmes for investigators, police officers and prosecutors on responding to violations of electoral legislation, maintaining public order during elections, investigating electoral offences and documenting administrative offences in the electoral sphere.

Safeguarding the Electoral Rights of Forcibly Displaced Persons

Ukraine's system of regular and permanent special election precincts was established before the start of Russia's full-scale invasion. Accordingly, it is based on outdated SVR data and does not take into account changes in the number of voters caused by forced displacement. If IDPs change their electoral addresses and places of voting without the system of election precincts being revised, the number of IDPs at certain election precincts may exceed those precincts' capacity and organisational capabilities. This, in turn, may complicate or even prevent the exercise of their right to vote. A significant number of election precincts are located in TOT or have been destroyed or substantially damaged.³

To properly safeguard the right of IDPs to vote in elections, it is necessary to: (1) require the CEC to review the existing system of regular and special election precincts and establish a new system based on the results of updating and auditing the SVR; (2) extend the time limits for voters to change their place of voting and electoral address;

³ According to Letter No. 21-17-2202 of the Central Election Commission of 28.07.2026 in response to an information request from Civil Network OPORA, as of 28 July 2026, 33,150 election precincts located in 30,261 buildings were functioning in Ukraine. Of these buildings: 1.3% were completely destroyed and beyond repair, 0.3% were destroyed due to deterioration over time, 3.1% were damaged but could be restored, 2% were damaged but had been restored, and 19% were located in the TOT of Ukraine and/or the CEC had no information on their condition.

(3) introduce dedicated voter information programmes on registration procedures and on changing electoral addresses and places of voting; and (4) allow PECs to be provided with premises that do not currently meet the prescribed standards but can be repaired and brought into compliance with them.

The actual number of voters in the EDA differs from the number recorded in the SVR by almost eight times.⁴ Even before the start of Russia's full-scale invasion of Ukraine, tens of thousands of voters were registered at certain EPAs at diplomatic missions. A many-fold increase in voter numbers in some countries may therefore make it effectively impossible for them to exercise their right to vote. The special law on the procedure for holding the first post-war elections should provide for the establishment of additional EPAs outside diplomatic missions, the grounds and procedure for establishing such EPAs and effective mechanisms for informing voters that they have been included in voter lists at additional EPAs.

For persons who were forced to leave Ukraine because of Russia's full-scale invasion, the residence requirement may become an obstacle to standing in nationwide elections. This obstacle could be removed by providing exceptions to the residence requirement in the special law on the first post-war elections.

Safeguarding the Electoral Rights of Service Members

For objective reasons, a significant proportion of service members will be unable to vote in the first post-war elections under the procedures established by the EC of Ukraine, namely at regular election precincts outside the places of deployment of the relevant military units (formations). In Ukraine's security circumstances, the only way to organise their voting is to establish temporary special election precincts at the places of deployment of military units (formations). However, the EC of Ukraine does not clearly define the procedure and grounds for establishing such precincts or the specific arrangements for organising voting there. Military unit premises are restricted-access facilities. Therefore, the mass establishment of such special precincts without observer access may reduce the transparency of voting arrangements and even lead to distortion of the expression of service members' will.

The special law on the first post-war elections should: (1) establish an exhaustive list of grounds and a procedure for creating temporary special election precincts on the premises of military units (formations); (2) provide specific arrangements for voting at such precincts that guarantee the free expression of service members' will, including voting at their place of stay; and (3) establish safeguards for effective observation of the organisation and conduct of voting at such precincts.

Service members may also face obstacles in exercising not only the right to vote but also the right to stand for election. The EC of Ukraine does not provide for leave to enable them to exercise the right to stand as candidates. The Constitution of Ukraine establishes a residence requirement for nationwide elections, which may prevent service members who were outside the country in captivity, in connection with combat missions, for rehabilitation or for other reasons from standing for election.

⁴ According to CEC data published on the number of voters within the Autonomous Republic of Crimea, regions, the cities of Kyiv and Sevastopol and the election district abroad (EDA), as of 31 July 2026, 558,370 voters were registered in the EDA, of whom only 380,873 had an electoral address, while according to Eurostat data on the number of Ukrainian citizens benefiting from temporary protection in the EU, the number of such citizens in EU Member States as of 31 July 2026 was 4.38 million.

The special law on the first post-war elections should: (1) establish exceptions to the residence requirement; (2) allow documents for candidate registration to be submitted electronically; and (3) guarantee service members the right to take leave or be released from duties in connection with standing for election.

Safeguarding Women's Electoral Rights

The EC of Ukraine requires compliance with gender quotas only at the stage of nominating candidates for election, but not after their registration, including after election day. In local elections, the EC of Ukraine does not guarantee compliance with gender quotas even at the nomination stage. The EC of Ukraine should therefore be supplemented with provisions guaranteeing compliance with gender quotas in elections both during candidate nomination and after candidate registration, including after voting and after elected representatives assume office.

Sexism remains widespread during elections. To address it, legislation should define the concept of sexism, prohibit sexism in election campaigning and provide for sanctions for violations of this prohibition.

Raising the gender quota to 40% has significantly weakened financial incentives for parties to increase the share of women on their candidate lists in parliamentary elections. The Law of Ukraine 'On Political Parties in Ukraine' should therefore be amended to provide for 10% of the annual amount of state funding for political parties to be distributed equally among parties whose electoral lists in the single nationwide constituency resulted in no more than 55% of the elected MPs being representatives of one sex.

The Law of Ukraine 'On Political Parties in Ukraine' does not establish instruments for ensuring balanced representation of women and men in the governing bodies of parties and their local organisations. Given the persistence of gender stereotypes, this may reduce women's chances of being nominated. The problem could be addressed by introducing gender quotas (40%) for the formation of all statutory bodies of parties and their local organisations or, at a minimum, by providing additional state funding to parties that establish such quotas in their statutes.

Safeguarding the Electoral Rights of Persons with Disabilities

The destruction or substantial damage of electoral infrastructure has significantly reduced the accessibility of polling stations for voters with disabilities, whose number continues to grow. The EC of Ukraine and the special law on the first post-war elections should provide for: (1) mandatory monitoring of polling station accessibility; (2) selection of premises for election commissions taking accessibility requirements into account; (3) an obligation for the CEC to inform voters about accessible polling stations and the availability of reasonable accommodation; and (4) the possibility of locating PECs in temporary structures where accessible permanent premises are unavailable.

The incompatibility of a number of requirements and procedures established by the EC of Ukraine with international standards remains a challenge to the exercise of active suffrage by persons with disabilities. In particular, where a voter cannot vote at the polling station because of a disability, they are automatically included in the extract from the

voter list for voting at their place of stay. Legislative requirements for equipping polling premises do not comply with the principle of universal design. The EC of Ukraine contains no provisions on the use of stencils or adaptive overlays for ballot papers. Another problem is election commission members' lack of understanding of the needs of persons with disabilities and the absence of effective communication between commission members and this category of voters.

To remove these barriers, it is necessary to: (1) bring the CEC requirements for equipping polling premises into line with the principle of universal design; (2) define the concepts of reasonable accommodation and assistive device in legislation; (3) require election commissions to designate members responsible for interaction with voters with disabilities; (4) establish mandatory training for the relevant commission members on communication with such voters; (5) require the CEC to ensure the production of adaptive stencils/overlays for ballot papers; and (6) require the use of accessible formats and plain language in information materials on elections and electoral procedures.

The Constitution of Ukraine disenfranchises persons declared legally incapacitated by a court. This approach is inconsistent with international standards and the case law of the ECtHR. After martial law in Ukraine is lifted or terminated, the Constitution of Ukraine should be amended to abolish the automatic deprivation of electoral rights on the grounds of legal incapacity. The EC of Ukraine should be amended to introduce a supported decision-making system in the electoral process.

Safeguarding the Electoral Rights of National Minorities (Communities) and Indigenous Peoples

Contrary to repeated OSCE/ODIHR recommendations, the EC of Ukraine does not contain effective mechanisms for ensuring the representation of national minorities in elected bodies. In local elections, the problem could be addressed by allowing independent candidates to self-nominate under the proportional system and by requiring places of compact minority settlement to be considered when establishing electoral constituencies. In parliamentary elections, legislation should define the list of minorities whose right to representation in Parliament is recognised by Ukraine and a target level for such representation. Proper representation of national minorities in Parliament could also be promoted by allocating part of the annual amount of state funding for political parties to parties from which representatives of underrepresented national minorities are elected.

The EC of Ukraine also does not establish effective safeguards for national minorities and indigenous peoples to use their languages in electoral processes. It should therefore be amended to: (1) define the list of election-related materials whose translation into national minority languages officially recognised by Ukraine is to be ensured by the CEC; (2) provide for the publication of translated materials on the CEC website and the inclusion of QR codes linking to those translations in the Ukrainian versions; and (3) require the production of bilingual ballot papers and PEC vote-counting protocol forms for settlements where minorities using the relevant ballot paper language have traditionally resided or constitute a majority.

Election Campaigning, Countering Cyberattacks and Disinformation

The provisions of the EC of Ukraine regulating election campaigning are outdated and inconsistent with media legislation. The absence of a legislative definition of political advertising is inconsistent with EU law and creates legal uncertainty as to how political advertising differs from commercial advertising and what requirements apply to its labelling and dissemination. These problems could be addressed by aligning the EC of Ukraine with the Laws of Ukraine 'On Advertising' and 'On Media' and by amending current legislation regulating political advertising in line with the model of the EU Regulation on the transparency and targeting of political advertising.

Although the Law of Ukraine 'On Media' provides for funding of the National Council through a separate line in the State Budget, these safeguards are not effective in practice because the relevant provisions of the Law are repeatedly suspended by the Law of Ukraine 'On the State Budget' for the respective year. This calls into question the media regulator's ability to perform its mandate. Proper annual funding of the National Council in accordance with its budget requests would help ensure the effective exercise of its regulatory and oversight powers in the field of election campaigning.

The legislation does not regulate information-sharing platforms (social networks) and does not provide a lawful mechanism for paying for political advertising on online platforms. This increases the risks of disinformation influencing the electoral process, shadow financing of campaigning and breaches of the principle of a level playing field in campaigning. The EC of Ukraine should be amended to provide for: (1) extending the rules on election campaigning and political advertising to online media and information-sharing platforms; and (2) allowing political advertising to be paid for directly from election funds to non-resident platforms. The Law of Ukraine 'On Media' should include provisions on interaction with online platforms that take into account the limits of Ukraine's jurisdiction and the transitional period before Ukraine's accession to the EU.

The legal regulation of countering external interference in Ukraine's electoral process is fragmented and primarily covers cybersecurity. The EC of Ukraine contains no provisions aimed at countering external interference in the electoral process. The existing system of public institutions responsible for information security and cyber resilience lacks an institutionalised centre for coordinating responses to threats. This increases the risks of election results being distorted by disinformation and other external interference. The status of influencers, who affect the formation of voters' will but remain outside the scope of electoral legislation, is also undefined under electoral legislation.

To increase the effectiveness of countering external interference in elections, it is necessary to: (1) adopt the Information Security Strategy for 2026–2031, taking into account contemporary challenges, including FIMI and the role of information-sharing platforms; (2) define FIMI in legislation and establish the legal regime for countering it; (3) establish a permanent interagency coordination body at Government level to counter external interference in elections and define its legal status; (4) integrate existing cybersecurity response mechanisms with information-security response mechanisms into a single threat-response system; and (5) regulate the legal status of influencers by establishing basic transparency requirements for them during the electoral process.

Financing of Political Parties and Election Campaigning

The transparency of election campaign financing is significantly weakened by shortcomings and gaps in the relevant regulation. There is no regulation of third-party financing of election campaigns outside election funds. The EC of Ukraine contains no safeguards against early campaigning (before candidate registration) and no effective mechanisms for verifying the origin of funds transferred to election funds by private donors. Information on third-party financing or expenditure on early campaigning is not reflected in reports on receipts and use of election funds. These regulatory gaps allow election campaigns to be financed through straw persons, strengthen parties' dependence on private donors, increase the risks of political corruption and reduce the transparency of election campaign financing. To increase the transparency of election campaign financing and reduce the dependence of parties and candidates on private funding, it is necessary to: (1) regulate early campaigning in legislation, including the placement of political advertising before candidate registration; (2) introduce mechanisms to minimise concealed financing of election campaigns; and (3) reduce party and candidate election expenditure by lowering the permitted size of election funds.

The EC of Ukraine does not allow violations in election campaign financing to be detected effectively. It provides for reports on receipts and use of election funds to be submitted in paper form, precluding automated verification. The time limits for submitting these reports and analysing them are too short, turning their verification into a formality. Election commissions, which are not politically neutral bodies and have limited capacity to properly verify the reports received, are vested with powers to check them. The EC of Ukraine should be amended to: (1) require reports on receipts and use of election funds to be submitted electronically through the NACP information and communication system (through an analogue or a separate module of the POLITDATA Register); (2) require banks to provide the NACP monthly with information on receipts and use of funds of a political party (or structural unit of a party); and (3) require the NACP to promptly publish the relevant information.

The EC of Ukraine does not contain effective safeguards against foreign financial interference in elections. The sanctions established by the CUAO and the CC of Ukraine for violations of the rules on financing political parties and election campaigns are not proportionate, dissuasive or effective. The procedure for holding offenders liable for violations of election campaign financing and reporting rules allows them to evade liability. The CC of Ukraine and the CUAO should be amended to provide effective, proportionate and dissuasive sanctions for violations of election campaign financing rules. Liability should be strengthened for financing election campaigns through straw persons, outside election funds, for the purpose of foreign interference and similar conduct. Procedural legislation should be amended to enable offenders to be effectively held administratively liable and serious criminal offences in the field of political finance to be investigated through pre-trial investigation rather than inquiry. Effective counteraction to foreign, including financial, interference in elections requires a mechanism for inter-institutional cooperation to prevent such interference. To comprehensively address problems in election campaign financing, the Parliament should accelerate the adoption of Draft Laws Nos. 11462 and 14289.

Parliament

The Verkhovna Rada of the ninth convocation has become the longest-serving convocation of Parliament in the history of independent Ukraine. Even under martial law, Parliament continues to perform its legislative, oversight and representative functions.

Legislative Procedure

The right of legislative initiative in the Verkhovna Rada is vested in the President, MPs and the Government. In August 2019, the President registered a draft law that envisaged the people's right of legislative initiative. Despite a positive opinion of the CCU accompanied by a reservation (the draft did not determine the number of citizens' votes required to exercise such a right), no further work on the draft law was carried out.

The development of draft laws amending the Constitution of Ukraine is generally characterised by the non-public and closed nature of the entire process. Constitutional amendments are prepared by the relevant initiator without a constitutional reform concept or public consultations. This results in poor-quality draft initiatives, on which the CCU consequently issues comments or negative opinions. In future, amendments to the Constitution of Ukraine should be developed based on a coherent concept, and the drafting process should provide for dialogue involving experts, academics and the wider public.

Parliament faces the phenomenon of 'legislative spam', the main causes of which are MPs' individual right of legislative initiative, the absence of a pre-registration review stage and low-quality requirements for draft laws and their accompanying documents.

The main requirements for the structure and content of draft laws are contained in the Rules of Procedure of the Verkhovna Rada and the Law of Ukraine 'On Law-Making Activity' (not yet in force).⁵ Certain provisions concerning the development of Government draft laws are contained in the Rules of Procedure of the Cabinet of Ministers of Ukraine. The Rules of Procedure of the Verkhovna Rada stipulate that the explanatory note to a draft law must contain, among other things, justification of the expected socio-economic, legal and other consequences of applying the law. However, these requirements are often met only formally, without an in-depth analysis of economic or other consequences. The poor quality of explanatory notes and the absence of financial and economic justification for most draft laws make it impossible to understand the purpose, content and consequences of a draft law, including its impact on the State Budget. Explanatory notes should contain sufficient justification for the need to adopt the relevant draft law, the results of analytical work undertaken during its development, its financial implications and other relevant information. Once the Law of Ukraine 'On Law-Making Activity' is put into effect, initiators of draft laws will also be required to prepare impact assessments. The Verkhovna Rada should take steps to introduce impact assessments: strengthen the analytical capacity of MPs and staff of structural units of the Verkhovna Rada through education and training and prepare a methodology for conducting impact assessments, among other measures.

⁵ The Law of Ukraine 'On Law-Making Activity' will be put into effect one year after the termination or cancellation of martial law in Ukraine.

When a draft law is registered, the pre-registration review checks only compliance with formal requirements, in particular the presence of all accompanying documents, but not their content. The Rules of Procedure of the Verkhovna Rada need improvement because they do not contain an exhaustive list of grounds for refusing to register a draft law or identify the body authorised to take such a decision (a structural unit of the Secretariat, the leadership of Parliament, etc.).

Combined with an MP's individual right of legislative initiative, this effectively means that an MP may register any number of draft laws on any subject regardless of their relevance or the quality of the text. At the same time, MPs perceive any regulation of MPs' legislative initiative (for example, establishing a minimum number of initiators) as a restriction of their rights, and the introduction of collective legislative initiative may therefore face resistance from parliamentarians.

The Verkhovna Rada systematically violates the Rules of Procedure when considering draft laws, which adversely affects the quality of the legislative process. For example, failure to comply with the time limits for obtaining the opinion of the main committee and the MSED or MLD⁶ prevents MPs from familiarising themselves with the provisions of the draft and the comments of the expert departments and results in situations in which MPs do not know or understand what they are voting on. Moreover, MPs do not take into account comments contained in the opinions of the expert units, which ultimately results in the adoption of new laws intended to resolve problems created by previous laws. Parliamentary committees should take the opinions of the MSED or MLD into account when preparing draft laws and should also develop a mechanism for reviewing a draft law where an expert unit has issued a critical opinion on it.

MPs often explain violation of the Rules of Procedure by the need to accelerate consideration of draft laws. Existing procedures for accelerated consideration include: (1) the shortened procedure for discussing draft laws; (2) the special procedure for considering draft laws at second reading; (3) declaring draft laws urgent; or (4) an ad hoc departure from procedures, for example shortening the period for submitting alternative draft laws. At the same time, these procedures do not effectively accelerate consideration unless combined with breaches of the Rules of Procedure, which encourages MPs to resort to such practices. Nevertheless, the Verkhovna Rada has still not developed and adopted alternative expedited procedures for considering draft laws. This is important for ensuring a balance between the quality and speed of law-making.

After a law is adopted, it must be signed by the Chairman of the Verkhovna Rada and immediately sent to the President. Within 15 days of receiving the law, the President must sign and officially promulgate it or veto it. In the latter case, the President returns the law with reasoned and formulated proposals for reconsideration by Parliament. Despite these requirements being established by the Constitution of Ukraine, the President does not sign some laws adopted by the Verkhovna Rada (the so-called 'silent veto') and at times breaches the signing deadlines. As of 31 July 2026, 41 draft laws remained unsigned, while parliamentary monitoring data indicate that during the full-scale invasion the President substantially increased the proportion of laws signed after the prescribed deadline or not signed at all. In some periods, the constitutional procedure is breached in relation to almost half of the laws adopted by Parliament. One reason is that the consti-

⁶ Opinions of the expert departments are provided seven days before a draft law is considered in the session hall at first reading and 10 days (or five days where the timeframe is shortened) before a draft law is considered in the session hall at second reading.

tutional provision stipulating that a law must be signed and officially promulgated where the President has not returned it is imperfect because it does not identify the entity responsible for officially promulgating such a law. This limits Parliament in the exercise of its legislative function, as it is unclear whether time should be spent developing and adopting new draft laws similar to unsigned ones or whether their eventual signature should be awaited. The Verkhovna Rada should develop a mechanism for signing an adopted law in cases where the President applies a 'silent veto'. Although such changes would likely require amendments to the Constitution of Ukraine, which are impossible under martial law, their development could begin now.

After a law is adopted, the Government and Parliament should track how it is implemented (policy monitoring). Post-legislative scrutiny is usually used for this purpose. The closest analogue to post-legislative scrutiny in Ukraine is the exercise of the oversight function by Verkhovna Rada committees through analysis of the application of legislative acts in the activities of state bodies. However, such analysis is unsystematic, with committees instead responding selectively to problems or political requests. The Law of Ukraine 'On Law-Making Activity' introduces legal monitoring, which will make it possible to track, analyse and assess implementation of a law and achievement of its intended objectives, analyse its impact on society or specific social groups and identify intended and unintended consequences.

Although the provisions on legal monitoring have not yet been put into effect, the Research Service has already prepared the Guide to Post-Legislative Scrutiny, whose main purpose is to provide explanations and establish a common approach to organising and conducting post-legislative scrutiny by committees. Some Verkhovna Rada committees already have experience of conducting post-legislative scrutiny with the support of donor organisations but acknowledge that they are not ready to carry out analysis and formulate conclusions and recommendations as a systematic, comprehensive oversight activity. Committee secretariats need to be strengthened with staff whose main area of work would be post-legislative scrutiny, or a mechanism should be established for obtaining analytical materials through the involvement of research institutions, non-governmental organisations and other sources.

The process for adopting the draft law on the State Budget differs somewhat from the ordinary legislative procedure. The Verkhovna Rada does not use all available instruments for overseeing the adoption and implementation of the State Budget. Since the Budget Declaration — a medium-term budget planning document — was introduced in 2018, the Verkhovna Rada has considered it only once, in 2021. Without considering the Budget Declaration, the Verkhovna Rada cannot formulate recommendations that the Government should take into account when preparing the draft law on the State Budget of Ukraine. Parliament also does not consider Government reports on implementation of the State Budget; the Verkhovna Rada of the ninth convocation considered such reports only for 2019 and 2020. Following consideration of a report, the Verkhovna Rada issues instructions to the Government, which must then report on their implementation. In both cases, the documents, materials and information are considered by the relevant Budget Committee, but these matters are not brought to a plenary sitting. The Verkhovna Rada has therefore effectively deprived itself of additional instruments for influencing budget policy and should return to the practice of considering the Budget Declaration and the report on implementation of the State Budget at a plenary sitting.

Parliamentary Oversight

Parliament, its bodies and MPs may obtain information from the Government and individual executive authorities through instruments of direct parliamentary oversight: parliamentary inquiries and appeals, the 'Government's Question Hour', consideration of reports and statements by state bodies and their officials, the work of temporary commissions and other mechanisms.

Indirect parliamentary oversight is exercised through the Accounting Chamber, which on behalf of Parliament oversees receipts to and use of funds from the State Budget, and the Ombudsman, who exercises parliamentary oversight of the observance of constitutional human and citizens' rights and freedoms.

The Verkhovna Rada of the ninth convocation has changed four governments. In July 2026, Parliament accepted the resignation of Prime Minister of Ukraine Yuliia Svrydenko and again changed the Government, appointing Serhii Koretskyi as Prime Minister. In all cases, the initiative to change the Government came from the President rather than Parliament, to which the Government is meant to be controlled to and accountable by. This reflects an imbalance between branches of power in which Government accountability is concentrated outside Parliament.

The Shmyhal and Svrydenko Governments operated without a Programme of Activities approved by the Verkhovna Rada. Although Serhii Koretskyi's Government registered its Programme of Activities on 17 August, it was not considered at a plenary sitting of Parliament. The absence of an approved Programme of Activities turns interaction between Parliament and the Government into a process without clear benchmarks: the Government operates without officially defined priorities against which the success or failure of its work can be assessed, while Parliament loses its main instrument of political oversight and evaluation of Government performance.

The legislation does not provide a complete procedure for the political accountability of the Government or individual ministers before the Verkhovna Rada. Existing instruments of parliamentary oversight are predominantly informational and are not accompanied by effective response mechanisms where lawful requirements of Parliament are not complied with. Civil society monitoring and the practice of committees and TICs indicate cases of officials failing to appear, ignoring invitations, failing to provide information or giving formal replies instead of substantive explanations.

Reporting by ministries to Parliament remains fragmented and non-unified. Documents submitted by ministries when reporting on their activities differ in format and level of detail and are largely reduced to lists of measures implemented, documents prepared and similar outputs. This does not provide a sufficiently robust basis for assessing policy results, achievement of objectives or the justification for expenditure. In addition, the short-term planning horizon for committee activities (one session) does not ensure systematic oversight of the executive. Oversight of the Cabinet of Ministers of Ukraine should provide for systematic consideration of unified plans and reports of ministries.

The Verkhovna Rada should determine and introduce an optimal model of interpellation based on existing legislative initiatives and integrate it into the Rules of Procedure of the Verkhovna Rada as an instrument of parliamentary oversight and political accountability of Government members. The interpellation procedure should allow a group of MPs to

summon Government representatives to the Verkhovna Rada and should define clear consequences arising from the outcome of an interpellation.

The Chairman of the Verkhovna Rada, his deputies and all MPs are entitled ex officio to access state secrets of all levels of classification, which they may exercise after providing a written undertaking to preserve secrecy. This arrangement, under which MPs obtain access in advance without the relevant special vetting, creates certain risks. The list of MPs of the ninth convocation who have been notified of suspicion or charged with high treason includes 15 MPs, meaning that holding a parliamentary mandate does not guarantee loyalty to the state. There have also been known cases in which classified information was leaked following closed meetings with the military leadership. The Verkhovna Rada should accelerate consideration of Draft Law No. 11395 on improving measures for the protection of state secrets, which is particularly relevant given the need to strengthen parliamentary oversight in the security and defence sector. As part of reforming the system for protecting state secrets, it is recommended to introduce mandatory special vetting for MPs who obtain access to information constituting a state secret and mandatory briefing on how to safeguard it.

To strengthen parliamentary oversight of the security and defence sector, the legislation provides for the establishment of a committee whose remit includes ensuring the Verkhovna Rada's oversight of state bodies with special law-enforcement functions, special-purpose law-enforcement bodies and intelligence agencies. MPs recognise the need to establish such an oversight committee but have still not approved key requirements for its work, including the requirements to be met by committee members and secretariat staff, the procedure for organising and undergoing special vetting, the frequency of such vetting and the procedure for appealing its results.

Another area subject to weak Verkhovna Rada oversight is foreign policy. The Verkhovna Rada gives consent to the binding nature of Ukraine's international treaties (ratification) and takes decisions on their denunciation, but systematic parliamentary oversight of the implementation of international treaties is effectively absent. Current regulation does not establish a unified procedure requiring the Government or another responsible body to report to the Verkhovna Rada on the implementation status of international commitments. Between September 2025 and 31 August 2026, the Verkhovna Rada ratified 32 international agreements.

The Verkhovna Rada conducts foreign-policy activities through parliamentary diplomacy institutions — eight permanent delegations, the Ukrainian side of the Parliamentary Association Committee, five interparliamentary assemblies and 114 parliamentary groups for interparliamentary relations with foreign states. Parliament does not have sufficient financial resources to cover all parliamentary diplomacy activities, so only MPs' business trips connected with participation in permanent delegations are financed; in other cases MPs pay for travel from personal funds, funds allocated for the exercise of parliamentary powers or by third-party funds. The high level of activity in parliamentary diplomacy contrasts with uneven openness of these processes. In many cases, published materials do not make it possible to determine who initiated the international contact, the criteria used to select participants, the agenda or the follow-up actions planned. The absence of common standards for planning, reporting and follow-up of parliamentary diplomacy procedures makes it difficult to assess the results of the international activities of MPs, permanent delegations and other parliamentary bodies. It would be appropriate to introduce the practice of preparing an annual consolidated report on the achievements

of parliamentary diplomacy containing information on the activities of the leadership of the Verkhovna Rada, permanent delegations, groups for interparliamentary relations and interparliamentary assemblies, as well as statistics on MPs' international activity.

Since 2023, the Government has restricted MPs' travel abroad, allowing senior officials, including MPs, to leave the country only for an official business trip or due to family circumstances. For MPs, this meant that travel abroad on official business required permission from the Chairman of the Verkhovna Rada, an information note from the MFA and an official invitation. In July 2026, the SC upheld the lawfulness of the border-crossing restriction.

The Verkhovna Rada exercises parliamentary oversight of the observance of constitutional human and citizens' rights and freedoms through the Commissioner. The Ombudsman submits to Parliament an annual report on the observance and protection of human and citizens' rights and freedoms in Ukraine, as well as special reports on individual issues. Unlike annual reports, the Ombudsman's special reports are not heard by Parliament: the data show that since 2023 Parliament has heard all four annual reports⁷ and no special reports. The absence of adopted resolutions in such cases undermines the status of the Commissioner's recommendations and weakens parliamentary oversight in the field of human rights.

The legislation guarantees the institutional independence of the Commissioner and safeguards for the unhindered exercise of the Commissioner's functions. At the same time, the level of budget funding for the Commissioner remains insufficient to perform the institution's tasks, particularly under conditions of the full-scale invasion. It is recommended to prepare Draft Law No. 13181 for the second reading and adopt the related Draft Laws Nos. 13248, 13249 and 13250 to guarantee the Commissioner's financial and procedural independence.

On behalf of the Verkhovna Rada, oversight of the receipt and use of State Budget funds is exercised by the Accounting Chamber. It is accountable to the Verkhovna Rada while enjoying organisational, functional, political and financial independence.

The Verkhovna Rada appoints the Head and other members of the Accounting Chamber following a competitive procedure and also decides on their dismissal. An AGE is established to conduct the preliminary selection of candidates for positions as members of the Accounting Chamber. As part of the 2024 reform of the Accounting Chamber, aimed at depoliticising the selection of its members, a special procedure for forming the AGE applies for eight years after Law No. 4042-IX entered into force: three persons are selected upon the proposals of international and foreign organisations and three upon the proposals of parliamentary factions or groups.

By law, the Accounting Chamber consists of 11 members, but since April 2024 it has operated with five members, among whom 12 areas of activity are distributed. In September 2025, the Budget Committee again began preparations for a competition for six vacant positions: it carried out the necessary work to obtain and consolidate proposals from parliamentary factions and groups for candidates to the AGE and prepared Draft Resolution No. 14012 on establishing the AGE for consideration. However, since its registration on 5 September 2025 and as of 31 August 2026, the Draft Resolution had re-

⁷ Parliament heard the annual report of the Ukrainian Parliament Commissioner for Human Rights on the state of observance and protection of human and citizens' rights and freedoms in Ukraine for 2022, 2023, 2024 and 2025.

mained unconsidered. Without the establishment of the AGE authorised to conduct the preliminary selection of candidates, the competition procedure for the six vacant member positions in the Accounting Chamber has effectively stalled. In addition, one member submitted a resignation, which entails the launch of a new competition. In order to hold a single competition, the Verkhovna Rada voted for amendments allowing competitions for Accounting Chamber members to be combined when they take place simultaneously. However, although Draft Law No. 15111-d was adopted by the Verkhovna Rada on 9 June 2026, it had still not been signed by the President as of 31 August.

As part of its interaction with Parliament and its bodies, the Accounting Chamber informs them of the results of state external financial control (audit) measures. Relevant reports and other information are provided to the Budget Committee and the sectoral committees, which may, following consideration, develop proposals for improving legislation and take other action. Committees do not have a unified algorithm for following up Accounting Chamber materials or exercising parliamentary oversight of the implementation of its recommendations. The Verkhovna Rada should define an algorithm for committee responses to Accounting Chamber decisions resulting from external financial control (audit), including the minimum content of decisions of sectoral committees: identification of addressees, specific response measures, a deadline for submission to the committee and the Accounting Chamber of written information on implementation of recommendations and grounds for reconsidering the matter.

Representative Democracy

MPs are required to maintain contact with voters by considering citizens' appeals, informing voters about their activities and holding personal receptions. Because of security risks, MPs do not hold personal receptions, and the Secretariat is developing a digital tool for communication between parliamentary officials and voters. Insufficient reporting by MPs to their voters remains a problem. MPs are required to inform voters about their activities through the media and at voter meetings (at least twice a year). At the same time, the legislation does not provide for an established reporting format, making MPs' reports difficult to track. It would be appropriate to establish a unified format for an MP's activity report that would be published, for example, on MPs' profile pages on Parliament's web portal.

The Rules of Procedure provide for parliamentary hearings on matters of public interest, but planned hearings have not been held since March 2020 — initially because of the COVID-19 pandemic and subsequently because of the Russian Federation's full-scale invasion. Instead, committees hold committee hearings as well as off-site meetings, round tables, forums and other events.

In 2019, the Educational Centre was established, with its main areas and formats of work including educational activities for school pupils, students and educators. Because of the COVID-19 pandemic and subsequently the introduction of martial law, the Educational Centre reoriented its work to an online format, which made it possible to reach a wider audience, including children and residents of remote communities. At the same time, the Educational Centre has low institutional capacity due to insufficient financial and human resources.

The public may participate in Parliament's work by submitting electronic petitions and taking part in parliamentary and committee hearings, meetings and working groups. Expert and public councils may also be established under committees. Stakeholder engagement in the Verkhovna Rada is uneven: because of existing barriers, small businesses, remote communities and vulnerable population groups are often underrepresented. MPs' work with voters has not been adapted to the challenges of martial law, as there are problems with representing the interests of: (1) voters in occupied electoral districts; (2) internally displaced persons; (3) Ukrainian refugees; and (4) voters in single-member districts who have lost the representatives elected in those districts. The Verkhovna Rada should develop an inclusive and proactive mechanism for public engagement in legislative processes that creates equal conditions for the representation of different social groups.

The public may participate in the legislative process through the official web portal, which provides access to legislative initiatives. In 2017, Parliament introduced the 'Citizen's Electronic Office' digital service, which allows users to assess draft laws or propose them for discussion. However, the portal is not popular: only one draft law has been discussed through it under the nationwide public discussion procedure.

In June 2024, the Verkhovna Rada adopted the Law of Ukraine 'On Public Consultations'.⁸ For MPs and committees, the Law essentially establishes an advisory procedure for holding public consultations because, unlike for other bodies, conducting public consultations is their right rather than an obligation. Implementing the public consultation mechanism will require committee secretariats and MPs not only to collect proposals but also to analyse and further develop them, which may increase workload and require stronger institutional capacity.

In 2016, Parliament joined the Declaration on Parliamentary Openness. In 2017, in implementation of the recommendations of the European Parliament Mission Roadmap, the Chairman of the Verkhovna Rada approved the Communication Strategy of the Verkhovna Rada of Ukraine for 2017–2021. Parliament currently has no approved communication strategy, which limits the systematic and planned development of parliamentary communications. Without a communication strategy, it is impossible to ensure continuity of Parliament's information policy independent of the leadership of the Verkhovna Rada, personnel decisions or the political situation in Parliament. Parliament is currently developing a new communication strategy that should define the Verkhovna Rada's target audiences and communication channels and ensure continuity of its information policy.

The Rada TV channel was established to provide the public with reliable and objective information. Parliament should regulate the status of parliamentary media while taking into account safeguards for editorial independence. After 24 February 2022, the Verkhovna Rada suspended live broadcasts, while recordings were published several hours later on the Rada TV channel's YouTube page. In September 2025, Parliament lifted the restrictions and resumed live broadcasting of plenary sittings.

Despite significant progress in digitalisation, the official web portal of the Verkhovna Rada meets only basic digital accessibility requirements, while the development of e-parliamentarism is constrained by the absence of a comprehensive strategy for creating a digital Parliament.

⁸ The Law will enter into force 12 months after the termination or cancellation of martial law.

After the start of the full-scale invasion, access for media representatives to Parliament buildings and premises and the government quarter was closed. Media access was restored in May 2024 on the basis of an Order of the Chairman of Parliament. The Order introduced additional accreditation for media covering Parliament's activities, effectively creating a pool of parliamentary correspondents. In July 2026, the Order was substantially updated, including by regulating media access to meetings of parliamentary bodies (committees and temporary commissions).

The Verkhovna Rada of Ukraine and Its Bodies

In 2016, the European Parliament Mission prepared a Roadmap containing recommendations to the Verkhovna Rada on strengthening its institutional capacity. Parliament adopted the relevant Resolution No. 1035-VIII, thereby committing itself to implementing those recommendations, but overall made limited progress in doing so. Resolution No. 1035-VIII and the recommendations need to be updated with the involvement of representatives of the political forces in Parliament and civil society. The Verkhovna Rada should also designate a body or person responsible for implementing parliamentary reform measures so that parliamentary reform is carried out in a coordinated and consistent manner.

Following the full-scale invasion, the Conciliation Council, which is an advisory and consultative body, moved to a closed format for its meetings, implementing a recommendation of the European Parliament Mission Roadmap. However, this closed format of Conciliation Council meetings is a temporary measure linked to martial law. Provision should be made for its meetings to continue to be held in closed format after martial law is terminated or lifted, while ensuring an appropriate level of publication of consolidated information about its meetings.

Parliamentary autonomy is limited in certain respects. For example, Parliament cannot determine parliamentary procedures at its own discretion because amendments to the Rules of Procedure require the President to sign the relevant law. In civil service matters, the Verkhovna Rada depends on the executive because there is no separate mechanism governing civil service in the Secretariat of the Verkhovna Rada. Parliament has also not determined the procedure for managing state property used to support its activities, which complicates managerial decision-making.

The Verkhovna Rada has 23 committees, fewer than in previous convocations. This can be explained by the formation of a coalition by a single political force, which removed the need to reach political agreements and allowed the Servant of the People faction to chair most committees. There are imbalances between committees in the distribution of remits, number of members and workload. In addition, quotas of parliamentary factions for leadership positions (committee chair and committee secretary)⁹ remain unfilled in several committees. A committee's remit does not necessarily correspond to the policy areas of the relevant ministry: one ministry may be accountable to several committees, which in turn complicates parliamentary oversight and reporting.

Parliament may establish TICs (to investigate matters of public interest) and temporary special commissions (to prepare and preliminarily consider issues or draft laws). Despite

⁹ Budget Committee, Committee on Economic Development, Committee on Legal Policy.

the broad powers of such commissions — to obtain all information, documents and other materials from state bodies, LSG bodies and law-enforcement agencies, seize requested documents or obtain copies, invite witnesses to provide testimony or explanations, engage external experts and so forth — there are known cases in which invited officials failed to attend commission meetings or avoided providing information.

MPs from both the parliamentary majority and minority actively exercise the right to establish temporary commissions, including because of: (1) the need for additional instruments to influence the Government; (2) the absence or incapacity of a body responsible for developing policy in a particular area; or (3) an MP's wish to change the focus of their work without changing committees. Almost 70 temporary commissions were established during the ninth convocation of the Verkhovna Rada, but some exist only on paper: they do not hold meetings and are inactive. The legislation provides that temporary commissions may not be established on matters already within the remit of another commission, but this requirement is not always observed, leading to competition between temporary commissions, lack of internal coordination in their work and questions about the efficient use of resources. Temporary special and investigative commissions should clearly define the scope, competence and main tasks of their activities so that they do not duplicate the remits of committees or other temporary commissions.

The term of office of a temporary commission may not exceed one year, which is often insufficient to complete all of the commission's tasks. Where the need for the activities of certain commissions is permanent, consideration should be given either to assigning such powers to committees, particularly in the case of temporary special commissions, or to allowing the Verkhovna Rada to extend the term of temporary commissions beyond one year by decision.

Temporary commissions are required to report on their activities to the Verkhovna Rada no later than six months after their establishment. However, there are numerous cases in which such reports are not submitted or their consideration and hearing by Parliament take place outside the prescribed period. This diminishes the role of parliamentary oversight because reports of TICs should be sent to judicial and law-enforcement bodies so that they can review the parliamentary investigation. Delayed consideration of temporary commission reports also undermines MPs' internal oversight of the commissions' activities.¹⁰ Parliament should comply with the Rules of Procedure requiring priority consideration of temporary commission reports, which would give MPs an instrument for assessing the effectiveness of temporary commissions.

As of 31 August 2026, four parliamentary factions¹¹ and four parliamentary groups¹² had been formed in the Verkhovna Rada. Parliamentary factions and groups participate in the allocation of committee positions and have the right to delegate their members to temporary commissions, international delegations and other bodies. At the same time, the coalition is formed by only one parliamentary faction — Servant of the People. Such a coalition was formed for the first time in the history of independent Ukraine. This created a situation in which the 'Parliament–Government–President' triangle was effectively

10 After considering a report on six months of activity of a temporary commission, the Verkhovna Rada may terminate or extend its activities. If the report is not considered, such a commission formally continues to operate.

11 Servant of the People parliamentary faction, European Solidarity parliamentary faction, Batkivshchyna parliamentary faction, Holos parliamentary faction.

12 Platform for Life and Peace parliamentary group, Dovira parliamentary group, Restoration of Ukraine parliamentary group, For the Future Party parliamentary group.

controlled by a single political force, weakening parliamentary autonomy and oversight of the executive that had previously been exercised by representatives of competing political forces.

MPs from the parliamentary minority may exercise some of their rights independently of the coalition, for example by sending a parliamentary appeal or inquiry, initiating the establishment of a temporary special or investigative commission or inviting an official to a sitting of the Verkhovna Rada, since all such decisions require the support of 150 MPs. Opposition MPs also have the right of legislative initiative, but their draft laws are rarely included in the agenda because, without the support of the parliamentary majority, opposition draft laws will simply fail to secure support in the session hall. The Constitution and the Rules of Procedure of the Verkhovna Rada do not contain mutually consistent legal provisions on organising the activities of the coalition and the opposition, while the proposals developed by a working group¹³ on regulating the status of the opposition were never registered. The opposition should be provided with opportunities to exercise effective oversight of the Government, adequate opportunities to participate in agenda-setting, the necessary resources and proper representation on parliamentary committees.

The Jean Monnet Dialogues were launched in 2015 and became an instrument for supporting parliamentary reforms and inter-party coordination. The Jean Monnet Dialogues are an external mediation mechanism, whereas the establishment of a platform for inter-factional dialogue with the support of the Secretariat of the Verkhovna Rada is one of the European Parliament Mission's recommendations. In the absence of similar sustainable internal mechanisms for coordination between political forces, parliamentary dialogue remains largely dependent on external initiatives and support from international partners.

Organisation of the Parliamentary Process

The Rules of Procedure of the Verkhovna Rada are inconsistent with the Constitution of Ukraine and need to be aligned with the Law of Ukraine 'On Law-Making Activity'. Inconsistency between the Rules of Procedure and the law that establishes the principles of law-making activity may create a conflict between the provisions of the two acts. The Rules of Procedure should also take into account the provisions of the Law of Ukraine 'On Public Consultations' in order to determine the status and role of consultation results in the legislative process. Parliament does not have a practice of comprehensive review of the Rules of Procedure. If such a practice is introduced, it should be carried out through the relevant committee with the involvement of representatives of all parliamentary factions and groups, the Secretariat of the Verkhovna Rada and experts. It would also be appropriate to consolidate experience in applying the Rules of Procedure by developing guidelines, recommendations or manuals and ensuring that MPs and Secretariat staff are familiar with them.

According to the legal position of the CCU, the Rules of Procedure of the Verkhovna Rada must be adopted exclusively in the form of a law of Ukraine. Some experts advocate changing the legal form of the Rules of Procedure and adopting them by a resolution of the Verkhovna Rada on the principle of self-regulation so that the President cannot in-

¹³ In November 2021, a Working Group was established to prepare comprehensive legislative proposals for amendments to the laws of Ukraine in the field of parliamentary law, which, among other things, was to develop proposals on regulating the status of the opposition.

tervene in the adoption procedure and to prevent a possible presidential veto of amendments to the Rules of Procedure. However, such an approach is impossible without prior amendments to the Constitution of Ukraine.

The Rules of Procedure of the Verkhovna Rada do not establish a separate procedure for holding plenary sittings during martial law. Instead, the Verkhovna Rada adopted several Resolutions to organise its work. The Resolutions introduced the format of a single continuous plenary sitting, special arrangements for convening committees and the Conciliation Council and specific rules for setting the agenda. However, these Resolutions do not regulate the full range of Verkhovna Rada activities, while their inconsistency with the Rules of Procedure creates legal uncertainty as to which provisions should apply.

Based on experience gained during the COVID-19 pandemic and the full-scale invasion, the Verkhovna Rada developed a business continuity plan that enables it to respond to crisis situations and restore its activities as quickly as possible. The plan contains algorithms for MPs and Secretariat staff to ensure the uninterrupted performance of their functions in specific crisis situations and to establish interaction with other units, among other measures.

All voting under martial law has taken place in the session hall. At the end of August 2026, the Secretariat of the Verkhovna Rada reported measures to ensure Parliament's uninterrupted work in view of persistent air-raid alerts. Current Resolution No. 2912-IX provides that a sitting is suspended for the duration of an air-raid alert and resumes 15 minutes after it ends, making continuous sittings difficult because air-raid alerts repeatedly interrupt proceedings. In this context, Parliament has proposed introducing voting by telephone using an electronic system, as well as providing for MPs to move to a basement equipped as a shelter when an air-raid alert is announced so that the plenary sitting can continue.

Despite existing instruments for planning legislative work, including the Legislative Work Plan and the session agenda, they do not ensure predictability of the legislative process because they include an excessive number of draft laws beyond the Verkhovna Rada's actual capacity. For example, the Legislative Work Plan for 2025 contains 417 tasks, while during the 13th and 14th sessions the Verkhovna Rada adopted 179 laws. Thus, the number of tasks in the Plan is more than twice the number of laws adopted, even without considering the significant number of laws adopted outside the Plan. The Legislative Work Plan for 2026 contains 389 tasks. The process for preparing the Plan, its content and the approach taken by committees to formulating proposals for the Plan require substantial revision. The Verkhovna Rada should reduce the number of tasks in the Plan and exercise its legislative function on the basis of the Plan. The same applies to the session agenda: almost all registered initiatives are included, so it may contain several thousand draft laws. In addition, during a plenary sitting MPs may include other draft laws that are absent from the agenda, further reducing the predictability of the legislative process.

The Verkhovna Rada is authorised to adopt laws and exercise other constitutionally defined powers provided that at least 226 MPs are present at the plenary sitting at the time of voting for most decisions. The Rules of Procedure contain no procedures for verifying quorum. Instead, the presiding officer may exercise the right to call an indicative vote to forecast the voting result. MPs are frequently absent during consideration of particular matters, for example during the 'Government's Question Hour' or the consideration of a large number of amendments and proposals to draft laws at

second reading. The Verkhovna Rada should consider introducing instruments to verify the presence of the required number of MPs in the session hall during consideration of any agenda item and define the procedure to be followed where there is no quorum for decision-making.

Voting at sittings of the Verkhovna Rada is carried out by MPs in person. For a long time, Parliament faced the problem of non-personal voting (so-called button pushing). To put an end to this practice, in December 2019 the Verkhovna Rada criminalised voting by an MP instead of another MP, and in March 2021 a touch-sensitive button was introduced, making non-personal voting impossible. The Verkhovna Rada votes openly through the electronic system, and voting results are available in draft law cards.¹⁴ The Rada-3 voting system has already exceeded its service life, which sometimes results in malfunctioning voting consoles.

At present, document circulation in Parliament is carried out in both electronic and paper form, although the electronic form is the primary one. The transition to a fully electronic format has been postponed several times, while the introduction of martial law and the need to maintain alternative ways of processing documents have resulted in paper and electronic forms continuing to operate in parallel.

The powers of Parliament may not be terminated while martial law is in force. Accordingly, the powers of the Verkhovna Rada of the ninth convocation, whose term was due to expire in 2024, continue until the day of the first sitting of the first session of the Verkhovna Rada elected after the termination or cancellation of martial law or a state of emergency.

Status of Members of Parliament of Ukraine

Although Ukraine formally enshrines the principle of the free (representative) mandate, an element of the imperative mandate exists in parallel: an MP's powers may be terminated early if the MP leaves the faction of the party on whose list they were elected. The mechanism for loss of mandate due to leaving a faction is not automatic: the decision may be taken only by the highest governing body of the respective party. The prohibition of the imperative mandate is regarded by the Venice Commission as a cornerstone of European democratic constitutionalism. Ukraine is therefore recommended to abandon the imperative mandate after the termination or cancellation of martial law and instead initiate a discussion on the balance between the representative mandate and party discipline.

In January 2020, a law abolishing parliamentary immunity entered into force. At the same time, MPs amended the CPC of Ukraine to establish a special procedure for bringing an MP to criminal liability (for example, information on an offence committed by an MP may be entered into the URPTI only by the Prosecutor General, while a notice of suspicion may be served only by the Prosecutor General, the Acting Prosecutor General or the Head of the SAPO). The abolition of parliamentary immunity left MPs without political protection from the executive branch, and it would therefore be appropriate to initiate a discussion on restoring provisions on parliamentary immunity to the Constitution of Ukraine.

Legislation provides guarantees for the activities of MPs regardless of their party affiliation. Parliament independently sets the amount of an MP's official salary (from 10

¹⁴ Except for several laws adopted at the first plenary sittings after the start of the full-scale invasion.

to 12 subsistence minimums depending on the position); MPs also receive an intensity allowance, financial assistance for health improvement and for addressing social and household needs, monthly reimbursement of expenses related to the exercise of parliamentary powers and other payments. Although MPs themselves acknowledge that the level of financial support is insufficient, public dissatisfaction and distrust of the authorities in general constitute a political obstacle to increasing MPs' salaries. The procedure for determining MPs' salaries should be reviewed and linked to transparency in the use of funds for the exercise of parliamentary powers, in particular through declaration of compensation and payments received and publication of reports on their use. Such changes should be accompanied by a communication strategy explaining their purpose to the public, as well as by the consistent development of parliamentary ethics based on zero tolerance for corruption.

MPs are subject to the provisions of the Law of Ukraine 'On Prevention of Corruption', including rules on receiving gifts, prevention and settlement of conflicts of interest, financial control measures and other requirements. Nevertheless, the existing rules are insufficiently clear. It is therefore recommended to improve the rules on gifts received by MPs, in particular by clarifying the concept of permissible hospitality and introducing internal procedures for assessing, declaring and, where necessary, returning unacceptable gifts.

It is also necessary to ensure a fully functioning mechanism for preventing and settling conflicts of interest, since in MPs' activities the settlement of conflicts of interest is largely based on self-declaration without proper internal oversight. MPs are required to publicly announce a conflict of interest when an issue is considered or voted on at a plenary sitting, as well as to refrain from participating in the work of temporary special or investigative commissions where an actual or potential conflict of interest arises, but practice demonstrates non-compliance with these rules. Rules should be established for MPs on preventing and settling conflicts of interest during discussion and decision-making at committee meetings.

The rules of ethical conduct for parliamentarians are largely general and declarative, while the system for ensuring compliance with parliamentary ethics remains fragmented. The Committee on Rules of Procedure responds to complaints only episodically, while the Committee on Anti-Corruption Policy focuses on the overall policy framework rather than on MPs' compliance with anti-corruption legislation. The system is characterised by broad discretion in applying measures and by the absence of a single mandatory code of conduct establishing uniform standards of parliamentary ethics and procedures for holding MPs accountable for violations.

In March 2026, MPs submitted revised Draft Law No. 8327, which provides for the establishment of principles and rules of parliamentary ethics and the creation of a new committee whose remit would include the legal status of MPs and parliamentary ethics. The revised draft law establishes a procedure for submitting and considering complaints concerning violations of parliamentary ethics and updates the list of sanctions. One of the draft law's innovations is that an MP would be required to comply with the rules of parliamentary ethics while exercising parliamentary powers in the Verkhovna Rada of Ukraine and its bodies (the current Rules of Procedure are limited to an MP's conduct at a plenary sitting). To ensure the establishment of the new committee in the Parliament of the next (tenth) convocation, Draft Law No. 8327 must be adopted as a whole before the dissolution of the current Verkhovna Rada of the ninth convocation.

Secretariat of the Verkhovna Rada of Ukraine

Although the Regulation on the Secretariat expressly states that the Secretariat of the Verkhovna Rada is a legal entity, no corresponding legal entity is registered in the USREOU. Instead, the Administrative Department, which is one of the Secretariat's structural units, is registered. This creates a paradoxical situation in which an auxiliary structure has full civil legal capacity and capacity to act, while the main institution (the Secretariat) remains outside the scope of proper regulatory arrangements. The full scope of rights and obligations should be transferred from the Administrative Department to the Secretariat of the Verkhovna Rada (human resources support for all parliamentary staff, representation in courts, the role of chief administrator of budget funds and so on).

The Secretariat has developed a draft Strategic Executive Framework for the Activities of the Secretariat of the Verkhovna Rada of Ukraine for 2026–2030, which outlines directions for reforming its structure. The document provides for five strategic objectives to be achieved through the implementation of mutually integrated projects (for example, the merger of the MSED and the MLD into a single expert unit of the Secretariat, the creation of a separate parliamentary service and so on). Parliament is also taking initial steps towards establishing support offices — a Law-Drafting Office (to assist MPs in exercising their right of legislative initiative) and a Parliamentary Budget Office (to provide MPs with analytical support on public finance and the development of draft laws with appropriate financial and economic justification).

In 2022, the Research Service of the Verkhovna Rada was established. It operates as a separate legal entity and provides research and information-analytical support to Parliament, as well as professional training for MPs and Secretariat staff. At the same time, the capacity of the Research Service does not meet the needs of the Verkhovna Rada and MPs. Due to insufficient funding, the Research Service is unable to engage highly specialised professionals to prepare materials and research, or external experts to conduct training and webinars for staff of the Research Service and the Secretariat of the Verkhovna Rada.

Parliamentary civil servants are guided by the principle of political impartiality and are required to provide expert support to all MPs regardless of their political affiliation. In January 2021, the Verkhovna Rada adopted at first reading Draft Law No. 4530, which provides for the establishment and regulation of the parliamentary civil service. The civil service and patronage service in the Secretariat of the Verkhovna Rada have a number of specific features due to the nature of the Secretariat's work, and it is therefore recommended that consideration of Draft Law No. 4530 at second reading be resumed as soon as possible.

Under normal conditions, recruitment to civil service positions in Parliament is conducted through a competitive selection procedure. During martial law, however, this process has been suspended, and appointments are instead made under a simplified procedure involving interviews and candidate testing, as well as probationary periods. Restoring competitive recruitment to civil service positions in the Secretariat of the Verkhovna Rada (and throughout the civil service system) requires the adoption of Draft Law No. 13478-1 at second reading.

The development of the human resources capacity of Secretariat staff was governed by the Strategy for Building the Human Resources Capacity of the Secretariat of the Verkhovna Rada until 2022. However, after the Strategy expired, no new strategy or other

programme document was adopted, limiting systematic staff development and creating risks of fragmented implementation of reforms. Current measures for developing the human resources capacity of civil servants include the annual performance appraisal system and professional competence development.

In April 2025, as part of civil service pay reform, the Government approved a salary scale for staff of the Secretariat of the Verkhovna Rada. At the same time, Secretariat staff report that, despite the reform, remuneration — particularly for mid-level and junior staff — remains uncompetitive, making it difficult to attract and retain qualified personnel.

MPs' assistants-consultants hold patronage service positions and are appointed for the term of office of the respective MPs. Each MP may have up to 31 assistants, who may work under fixed-term employment contracts (on a full-time or part-time basis) or on a voluntary basis. The Verkhovna Rada has more than 4,000 MPs' assistants-consultants, only one quarter of whom work full-time under fixed-term employment contracts. Assistants-consultants (like most patronage service staff of the Verkhovna Rada) are not required to submit asset declarations, nor are they subject to restrictions on holding concurrent positions or combining employment, or to the requirement of political neutrality. It is recommended to update the regulation of the status of assistants-consultants by reducing their number, establishing job duties, clarifying the distinction between different statuses (full-time or voluntary) and establishing an exhaustive list of grounds and procedures for exercising their rights in order to prevent abuse.

Inclusive Practices of the Verkhovna Rada of Ukraine

In 2019, the Verkhovna Rada adopted the EC of Ukraine, which updated legislation on all types of elections: for parliamentary elections, it introduced an open-list proportional electoral system while retaining the 5% electoral threshold. In December 2025, the Verkhovna Rada established a Working Group on preparing elections under a special period and/or post-war elections, which is developing provisions on the specific arrangements for holding the next elections in Ukraine.

Legislation establishes the principle of equality and prohibits discrimination, including on the grounds of sex. The EC of Ukraine establishes gender quotas: when forming nationwide and regional electoral lists, at least 40% of candidates must be of either sex. During the 2019 elections, 13 of 22 party lists complied with the requirement for a 30% gender quota.¹⁵ Two parliamentary parties ('Holos' and 'European Solidarity') received additional funding for their statutory activities because the number of MPs of one sex elected to Parliament on the party list did not exceed two thirds of the total number of MPs elected from the party.

As of 31 August, the Verkhovna Rada had 85 women parliamentarians (around 22%), the highest proportion of women in the history of the Verkhovna Rada. The Rules of Procedure of the Verkhovna Rada contain no formal quotas, requirements or procedures regulating women's representation in Parliament's bodies. Women account for 25% of committee chairs; in seven committees, women hold none of the leadership positions, while one committee (the Committee on Freedom of Speech) has no women members at all.

¹⁵ The requirement for a 30% gender quota is established by paragraph 10 of Article 8 of the Law of Ukraine 'On Political Parties in Ukraine' No. 2365-III of 05.04.2001.

Gender mainstreaming is declared as a principle, but Parliament has no formalised procedures, strategies or action plans for implementing gender equality principles. Gender issues are secondary, are not integrated into the legislative process and their discussion depends on the initiative of individual MPs. The impact of gender and legal expertise (where conducted by the Government or civil society) on the legislative process is low, while the Secretariat of the Verkhovna Rada has no designated responsible persons or units that can or are required to conduct gender and legal expertise. To introduce the practice of gender-sensitive law-making, it is proposed to make gender and legal expertise mandatory, identify the body responsible for conducting it (the relevant committee whose remit includes ensuring equal rights and opportunities for women and men, a structural unit of the Secretariat and so on), define the timeframe for conducting such expertise and determine its role in the legislative process.

The Verkhovna Rada is taking steps to create conditions for combining parenthood with the exercise of parliamentary powers: in July, the Space for Children and Parents was opened in Parliament, and Draft Law No. 15371 was registered, allowing an MP to attend plenary sittings and meetings of committees and temporary commissions with a child under two years of age.

Ukrainian legislation provides for the rights of Indigenous peoples and national minorities (communities) to participate in political life, but does not establish any formal participation requirements, quotas or representation mechanisms.

The Rules of Procedure of the Verkhovna Rada and Parliament's internal acts governing access to parliamentary premises focus mainly on procedural and security aspects and contain no separate provisions on ensuring access to the Parliament building for persons with disabilities or their participation in parliamentary processes. The Parliament building has individual accessibility features (ramps, lifts and platform lifts), but overall, Parliament has not created conditions for the full participation of persons with disabilities. Parliament's physical infrastructure should be modernised in accordance with accessibility standards by implementing the results of the accessibility audit,¹⁶ establishing mandatory technical requirements and introducing a mechanism to monitor their implementation.

In terms of age balance, the composition of Parliament and its leadership is relatively homogeneous. At the time MPs took the oath, almost 40% were under 40 years of age. As of July 2026, the average age of MPs was 49, while MPs aged 30–39 accounted for approximately 16% of Parliament's total composition. The increase in the proportion of younger MPs appears to be incidental rather than the result of a targeted policy to support youth representation.

Young people are involved in shaping policy and the activities of the Verkhovna Rada in various ways. In April 2025, a Youth Council was established under the Chairman of Parliament. It may analyse current legislation governing the activities of the Verkhovna Rada and its bodies, prepare proposals on areas and mechanisms for youth engagement, initiate public consultations and discussions and perform other functions.

The Secretariat of the Verkhovna Rada operates a youth internship programme for persons under 35, aimed at familiarising young people with the activities of the Verkhovna

¹⁶ In 2024, as part of international technical assistance, an accessibility audit of the administrative buildings of the Verkhovna Rada for persons with reduced mobility was conducted. Based on the accessibility assessment of the facilities for persons with reduced mobility, relevant reports and recommendations were developed to improve the inclusiveness of the physical environment and services.

Rada and the functioning of the civil service in its Secretariat, as well as deepening their knowledge of parliamentarism and democracy. The internship programme also provides an opportunity to engage interns in subsequent employment in Parliament. The latest stage of the Programme ended in May 2026, and in June 2026 the Secretariat of the Verkhovna Rada announced a selection process for internships for war veterans, both women and men. Since the Programme was launched, more than 2,200 young people have completed internships in the Secretariat of the Verkhovna Rada of Ukraine.

Civil Society

Between September 2025 and August 2026, there were no fundamental positive changes in the framework for the functioning of civil society. At the same time, civil society retained a key role in ensuring state resilience, humanitarian response, monitoring and advancing democratic and European integration reforms. Against this background, certain trends identified in the 2025 EU Enlargement Package Report became more pronounced, in particular the narrowing of space for public participation in the development of public policy and the insufficient institutional capacity of CSOs. CSOs partly offset these risks through reform advocacy, participation in European integration processes, development of joint positions and coalition-building.

According to sociological surveys,¹⁷ the AFU, volunteer initiatives and the civil society sector continue to enjoy the highest levels of public trust, while the Verkhovna Rada, state bodies and political parties have significantly lower levels of trust. This gap in trust creates risks for public support for reforms, especially those required for European integration.

The financial and human resources capacity of civil society remains one of the key challenges. Following the termination of United States Agency for International Development assistance in January 2025, institutional support programmes were reduced and some specialists moved to international and humanitarian organisations. At the beginning of 2026, the number of CSOs prepared to provide systematic expert support to the Government and Parliament decreased, even as demand from state institutions for such expertise is growing. National and local organisations are particularly vulnerable: they are reducing staff, switching to remote work, giving up offices or ceasing operations. At the same time, the number of newly established local humanitarian CSOs is growing, increasing the need for accessible institutional support.

The war further increases the burden on civil society. CSOs continue to perform large-scale humanitarian functions — evacuating the population, supporting the military, IDPs and affected communities, documenting war crimes and providing social services. Combining these functions with shrinking resources, banking restrictions and the winding down of certain humanitarian programmes diverts human and organisational resources away from reform monitoring, public oversight and international advocacy.

At the same time, institutional dialogue between CSOs and the state continued throughout the reporting period. Civil society participated in the development of policies and

¹⁷ Analysis of Ukrainian Citizens' Trust in Public Institutions (2015–2025): Whom Do Ukrainians Trust Most and Least? Vox Ukraine, 2026.

legislation in the areas of volunteering, social services, financial monitoring, public participation, lobbying and European integration. CSO coalitions also developed, including in the areas of reforms, social services, protection of persons affected by armed aggression and financial monitoring.

The role of CSOs in Ukraine's EU accession process remains particularly important. In 2025, they contributed to the preparation of roadmaps in the areas of the rule of law, public administration and the functioning of democratic institutions, and submitted proposals for the National Programme. Civil society also contributes to the official translation of the EU *acquis* into Ukrainian, which is a prerequisite for high-quality adaptation and implementation of European standards.

The National Programme, which consolidated the key roadmaps and action plans related to the negotiation process, was approved on 1 April 2026, and CSOs are active partners of the state in its implementation.

Framework for the Functioning of Civil Society

The legislative environment does not generally pose a threat to CSO activities, although a number of provisions require updating. An important step was the digitalisation of registration of public associations through the Diia Portal: following a pilot phase, the service was officially launched in April 2026, and as of 31 August approximately 400 public organisations had been registered through it. The accuracy of the automatic generation of information on UBOs and ownership structure requires further monitoring. The introduction of a model charter for public associations, provided for by Resolution of the Cabinet of Ministers of Ukraine No. 460 of April 2025, had not been completed during the reporting period. Draft Law No. 8084, prepared for second reading and providing for simplified registration procedures, shorter timeframes and a broader range of registration entities, also remains pending consideration.

A separate systemic issue is the identification of UBOs of CSOs. The specific nature of public and charitable organisations is not always properly taken into account when applying the relevant legislation, while banks often require specific natural persons to be identified as UBOs. This leads to discrepancies between information held by banks and the USREOU and creates risks for CSOs. Resolving the problem requires harmonising the approaches of state bodies and banks, updating the relevant guidance and taking into account the specific characteristics of the non-profit sector when implementing AML/CFT legislation.

In the area of volunteering, legislation generally provides a framework for engaging volunteers but needs further development to reflect wartime conditions. On 29 April 2026, the Government approved the State Targeted Social Programme for the Development of Volunteering in Ukraine until 2030. The Programme provides for state support to organisations engaging volunteers, recognition of volunteer experience, development of youth volunteering, improvement of conditions for foreign volunteers, insurance and state support for injured volunteers, as well as development of local support programmes. Its implementation depends to a significant extent on adequate funding: no separate budget programme was provided for 2026.

A positive change was the adoption in March 2026 of Draft Law No. 13071, which simplifies the involvement of foreigners and stateless persons in volunteer activities dur-

ing martial law and for one year after its termination. For citizens of states with which Ukraine has a visa-free regime, the requirement to obtain a long-stay type D visa for a temporary residence permit was abolished. The President signed the Law on 30 March 2026. Its proper practical implementation and the provision of information to potential volunteers remain important.

Social guarantees and insurance for volunteers, especially those working in high-risk areas, remain among the least regulated. At least five volunteers were killed in 2025, while there is no comprehensive record of those wounded or injured. Draft Law No. 10040 on tax incentives for volunteer insurance remains stalled, while Draft Laws Nos. 13515 and 13515-1 on state insurance require further revision. Existing financial support mechanisms for families of deceased volunteers and volunteers with disabilities cover only certain categories of affected persons. Further policy should therefore ensure effective insurance, expanded state support for injured volunteers and proper implementation of the new rules for foreigners.

In the area of humanitarian response, social services provided by CSOs were exempted from VAT in 2025, while in July 2026 secondary legislation was adopted on verification of humanitarian organisations and on the import and accounting of vehicles for humanitarian needs. At the same time, the legal framework for humanitarian assistance remains fragmented and requires comprehensive updating, in particular regarding the status of humanitarian organisations, simplification of procedures for transferring vehicles and taxation of charitable assistance.

Financial Monitoring and Banking Services for CSOs

CSOs continue to experience negative consequences from the implementation of AML/CFT legislation. The main problems remain bank de-risking, unjustified classification of NPOs as higher-risk entities, the state's refusal to publish the 2025 National Risk Assessment Report approved on 31 August 2026 and financial monitoring entities' limited understanding among financial monitoring entities and, as a result, failure to apply the modern FATF risk-based approach.

An important positive change was the first systematic involvement of civil society in conducting the fourth National Risk Assessment in 2025. Expert CSOs provided the State Financial Monitoring Service with analytical materials, participated in reviewing the draft NPO risk assessment and submitted formal comments. In January 2026, a Coalition of Expert Civil Society Organisations in the field of financial monitoring and AML/CFT was also established, becoming a platform for developing a common sectoral position and for systematic interaction with the state.

The 2025 National Risk Assessment Report was approved on 31 August 2026 but has not been published. The Report did not take into account the proposals and recommendations of Ukrainian CSOs and international partners. The risk levels assigned to different types of NPOs were determined without evidence-based justification and remain high or medium for most of them. This perpetuates risks for NPOs, which effectively continue to be perceived as a high-risk sector. This will continue to result in account blocking, refusal of banking services and delays in international transfers. The delayed completion of the National Risk Assessment is already creating risks ahead of the MONEYVAL mutual evaluation planned for 2027.

The rapid increase in cases of bank de-risking remains a systemic problem. Following implementation of the 2022 National Risk Assessment Report, the number of cases in which banks terminated services to CSOs increased from several dozen to several thousand. The reasons include automatic or insufficiently justified classification of NPOs as higher-risk entities, inconsistent bank requirements regarding founders and UBOs, insufficient understanding of the specific nature of CSO activities and difficulties with international transfers. This practice is inconsistent with the modern FATF approach, which provides for targeted, proportionate and risk-based measures in relation to NPOs.

In 2026, dialogue intensified between the MoF, the SFMS, the NBU, international experts and CSOs. It demonstrated the need to move from a highly restrictive approach to proportionate and risk-based regulation. CSOs submitted proposals on approximating legislation to the EU acquis and the updated FATF Recommendation 8. One practical outcome was the joint development and publication, with the SFMS, of a model AML/CFT Policy for public and charitable organisations.

Further reform of the system requires amendments to the 2025 National Risk Assessment Report taking due account of the independent NPO risk assessment, improved statistics, training for system participants on the specific nature of CSOs and alignment of the NBU regulatory framework with the FATF risk-based approach. Draft Laws Nos. 15111-d and 14327-d, which may affect CSOs' operational activities and access to banking services, also require further revision with the involvement of civil society.

Effective Involvement of CSOs in Governance

The right of citizens to participate in the management of state and local affairs is guaranteed by the Constitution and legislation, but the war significantly limits access to information and the practical use of participatory tools, especially in temporarily occupied, frontline and relocated communities.

An important step was the entry into force in January 2025 of the Law on People's Power at the Level of Local Self-Government, which provides for mandatory adoption of Statutes of territorial communities from 1 January 2027. In November 2025, the Ministry for Development published methodological recommendations on drafting Statutes of territorial communities with CSO participation. At the same time, the process of adopting and updating them remains slow: a study¹⁸ of 268 communities in 23 regions found that almost 40% had no Statutes, while most existing Statutes required updating. Given that Ukraine has approximately 1,500 territorial communities, ensuring timely and high-quality compliance with the legislative requirements is a significant challenge. Problems arise in communities where military administrations operate, as well as in temporarily occupied, frontline and relocated territories. Traditional forms of participation, including general meetings of residents, are in many cases effectively impossible. At the same time, relocated administrations continue to manage budget resources. This creates a need for alternative mechanisms of participation and oversight, as well as clear legislative regulation of participation by residents of communities where MA operate.

In June 2026, the Action Plan for the Implementation of the Open Government Partnership Initiative for 2026–2027 was approved. It provides for 40 measures, a significant

¹⁸ The Polaris Programme Presented the Results of a Study on Informing and Engaging Community Residents under Martial Law. Polaris. 2026.

proportion of which will be implemented with CSO participation, including public participation in the planning and monitoring of public investment and reconstruction through DREAM.

Legislation on bodies of self-organisation of the population remains outdated. Draft Law No. 6319, developed with the participation of CSOs, was not supported by Parliament at second reading on 11 March 2026. Instead, Draft Law No. 15165 was registered on 10 April, largely reproducing the provisions already developed, and was recommended by the relevant committee for adoption as a basis. Its adoption could improve the legal conditions for the activities of bodies of self-organisation of the population, but it is important to preserve the provisions already developed during further consideration.

The oversight role of civil society remains an important element of government accountability, but its effectiveness is limited by martial law, CSOs' resource constraints and uneven openness of state institutions. Since August 2024, local councils have been required to publish video recordings of meetings, but implementation of this requirement remains uneven. From 20 January 2026, Law No. 4212-IX¹⁹ expanded CSOs' access to information on the work of parliamentary committees. Its practical implementation requires further monitoring, taking into account that security restrictions should be applied only where justified and proportionate.

Public councils and consultative and advisory bodies remain important channels for interaction between CSOs and the state. Councils on IDPs are a successful example: as of 2024, 813 such councils were operating. Specialised mechanisms for the participation of young people and volunteer organisations are also developing. At the same time, the openness of state bodies remains uneven, and the effectiveness of participation often depends on the existence of established communication channels.

Public procurement through Prozorro remains an important instrument of public oversight. CSOs use open data to identify risks and violations, while monitoring results are increasingly taken into account in improving public policies and system functionality, including in defence procurement.

Systematic implementation of public consultations remains postponed. The Law of Ukraine 'On Public Consultations', adopted in October 2024, will enter into force only one year after the termination or cancellation of martial law. Until then, consultations are conducted mainly in accordance with Resolution of the Cabinet of Ministers of Ukraine No. 996. The postponement prevents the full introduction of uniform standards for public participation, although a significant proportion of the mechanisms provided for by the Law could be adapted to wartime conditions.

Insufficient public dialogue is also evident in the legislative process. This concerns, in particular, Draft Laws Nos. 14056, 14057, 14394 and 15150 on recodification of the Civil Code of Ukraine, some of which were developed without proper prior consultations. CSO advocacy helped initiate dialogue with Parliament and submit proposals on individual provisions.

Draft Laws Nos. 13653 and 13653-1 on accelerating the consideration of European integration draft laws pose a separate risk. The proposed procedures shorten consideration

¹⁹ On Amendments to Certain Laws of Ukraine on Strengthening Certain Guarantees for the Activities of Media and Journalists and Ensuring Citizens' Right of Access to Information: Law of Ukraine No. 4212-IX of 14.01.2025.

periods but do not provide sufficient guarantees for participation by CSOs and the expert community at the stage of preparing draft laws. In the context of rapid adaptation of legislation to the EU acquis, it is important to ensure civil society participation even before such initiatives are registered.

Support, Development and Protection of CSOs

Civic activity in Ukraine remains high: more than 1,000 public events, including peaceful assemblies and protests, took place over the past year. Despite the absence of new general legislative prohibitions, unpredictable and inconsistent restrictions are applied under martial law, while the absence of a dedicated law on peaceful assembly reduces the predictability of law enforcement. Current legislation does not define with sufficient clarity the grounds, conditions and powers for prohibiting peaceful assemblies. No systemic abuse of power in restricting freedom of peaceful assembly and movement was recorded.

At the same time, the legal environment for CSO activities remains vulnerable to potentially restrictive legislation. In particular, the possibility of prohibiting a public association where its authorised representative is convicted of collaboration may be excessive if the organisation itself was not involved in the offence. No cases of abuse of this provision were recorded during the reporting period.

A separate risk is associated with implementation of lobbying legislation. The Law does not contain a sufficiently clear definition of 'commercial interest', which could potentially create risks of its requirements being applied to legitimate CSO activities. At the same time, as of 31 August 2026, no cases of pressure on CSOs to register or submit information to the Transparency Register had been recorded. Further implementation requires continuous monitoring and, where necessary, clarification of legislative provisions.

The financial sustainability of CSOs remains dependent on international funding, while state support is fragmented. Positive changes included expanded funding opportunities for youth organisations, Law No. 4505-IX on tax conditions for CSOs providing social services and the mechanism for verification of humanitarian organisations. A new instrument was introduced by Resolution of the Cabinet of Ministers No. 1031 of 19 August 2026, which established budget grants for the institutional development of youth and children's CSOs. In 2026, UAH 5 million was allocated for the first competition, with a maximum grant of UAH 1 million. At the same time, the requirement for public associations to have nationwide status in order to participate in the competition may limit access to funding for some organisations. As of 31 August, the competition had been announced and applications were being accepted.

Overall, state funding is insufficient to ensure the sector's sustainable capacity. Percentage designation mechanisms and endowments have not been introduced, while a significant proportion of CSOs have no access to state budget funding. Institutional support mechanisms in particular need to be developed to reduce the sector's dependence on external donors.

Wartime currency restrictions remain an additional barrier, complicating international procurement and the participation of Ukrainian CSOs in international consortia. Access to international payment services also remains limited for legal entities, including CSOs. In the context of European integration, crowdfunding and virtual assets require clear and

proportionate regulation. Draft Law No. 10225-d on virtual assets requires further revision taking into account the positions of civil society and business.

The development of volunteering is one of the most visible areas of state policy on civil society. The State Targeted Social Programme until 2030, approved in April 2026, provides for the development of volunteering infrastructure, digitalisation of coordination, competitive state support for organisations and development of long-term volunteering. At the same time, the absence of budget funding for 2026 creates a risk of limited implementation of the Programme.

In the area of strategic development of civil society, the SCMU ensured CSO participation in implementation of the current National Strategy for Promoting the Development of Civil Society and the Roadmap on the FDI. At the same time, some measures are being postponed, while unclear wording of individual provisions complicates monitoring of their implementation. The current Strategy expires in 2026. The SCMU began preparing a new document in autumn 2025 and held initial consultations with CSOs, but as of 31 August 2026 no further public consultations had been announced. The new document should consider the sector's financial, legal, security and institutional challenges and provide for clear monitoring mechanisms.

The socio-economic role of CSOs continues to grow. Since the beginning of the full-scale invasion, the number of charitable organisations has increased by 57% and the number of public associations by 10%. As of July 2026, 4,768 providers had been entered in the Register of Social Service Providers and Recipients, with public and charitable organisations playing a significant role in service provision. CSOs are increasingly involved in providing social services, including through Resilience Centres.

Social entrepreneurship is a promising area for strengthening financial sustainability. Legislation already allows public and charitable organisations to conduct relevant activities in pursuit of their statutory objectives, while Draft Law No. 14156 proposes defining the foundations of social entrepreneurship and mechanisms for state support. At the same time, clearer guidance is required on combining entrepreneurial activity with non-profit status.

Further development of the social services system is constrained by the absence of a permanent procurement mechanism, as a significant proportion of models are implemented on an experimental basis. An additional administrative barrier is the application of the VAT threshold to transactions of non-profit organisations, including those exempt from VAT. Improving legislation on social entrepreneurship, developing mechanisms for procuring social services and reviewing tax rules remain important for strengthening the socio-economic capacity of CSOs.

Overall, during the reporting period civil society continued to perform functions of critical importance to the state, while its institutional resilience remained under pressure. Key priorities for further development are ensuring sustainable and diversified funding for CSOs, reducing bank de-risking, completing reform of the financial monitoring system, creating effective mechanisms for public participation, ensuring full CSO participation in European integration and legislative processes and protecting the space for independent civic activity. At the same time, the effectiveness of these areas will depend to a significant extent on the state's ability to move from situational interaction with CSOs to a systematic partnership in which civil society is regarded not only as a provider of humanitarian functions but as a full participant in shaping and overseeing public policy.

European Integration

Legislative Dimension of European Integration

As of 31 August 2026, Ukraine had moved from a predominantly association-based model of legislative approximation to a system directly oriented towards the EU membership negotiation process. Completion of bilateral screening, during which a substantial body of the EU acquis was reviewed, created the basis for moving from identifying gaps to planning specific legislative and institutional changes. Additional progress included the introduction of the Pulse of Accession system, approval of the National Programme and adoption of Verkhovna Rada Resolution No. 4912-IX, which strengthened parliamentary support for the negotiations and interaction between Parliament and the Government. At the same time, the basic legislative framework remains fragmented: Law No. 1629-IV of 2004 does not correspond to the new accession architecture, while special procedures for considering European integration draft laws are regulated to a significant extent by resolutions and practice rather than by the Rules of Procedure of the Verkhovna Rada. Expert review of draft laws for compliance with the EU acquis is not yet applied systematically, and there are no legislatively defined criteria for identifying European integration draft laws or for their differentiated classification. This complicates the early identification of initiatives relevant to the fulfilment of negotiation commitments and creates a risk that provisions will be adopted without proper assessment of their compatibility with the EU acquis. Draft Laws Nos. 8242, 13653 and 13653-1 propose different models for modernising these procedures, but no comprehensive solution has been adopted. The priority should be a modern framework law establishing a unified system of adaptation to the EU acquis, mandatory expert review, clear criteria for classifying draft laws as European integration draft laws, differentiated classification and integrated digital tracking of legislative initiatives from planning through implementation.

Institutions Responsible for European Integration

Ukraine has developed a multi-level institutional architecture for European integration encompassing the President, the Government, the SCMU and the Government Office, ministries and CEBs, Ukraine's negotiating delegation, the Interagency Working Group, negotiating groups, the Verkhovna Rada and the Ukraine–EU association bodies. Positive developments include the institutionalisation of the negotiation track, the establishment of subcommittees on adaptation of legislation to the EU acquis within parliamentary committees, intensification of the work of the Parliamentary Association Committee and the launch of the Pulse of Accession. This model makes it possible to cover a broad range of policies and combine political leadership, sectoral expertise, legislative work and the negotiation function. At the same time, the scale of the system, the large number of bodies involved and parallel coordination mechanisms create risks of duplication, blurred responsibility and uneven institutional capacity. Attention is required to end-to-end information exchange between the Government, Parliament, negotiating groups and sectoral implementers, since delays at one level may directly affect the fulfilment of commitments under negotiating chapters. A single accountability framework should be developed, the SCMU strengthened as the 'Centre of Government', coordination between government and parliamentary levels unified, and adequate and stable staffing and expert capacity should be ensured in sectors facing the heaviest EU acquis workload. The Pulse of Ac-

cession should also be used not merely as a reporting tool but as a basis for early identification of delays, allocation of responsibility and management response.

National Programme

Approval of the National Programme by Government Resolution No. 438 was one of the key developments of 2026 and demonstrated the transition from a predominantly preparatory and diagnostic stage to systematic planning for the fulfilment of negotiation commitments. The National Programme integrates the results of screening, reform roadmaps and sectoral planning by clusters and chapters of the EU acquis, identifies responsible implementers and provides the basis for consistent legislative approximation. The Pulse of Accession, in turn, creates a digital basis for monitoring implementation. At the same time, the effectiveness of the National Programme depends not only on formal completion of a large number of measures, but on their clear prioritisation in line with negotiation benchmarks, realistic budgetary provision, translation and regulatory readiness, sufficient human resources and synchronisation with the Legislative Work Plan of the Verkhovna Rada and the timetable of the negotiation process. A weakness remains the limited normative force of the National Programme in relation to Parliament and the fragmentation of data between government planning and the legislative cycle. Formalised participation of CSOs, business and sectoral experts in assessing implementation and reviewing priorities should be ensured. It would be appropriate to enshrine the status of the National Programme in legislation, approve a transparent methodology for prioritising its measures, integrate key measures into medium-term budget planning and introduce regular independent assessment of its implementation, with public conclusions on risks and the need to adjust priorities.

Work of Negotiation Groups, Coordination and Implementation of Reform Roadmaps

In 2025–2026, the negotiation architecture moved from organisational launch and preparation of negotiating positions to the direct conduct of negotiations and fulfilment of conditions set by the EU for further progress. Thirty-six working (negotiating) groups are operational and roadmaps under Cluster 1 ‘Fundamentals of the EU Accession Process’ have been approved. At the same time, public reporting by the negotiating structures remains inconsistent, the boundaries between official information and information necessary for consultations are insufficiently defined and procedures for involving business, sectoral experts and CSOs are not fully formalised. Uneven human and expert capacity in individual sectors may result in different rates of preparation of implementation plans and legislative changes. A unified standard for public reporting by negotiating groups, clear rules for distinguishing open and official information, formalised consultation mechanisms and regular internal monitoring of the human and expert capacity of negotiating groups are needed to identify, at an early-stage, sectors at risk of falling behind.

Public Support for European Integration

European integration continues to enjoy a high level of public legitimacy, which is an important resource for implementing reforms. At the same time, support for membership is not the same as understanding the substance of the negotiation process or readiness to

support all sectoral changes related to the EU acquis. As implementation of the negotiating benchmarks moves into the practical phase, there is a growing need to explain not only the strategic objective of membership but also specific reforms, their stages, timelines, costs and practical implications for citizens and business. Special consideration is required in areas where approximation to the EU acquis may entail tangible regulatory or economic changes, including competition and state aid, environmental standards, agricultural policy, the labour market, the rule of law and anti-corruption policy. An additional challenge is the expiry in 2026 of the current Communication Strategy on European Integration of Ukraine, as well as continuing risks of disinformation and manipulative narratives. The next communication framework should take into account regional differences, levels of awareness and public expectations, while sociological data should be used as a tool for adjusting public policy rather than merely recording the level of support. It would be appropriate to adopt a medium-term Communication Strategy on European Integration of Ukraine for 2027–2030 and link European integration communication with strategic communications, factchecking and information security tools.

Governance

Composition of the Government of Ukraine

Over the course of one year, the composition of the Government changed twice. In July 2025, Yuliia Svyrydenko became Prime Minister, and one year later, on 16 July 2026, the Verkhovna Rada formed a new Government headed by Serhii Koretskyi.

Both changes were characterised primarily by continuity and redeployment rather than systematic renewal of leadership teams. Yuliia Svyrydenko's Government retained 10 of the 15 ministers from the previous Government. Serhii Koretskyi's Government continued this practice: six ministers from Yuliia Svyrydenko's Government retained their positions. The 2026 Government reshuffle had not been fully prepared by the time the Government was formed. In particular, the final composition of the new Government was not completed until 19 August 2026, while as of 31 August the teams of newly appointed ministers were still being formed.

Replacement of state secretaries largely follows changes in political leadership. After Yuliia Svyrydenko's Government was formed, state secretaries left office in four ministries where ministers had changed, while the January 2026 rotation of ministers was accompanied by simultaneous transfers of state secretaries between ministries. Shortly after the new Government began work, in August 2026 the state secretaries of the Ministry for Veterans Affairs of Ukraine and the Ministry for Development, where ministers had changed, were dismissed. The formal ground for dismissal was agreement of the parties, while the duties of state secretaries of those ministries were temporarily assigned to other officials. As of 31 August 2026, the state secretaries of other ministries remained in office. **At the same time, insufficient time has passed since the new Government took office to draw conclusions about the sustainability of this institution and the political independence of state secretaries.** It would be appropriate to strengthen, at legislative level, the institutional guarantees of stability and political independence of state secretaries.

Changes to the CEB system consisted of piecemeal restructuring and redistribution of powers without proper justification in terms of institutional capacity and effectiveness.

Under Yuliia Svyrydenko's Government, the number of ministries was reduced from 19 to 15 through the dissolution of three ministries — the Ministry of Agrarian Policy, the Ministry of Environmental Protection and Natural Resources of Ukraine and the Ministry for Strategic Industries of Ukraine — with their functions transferred to the Ministry of Economy and the MoD, as well as through the reorganisation of the Ministry of National Unity of Ukraine and its merger with the MSP. Certain powers of the Ministry of Culture in the areas of media, information policy and preservation of national memory were transferred to the State Committee for Television and Radio Broadcasting of Ukraine and the Ukrainian Institute of National Memory.

Under Serhii Koretskyi's Government, the number of ministries increased to 17 following reversal of the decision to dissolve the Ministry of Agrarian Policy and the establishment of the Ministry for Communities. Powers were redistributed between the Ministry for Development and the Ministry for Communities, which also took over responsibility for IDP-related matters from the MSP. At the same time, no body is currently clearly designated as responsible for formulating policy on peacebuilding and the restoration of government in the TOT. Powers in the area of tourism and resorts were also transferred from the Ministry for Development to the Ministry of Culture, although this transfer had not been announced when the new Government was formed.

Instability in the CEB system creates institutional turbulence and complicates the work of ministries and the CEB system. The merger and subsequent separation of the Ministry of Economy and the Ministry of Agrarian Policy within a single year is illustrative: the dissolution of the Ministry of Agrarian Policy initiated in July 2025 was not completed, while by July 2026 organisational and staffing procedures had to be repeated to restore its independent operation. Such changes destabilise ministries, forcing staff to adapt to new conditions or leave, and involve bodies in lengthy organisational and legal procedures related to reorganisation or dissolution.

Redistribution of powers between ministries requires changes to the scheme under which the Cabinet of Ministers of Ukraine directs and coordinates CEBs through the relevant members of the Government, as well as to a number of Government acts defining the powers and tasks of ministries, which requires time and effort. In particular, as of 31 August 2026, amendments had not been made to the regulations governing CEBs for which the member of the Government responsible for directing and coordinating their activities had changed, or to other Government acts. This creates a gap between the actual distribution of powers and their legal formalisation.

Decisions on the architecture of the public administration system are taken without public justification, consultation with stakeholders or impact assessment. At the same time, the CEB system lacks mechanisms for ensuring continuity of governance that would provide new political leadership with a comprehensive understanding of the state of policies, task implementation, risks and unresolved problems. It would therefore be appropriate to change the practice of reconfiguring the CEB system so that it is based on the results of functional reviews and public justification of proposed changes, with independent expert discussion of alternatives and risks. This would make such decisions more predictable and improve their public acceptance. It is also recommended to introduce the practice of preparing transition books to ensure continuity of governance.

Government Priorities

Government programme documents define public policy objectives, tasks and the resources required to achieve them. The key document is the Government Programme, whose provisions should be specified in the Government Medium-Term Action Plan, the GPAP and the activity plans of ministries and other CEBs.

At the same time, the underdeveloped strategic planning system fragments Government priorities and the allocation of financial and investment resources, reducing the predictability of reforms. Government priorities are not integrated into a coherent hierarchy of documents ensuring a link between long-term objectives, sectoral strategies, budget planning and accountability for results. The GPAP does not always make it possible to identify delays in fulfilling international commitments in a timely manner. For example, the GPAP of Yuliia Svyrydenko's Government recorded general directions and interim actions but did not always reflect the specific results on which international partners' assessment of reforms depends. This creates a risk that formal progress against Government priorities will not mean full fulfilment of international commitments and will complicate reform monitoring.

At present, on the basis of the Concept of the National Strategic Planning System approved by Yuliia Svyrydenko's Government, development of the relevant draft law has begun. Pending legislative regulation of the development of the strategic planning system and approval of Ukraine's development strategy, the Ukraine Plan under the Ukraine Facility for 2024–2027 has been designated as the top-level document in the strategic planning system. It contains priority areas for reforms and investment in line with the defined socio-economic development model. In June 2026, the Government amended it to strengthen the link with European integration commitments and EU negotiation criteria. At the beginning of 2026, the Government also approved the procedure for developing, monitoring and evaluating strategies that form the basis for public investment proposals, as well as an action plan to ensure uniform approaches to work with sectoral strategies. These measures should strengthen the coherence of strategic and programme documents and their link with budget and investment planning. The MoF also approved methodological recommendations on determining baseline expenditure, fiscal space and the cost of new policies in medium-term budget planning.

Assessment of the effectiveness of budget expenditure also remains incomplete. In 2025, of the expenditure reviews planned in 31 areas, reports were submitted by only nine of 17 chief spending units. In 2026, reviews are to be conducted by 14 spending units in 22 areas.

The system for monitoring Government priorities remains dispersed across several parallel mechanisms — Government planning, the budget process, monitoring of international commitments and public investment. This creates a risk of weak links between objectives, funding and actual results.

Against this background, Serhii Koretskyi's new Government prepared the Government Programme and submitted it to the Verkhovna Rada on 17 August 2026. The new Government Programme is more focused and structured than the programmes of previous governments and more clearly defines the responsibility of Government members for implementing programme objectives, making the document more suitable for further elaboration in the GPAP and for monitoring implementation. At the same time, the level

of specificity of expected results remains uneven. For some tasks, indicators are absent or do not allow the result or the individual performance of Government members to be properly measured. The implementation potential of the Government Programme will therefore depend on further specification of tasks, indicators and responsibility in the GPAP.

The Government Programme received a positive opinion from the lead committee — the Verkhovna Rada Committee on Economic Development — which unanimously recommended that Parliament approve it. This distinguishes the current procedure from consideration of the programmes of previous governments. If the Government Programme is approved, Serhii Koretskyi's Government will become the first Government since 2019 to operate under a programme agreed with Parliament. This should provide a formal basis for its activities, strengthen parliamentary and public oversight and trigger the constitutional restriction on consideration of the Government's responsibility.

In substance, the Government Programme of Serhii Koretskyi's Government focuses on four areas: strengthening resilience and bringing a just peace closer; restoring and developing human capital; building a capable European state; and accelerating recovery and economic development.

Security and defence remain the foremost priority. Following amendments to the State Budget in June 2026, resources for the sector were increased to UAH 4.37 trillion, or approximately 43.2% of projected GDP. However, needs exceed available funding: in August 2026, the President stated that the defence funding gap was approximately USD 27 billion, while according to media reports the MoD requires approximately an additional UAH 1.1 trillion by the end of 2026. Ahead of winter, the energy sector also faces an unfunded need of approximately EUR 650 million.

International commitments are a separate source of Government priorities. In August, the Government focused on identifying overdue and problematic tasks under the Ukraine Facility, and by the end of 2026 it plans to open the remaining negotiating clusters for EU accession.

A cross-cutting priority of the Government Programme is the development of a modern European public administration system. The envisaged tasks include restoring competitive recruitment to the civil service, reforming remuneration, digitalising human resources management, professional training and increasing transparency of access to the civil service. Some of these are unfulfilled or overdue tasks under the Public Administration Reform Roadmap, while their implementation in some cases depends on Parliament adopting legislative amendments. The Government Programme also provides for a functional review of CEBs to eliminate duplication and non-core powers, simplify processes and optimise organisational structures and staffing levels. This could create a basis for streamlining the executive system, but the outcome will depend on the review methodology, the validity of conclusions and the balanced nature of subsequent organisational decisions. Plans also include optimising the functions, organisational structures and maximum staffing levels of local state administrations.

The next step should be to elaborate the programme objectives of Government members in the GPAP, which for the remainder of 2026 and for 2027 should define tasks and measures, implementation deadlines, clear measurable results and the executive bodies responsible for achieving them. The GPAP should also incorporate all international com-

mitments whose implementation falls within the Government's competence, identifying specific implementation results corresponding to indicators for fulfilment of international commitments, as well as the procedure for monitoring their implementation (or the method of verification).

Multi-Level Governance

The Concept for the **Reform of Local Self-Government and the Territorial Organisation of Power in Ukraine**, approved in 2014,²⁰ made it possible to establish a modern administrative-territorial structure, a new system of territorial organisation of power and the foundations for resourcing local self-government. Approval of the Concept also enabled the implementation of fiscal decentralisation, improvement of the quality and accessibility of public services, strengthening of participatory democracy and provision of territorial communities with a broad range of powers and resources. A total of 1,470 territorial communities were established, and the 2020 local elections were held on the new territorial basis. In 2025, by Resolution No. 1748,²¹ the Government updated the objectives of the Concept in light of challenges arising primarily from Russia's full-scale aggression against Ukraine and preparations for Ukraine's accession to the EU.

At present, the main problems in reforming local self-government and the territorial organisation of power remain: (1) failure to achieve an optimal distribution of powers between LSG bodies and executive authorities; (2) insufficient legislative regulation of certain forms of direct democracy at local level; and (3) shortcomings in the administrative-territorial structure.

In view of this, it is recommended to amend the Constitution of Ukraine in relation to decentralisation; ensure proper legislative support for implementation of the Concept through the adoption of laws of Ukraine, including: 'On the Principles of Delineation and Distribution of Powers between Levels of Public Governance', 'On the Principles of Administrative-Territorial Structure', 'On Local Referendum', 'On Administrative Fee', 'On Amendments to Certain Laws of Ukraine on Improving the Legal Conditions for the Activities of Bodies of Self-Organisation of the Population', 'On Amendments to Certain Legislative Acts in Connection with the Adoption of the Law of Ukraine "On the Procedure for Resolving Certain Issues of the Administrative-Territorial Structure of Ukraine"' and others. It is also important to define the delineation and distribution of powers between levels of public governance. It would be appropriate to review the criteria and methodology for assessing the capacity of territorial communities. In the post-war period, the administrative-territorial structure should be improved taking into account realities in the territories and regional strategies. It is also recommended to approve an action plan for implementing the specific features of reforming local self-government and the territorial organisation of power under martial law and in preparation for Ukraine's accession to the EU.

The State Regional Development Strategy for 2021–2027 (Strategy) defines the strategic objectives of state regional policy: (1) building a cohesive state in the social, hu-

20 On Approval of the Concept for the Reform of Local Self-Government and the Territorial Organisation of Power in Ukraine: Order of the Cabinet of Ministers of Ukraine No. 333 of 01.04.2014.

21 Certain Issues of Reforming Local Self-Government and the Territorial Organisation of Power under Martial Law and Preparing for Ukraine's Accession to the European Union: Resolution of the Cabinet of Ministers of Ukraine No. 1748 of 12.12.2025.

manitarian, economic, environmental, security and spatial dimensions; (2) increasing the competitiveness of regions; and (3) developing effective multi-level governance. An Action Plan for implementation of the Strategy has now been approved. Sources of financing for state regional policy include, among others, the SFRD. From the beginning of Russia's full-scale aggression in 2022 through 2024 inclusive, no funds were allocated from the SFRD. Consequently, several projects intended to be financed from the SFRD remained unfinished. The newly established Ministry for Communities has already announced the development of a concept for reforming the SFRD: it is proposed to transform the SFRD from a budget programme into a separate institution. The report on monitoring implementation of the State Regional Development Strategy for 2021–2027 for 2025 records positive dynamics under strategic objective 'III. Developing Effective Multi-Level Governance', including: (1) the share of territorial communities with approved strategic planning documents for state regional policy increased from 43% to 74%; (2) the share of funding for regional development agencies from local budgets decreased from 45.8% to 32.6% (with the share of funding from other sources correspondingly increasing to 67.4%), indicating diversification of funding sources and increased financial capacity of the agencies.

However, there are challenges in working with investment projects. In November 2025, the Government defined a list of functional types of territories and requirements for indicators used to assign territories to different functional types and classify territories by functional type.

Accordingly, it is recommended to: (1) reform the SFRD in order to align the regional development financing system with EU standards and public investment management reform; (2) intensify training for representatives of LSG bodies in the preparation and management of investment projects; and (3) approve state programmes for implementation of the State Regional Development Strategy.

Functioning of Local Self-Government Bodies. Since the introduction of martial law in Ukraine, regional and district MA and 217 MAS have been established. The military command may involve LSG bodies in implementing martial law measures, while the village, settlement or city mayor of a territorial community where hostilities are not taking place and no decision has been taken to establish a MAS receives additional powers. At present, governance arrangements at territorial community level vary as follows: (1) no MAS has been established and LSG bodies exercise all their powers; (2) a MAS has been established and certain powers of LSG bodies have been transferred to it, while the LSG bodies themselves continue to function; (3) a MAS has been established and its head exercises the powers of the village, settlement or city mayor and LSG bodies, which temporarily do not exercise their powers (both in territories controlled by Ukrainian public authorities and in TOT); or (4) no military administration has been established and LSG bodies do not exercise their powers (TOT).

Problems affecting the functioning of LSG bodies include: (1) excessive 'partisation' of local councils; (2) uncertainty regarding the role of the district level of local self-government; (3) staff shortages and a need for qualified personnel; (4) a decrease in the number of local council members, creating a risk that local councils may become unable to adopt decisions; (5) legal uncertainty regarding the status of council members and the absence of grounds for resuming the activities of LSG bodies whose powers were suspended; (6) uncertainty regarding the grounds for establishing MAS and suspending the activities of LSG bodies; (7) threats to the lives of representatives of LSG bodies in the

TOT; (8) the politically sensitive issue of the consequences for the status of local council members where political parties associated with pro-Russian ideology are prohibited by court decision; and (9) the simultaneous functioning of local councils and established MA creates a situation of dual power.

Positive developments include decisions adopted by the Verkhovna Rada establishing that existing LSG bodies (councils and mayors) remain fully empowered until the opening of the first session of councils of the new convocation elected at the next elections following the cancellation of martial law and providing local self-government with opportunities to support the security and defence sector.

In view of the above, it is recommended to: (1) take measures to reduce the impact of 'partisanship' on the formation of representative LSG bodies at the next local elections; (2) define the role of the district level of local self-government; (3) take measures to preserve the capacity of local councils; and (4) amend the Law of Ukraine 'On the Legal Regime of Martial Law' with respect to delineation and distribution of powers between LSG bodies and MA.

The main problem concerning the **legislative framework for oversight of the legality of decisions of LSG bodies** remains the absence of amendments to the Constitution of Ukraine on decentralisation, which makes it impossible to establish the institution of prefects. Progress has been made through the adoption of the Law of Ukraine 'On Amendments to Certain Legislative Acts of Ukraine Regarding Ensuring Legality and Transparency in the Activities of Local Self-Government Bodies', which is intended to ensure proportionate oversight of legality by defining the entities exercising such oversight. However, state oversight will apply only to acts of LSG bodies adopted in the exercise of powers delegated by the state. Accordingly, state oversight of acts adopted by LSG bodies in the exercise of their own powers currently remains outside its scope. Another problem with this Law is the postponement of its entry into force.

A number of problems remain regarding the **transparency and accountability of LSG bodies** (despite the adoption of the Laws of Ukraine 'On Amendments to Certain Laws of Ukraine on People's Power at the Level of Local Self-Government', 'On Public Consultations' and 'On Amendments to the Law of Ukraine "On Local Self-Government in Ukraine"'): (1) postponement of the entry into force of laws intended to increase the transparency and accountability of LSG bodies; (2) improvements to the legislative framework for participatory democracy do not take into account practical implementation under martial law; (3) certain innovations intended to address wartime issues may create challenges in the post-war period; and (4) the absence of adequate safeguards in the form of sanctions.

It is recommended to: (1) amend the Constitution of Ukraine (after the termination or cancellation of martial law) in relation to decentralisation in order to establish the institution of prefects in Ukraine as a fully-fledged instrument for overseeing the legality of decisions of LSG bodies; (2) amend the Law of Ukraine 'On Local State Administrations' in order to introduce state oversight, including over acts of LSG bodies issued in the exercise of their own powers; (3) amend the Laws of Ukraine 'On Amendments to Certain Legislative Acts of Ukraine Regarding Ensuring Legality and Transparency in the Activities of Local Self-Government Bodies' and 'On Public Consultations' in order to cancel the postponement of their entry into force and bring them into effect; and (4) introduce monitoring of the transparency of LSG bodies.

The distribution and delineation of powers of public authorities are not fully regulated by legislation: there is duplication of powers, LSG bodies are vested with powers that are not inherent to them, and powers are delegated without corresponding resources; certain sectoral powers of LSG bodies remain undefined; and under martial law there is also a need to distribute powers between MA and LSG bodies. The role of the subregional level of local self-government remains a matter of debate. Progress in the distribution and delineation of powers includes the adoption of Government Resolution No. 1748, which sets out: (1) principles for the delineation of powers (subsidiarity, avoidance of duplication, recognition of freedom in exercising powers limited exclusively by law and ensuring local self-government autonomy); (2) the distribution and delineation of powers; (3) a conceptual vision of resource provision; and (4) the conceptual organisational foundations for delineation and distribution of powers.

Further progress is reflected in the adoption at first reading of Government Draft Law No. 14412 'On the Principles of Delineation and Distribution of Powers between Levels of Public Governance', which defines: (1) the legal basis for delineation and distribution of powers; (2) the principles for the delineation of powers; (3) the levels and bodies of public governance for the purposes of this Law; (4) the classification of powers of public governance bodies; (5) criteria for distinguishing between own and delegated powers of local self-government, as well as criteria for delineating powers between levels of local self-government; (6) conditions for delegation of state powers to local self-government; (7) specific features of exercising state and local self-government powers under martial law or a state of emergency; (8) resources for exercising the powers of public governance bodies; (9) the limits of autonomy of LSG bodies in decision-making; and (10) responsibility of LSG bodies for the exercise of powers.

At the same time, adoption of Draft Law No. 14412 will not in itself resolve the problems of regulating the distribution and delineation of powers. In view of this, it is recommended to adopt the Law of Ukraine 'On the Principles of Delineation and Distribution of Powers between Levels of Public Governance', complete the tasks relating to delineation and distribution of powers established by Government Resolution No. 1748 and develop and adopt a law (or laws) on delineation and distribution of powers between levels of public governance.

The Ministry for Communities, Territories and Internally Displaced Persons of Ukraine (Ministry for Communities), established on 17 July 2026, was effectively separated from the Ministry for Development, which since its creation in 2005 had had different names and areas of activity: from oversight of the construction and architectural sector, housing and utilities, regional development and the decentralisation process to the now reorganised multi-functional central executive body. Vitalii Bezghin has been appointed head of the renewed Ministry for Communities. The Regulation on the aforementioned Ministry was approved on 6 August 2026. The main achievements of the Ministry for Development in the area of multi-level governance in 2025 include: (1) preparation of an addendum to the Concept of Reforming Local Self-Government and the Territorial Organisation of Power in Ukraine; (2) approval of the updated State Regional Development Strategy until 2027 and the Action Plan for 2025–2027 for its implementation; (3) updating 22 regional strategies; (4) restoration of SFRD funding; (5) updating the procedure for developing, approving, monitoring and evaluating implementation of regional development strategies and action plans for their implementation; (6) support for territorial communities in recovery planning; (7) presentation of an updated model for assessing the capacity of territorial communities; (8) development of methodological recommendations for

preparing Statutes of territorial communities; and (9) commencement of work on a draft Concept of Transitional Justice. The main problems in the activities of the Ministry for Development were its multifunctional nature, low institutional capacity for policy-making and insufficient openness in its work. Accordingly, the establishment of a separate ministry — Ministry for Communities — constitutes progress.

In August 2026, the Cabinet of Ministers of Ukraine approved the Government Programme, defining the programme objectives of Government members, including the Minister for Communities, Territories and Internally Displaced Persons of Ukraine — development of territorial communities and territories on the principles of cohesion by moving from fragmented support for regions and individual vulnerable groups to a single territorially oriented recovery and development policy based on the principles of EU cohesion policy. The document provides for five operational objectives: cohesive territorial development, long-term solutions for IDPs, multi-level governance, a high-quality living environment and international partnership.

Military administrations are special temporary state administrative bodies which, together with the military command, introduce and implement measures under the legal regime of martial law in the areas of defence, civil protection, public safety and order, protection of critical infrastructure and protection of the rights, freedoms and legitimate interests of citizens. Their establishment is discretionary, while their territorial organisation corresponds to the administrative-territorial structure (region, district, community). Presidential Decree No. 68/2022 of 24 February 2022 established regional and district MA and the Kyiv City Military Administration. Separate decrees transformed military-civil administrations into MA and individual MAS were established. A total of 217 MAS have now been established.

The Verkhovna Rada has discretionary powers (upon submission by the President) to decide to grant additional powers to the head of a MAS: (1) exercise of the powers of the respective local council, its executive committee and the village, settlement or city mayor; and (2) the right to approve a temporary structure of the executive bodies of the respective council. The rapid establishment of regional and district MA under martial law enabled the public administration system to be rapidly reconfigured to preserve its integrity and ensure the country's defence capability.

A Government Draft Law of Ukraine 'On Amendments to Article 4 of the Law of Ukraine "On the Legal Regime of Martial Law" on Determining the Status of Employees of Military Administrations of Settlements' has been submitted to the Verkhovna Rada. Its purpose is to: (1) determine the status of employees of MAS and provide them with legal guarantees; and (2) strengthen the human resources capacity of MAS. However, the following problems remain: (1) the absence of criteria for establishing MAS; (2) financing MAS from the respective local budgets for the exercise of LSG powers; (3) the absence of established criteria for Parliament's decisions to transfer powers of LSG bodies to heads of MAS; (4) legal uncertainty regarding responsibility, accountability and oversight of MAS where they are vested with powers of LSG bodies; (5) uncertainty regarding the status of employees of MAS; (6) combining the position of village, settlement or city mayor with that of head of a MAS where the mayor is appointed to that position; (7) inadequate professional staffing; and (8) duplication of powers with LSG bodies.

In view of the above, it is recommended to amend the Law of Ukraine 'On the Legal Regime of Martial Law' by establishing criteria for creating MAS, delineating the powers of

MA and LSG bodies, regulating the status of employees of MA, establishing an exhaustive list of grounds for restricting the right to local self-government that are determined exclusively by security and defence needs and increasing the transparency and accountability of MA. It is proposed to define by law procedures for transferring authority from MA to civilian administrations and LSG bodies in the post-war period and to regulate the organisation of public administration in the city of Kyiv under martial law.

Local Resources. In 2025, the general fund of local budgets received UAH 514,041.3 million (excluding interbudgetary transfers), an increase of 14.0% over the year. The approved annual general-fund revenue target for 2025 was met at 101.8%. The share of transfers from the State Budget in the revenues of Ukraine's local budgets decreased from 59.1% in 2015 to 26.1% in 2025. The indicator for local budget revenues (general fund) per capita for January–May 2026 stood at 116%. The share of own revenues of local budgets in total receipts in January–May 2026 averaged 69.9%.

In 2025, the Government transferred UAH 203,507.9 million in interbudgetary transfers to local budgets (96.1% of appropriations provided for in the budget schedule and distributed). The corresponding per capita expenditure indicator for January–May 2026 stood at 119.5% (an increase from UAH 8,269.1 in the same period of 2025 to UAH 9,883.8).²² The share of communities with a high level of capacity increased from 31% (412 communities) in 2021 to 34% (452 communities) in 2025. The middle segment of capacity levels (optimal + satisfactory) shows a downward trend — from approximately 40% to approximately 38%. At the same time, the share of problematic communities (low + critical level) remains consistently high at approximately 27–28%.²³

Progress in 2026 included: (1) retaining 64% of personal income tax (PIT) in local budgets; (2) active involvement of communities in public investment management reform; and (3) an increase in local budget revenues from land management — their largest own resource — by UAH 41.1 billion in land fees, 15.3% more than in the previous year. In August 2026, the Government decided to allocate almost UAH 2.3 billion in additional grants from the State Budget to local budgets for the exercise of powers of LSG bodies in Ukrainian territories adversely affected by the war. The funds were distributed among 179 territorial community budgets and five regional budgets.

However, local budgets continue to face the following problems: (1) Russia's full-scale armed aggression has adversely affected the resource base of territorial communities: territories have been lost; (2) fiscal risks (LSG bodies have no legislative basis for tax administration, the issue of where PIT should be paid remains unresolved, 'military PIT' has been withdrawn, and planned revenues are unpredictable and not fully received); (3) dependence of local budgets on external revenues (state transfers, international assistance, international recovery programmes and public investment instruments); (4) the horizontal equalisation formula for the tax capacity of local budgets entrenches the existing intermunicipal financial imbalance; (5) territorial communities incur losses due to the inability to use forest lands; (6) weak management of municipal property; and (7) mandatory corporatisation and transformation of municipal enterprises into joint-stock companies and limited liability companies.

22 Monitoring of the Reform of Local Self-Government and the Territorial Organisation of Power as of 01.07.2026: presentation / Ministry for Development of Communities and Territories of Ukraine, 2026. 15 p.

23 Dynamics of the Financial Capacity of Territorial Communities in 2021–2025: Trends, Structural Changes and Areas of State Policy. Decentralisation, 2025.

In view of this, it is recommended to: (1) ensure conditions of fiscal stability for local councils by creating a legislative basis for administration of local taxes by LSG bodies; (2) determine where taxes should be paid; (3) improve the horizontal equalisation formula for the tax capacity of local budgets; (4) transfer forest lands to territorial communities; and (5) ensure that LSG bodies conduct inventories of municipal property on a permanent basis and ensure transparency of this information.

Service in Local Self-Government Bodies. Following Russia's full-scale invasion of Ukraine, service in LSG bodies underwent significant changes. With the emergence of MAS, a hybrid model of local governance emerged: some local self-government officials became employees of MAS, while some city, settlement or village mayors became heads of MAS. In addition, the number of officials of LSG bodies decreased due to mobilisation and population migration. Officials often work remotely amid heightened security risks and energy shortages, while performing crisis-management functions.

Changes were introduced in the organisation of service in LSG bodies: the procedure for entering public service was simplified. Where the head of a MAS is vested with the powers of LSG bodies, the secretariat, executive committee and other executive bodies of the respective council become subordinate to that head. The head of the MAS is authorised to approve a temporary structure of the executive bodies of the respective village, settlement or city council. Village, settlement and city mayors of territorial communities where hostilities are not taking place and no decision has been taken to establish a MAS have been granted additional individual powers. Officials of LSG bodies are permitted to hold concurrent employment if they are on unpaid leave or during downtime.

However, the entry into force of the 2023 Law of Ukraine 'On Service in Local Self-Government Bodies' has been postponed, thereby perpetuating problems including: (1) unresolved issues concerning the political neutrality of officials of LSG bodies; (2) insufficient autonomy of LSG bodies, within the limits of the law, to determine their own internal administrative structures taking into account local needs and the need to ensure effective governance; (3) recruitment to service in LSG bodies does not ensure the selection of highly qualified personnel on the basis of personal qualities and competences; (4) low prestige of service in LSG bodies; (5) the outdated status of a local self-government employee; (6) insufficient incentives for career growth; (7) an outdated remuneration model and an ineffective anti-corruption mechanism; and (8) inconsistency between legislation on service in LSG bodies and the provisions of the Law of Ukraine 'On Civil Service'.

Unresolved problems include: (1) insufficient regulation of dismissal of employees of LSG bodies from TOT; (2) lack of transparency in recruitment to public service and staff shortages in the local self-government system; (3) non-compliance by local self-government officials with the principle of political impartiality; (4) combining the position of village, settlement or city mayor with that of head of a MAS, where the mayor is appointed as head of the MAS, violates the legislative prohibition on a mayor combining official activity with another position; (5) the appointment or dismissal of an elected official appointed by a vote of a representative body depends entirely on whether local councils are able to act; (6) destabilisation of local council work due to an increase in cases of suspension of a community mayor or council secretary or early termination of their powers; and (7) limited transparency of information on service in LSG bodies restricts opportunities for analysis of this area.

In view of this, it is recommended to: (1) amend the 2023 Law of Ukraine 'On Service in Local Self-Government Bodies' in order to remove the postponement of its entry into force; (2) establish a single scientific and methodological centre for training and professional development of public servants; (3) reinstate competitive recruitment procedures for service in LSG bodies; (4) improve legislation on the specific features of labour relations during martial law; and (5) introduce monitoring of service in LSG bodies.

Cooperation between territorial communities remains important: 767 territorial communities have concluded 848 intermunicipal cooperation agreements.²⁴ Of these agreements, 55.5% were concluded for the implementation of joint projects, 25.7% for joint financing (maintenance) of infrastructure facilities, 16.4% for delegation of tasks, 1.8% for establishment of joint enterprises and 0.6% for establishment of a joint management body.²⁵ At present, Ukraine has four **associations of LSG bodies** with nationwide status: three are associations of basic-level LSG bodies ('Association of Ukrainian Cities', 'All-Ukrainian Association of Communities' and 'Association of Amalgamated Territorial Communities'), while one is an association of district and regional councils ('Ukrainian Association of District and Regional Councils').

There has been progress in **international cooperation between territorial communities**: in 2024, the Law of Ukraine 'On International Territorial Cooperation' was adopted, and 491 territorial communities have 2,112 international partnership agreements with 64 countries.²⁶

Progress also includes approval of the State Programme for the Development of International Territorial Cooperation, aimed at simplifying access to EU funds and strengthening the institutional capacity of communities.

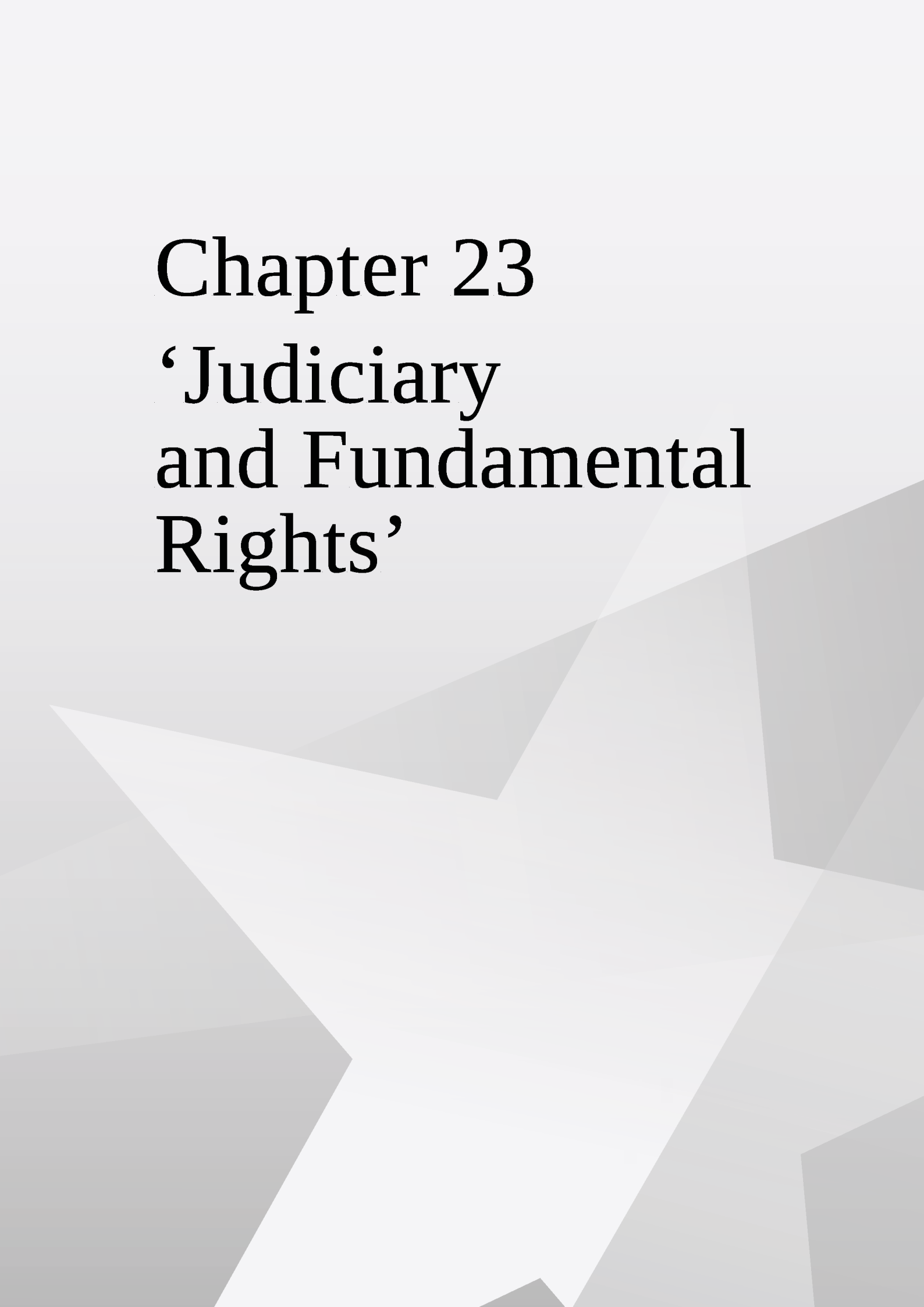
Problems in this area include: (1) difficulty in assessing the effectiveness of cooperation; (2) the negative impact of martial law on the implementation of existing agreements; (3) the absence of a legislative framework for establishing and operating agglomerations; (4) the positions of nationwide associations do not always align during consultations with state authorities; (5) competition between nationwide associations of LSG bodies weakens their influence on public policy; and (6) insufficient resources and organisational support.

In view of the above, it is recommended to: (1) develop and adopt the Law of Ukraine 'On Agglomerations'; (2) amend the Law of Ukraine 'On Associations of Local Self-Government Bodies' to remove the restriction limiting LSG bodies to membership in only one nationwide association and to introduce a mechanism for state support for such associations; and (3) ensure appropriate methodological support for the development of international cooperation and professional training of specialists of LSG bodies in the specialisation 'Project Management'.

24 Monitoring of the Reform of Local Self-Government and the Territorial Organisation of Power as of 01.07.2026: presentation / Ministry for Development of Communities and Territories of Ukraine, 2026. 15 p.

25 Study of the Implementation of the Law of Ukraine 'On Cooperation of Territorial Communities' under the Council of Europe Programme 'Strengthening Good Democratic Governance and Resilience in Ukraine': presentation / Council of Europe Office in Ukraine, 2023. 18 p.

26 Monitoring of the Reform of Local Self-Government and the Territorial Organisation of Power as of 01.07.2026: presentation / Ministry for Development of Communities and Territories of Ukraine, 2026. 15 p.



Chapter 23

‘Judiciary and Fundamental Rights’

Rule of Law

Judicial Reform

The period from September 2025 to August 2026 inclusive was characterised by *moderate progress* in previously initiated judicial selection procedures. At the same time, the overall reform of the justice sector remained in an artificially induced strategic crisis.

Strategy for the Development of the Justice System and Constitutional Court Proceedings

As of the end of August 2026, the Strategy for the Development of the Justice System and Constitutional Court Proceedings (the Strategy) for the next five years remained unapproved.

Meanwhile, Iryna Mudra, the Deputy Head of the Office of the President responsible for this area, and Viktor Dubovyk, Director General of the Directorate for Legal Policy of the Office of the President, who were involved in developing the draft Strategy, were notified of suspicion of committing a number of criminal offences. Iryna Mudra was dismissed from her position.

Given that both Deputy Heads of the Office of the President who were responsible for judicial reform — Iryna Mudra and her predecessor Andrii Smyrnov — are suspected of committing a number of criminal offences, including corruption-related offences, while serving in the Office of the President, it is necessary to reconsider whether responsibility for the judiciary should remain within the remit of a Deputy Head of the Office of the President.

In addition, given the President's lack of interest in approving and implementing the Strategy, the assignment of responsibility for developing such a Strategy to the Office of the President should be reconsidered. A more appropriate model would be for the judiciary development strategy to be developed and approved by the HCJ following consultations with the SC. The President's participation in the development of strategic documents concerning the judiciary could appropriately be exercised through the establishment of temporary collegial advisory and consultative bodies.

As of the end of the first half of 2026, 23 measures under the Rule of Law Roadmap related to the judiciary had been fully completed. This represents approximately one quarter of all planned measures. A further 10 measures are ongoing in nature and were implemented during the current or previous reporting period. The deadlines for 22 measures under the Rule of Law Roadmap expired without those measures being completed.

To ensure a balanced approach to the reform of the justice system and constitutional justice, a strategic document on the development of the judiciary for the next five years (2026–2030) should be adopted, taking into account all international obligations and available capacities, together with an action plan for its implementation. To this end, before implementing each element of the Strategy, an analysis should be conducted of the steps already taken and the results of judicial reform in previous periods, including its

achievements and shortcomings, particularly the effectiveness of the legislative amendments adopted. It is also advisable to align existing action plans with realistic implementation timelines and relevant EU Member State practices.

At the same time, in August 2026 the HCJ approved its own Strategy for 2026–2030, which includes the reorganisation of the court network, addressing staffing shortages, establishing predictable and transparent disciplinary practice, developing e-justice and introducing modern digital technologies, including AI as an auxiliary tool in the work of judicial authorities, strengthening cybersecurity and creating a reserve of judges and court staff, among other measures. At this stage, it is important to develop an Action Plan for implementing the HCJ Strategy for 2026–2030 and begin its implementation.

Staffing of the Judiciary and the Constitutional Court of Ukraine

As of 31 August 2026, the **HCJ** operated with 17 members out of 21. The HCJ member positions under the quotas of the Congress of Advocates of Ukraine and Parliament were vacant. At the beginning of 2027, eight HCJ member positions under the quota of the Congress of Judges of Ukraine will become vacant simultaneously, followed by two positions under the quota of the All-Ukrainian Conference of Prosecutors.

In the context of staffing the HCJ, the issue of filling the quota of the Congress of Advocates of Ukraine remains unresolved and problematic. For almost four years, the legal profession has refrained from fulfilling its constitutional obligation to elect HCJ members under its quota. At present, the position of the UNBA remains unchanged — the Sixth Congress of Advocates of Ukraine will be convened only after the end of martial law. The UNBA is taking no measures to identify possible ways of fulfilling its obligation to elect HCJ members.

The HCJ called on the UNBA to take urgent measures and fulfil, as soon as possible, its constitutional powers to elect two HCJ members under the Bar quota. The security situation under martial law, to which the UNBA refers, does not constitute sufficient justification for failing to hold the Congress of Advocates of Ukraine, and there are no legal obstacles to holding the Congress. In view of the UNBA's failure to fulfil its constitutional obligation to elect two HCJ members under its quota, it is advisable to develop, at the legislative level, an alternative mechanism for convening the Congress of Advocates and to provide for liability of the UNBA leadership in the event of its non-convening.

A positive step towards addressing the problem of filling vacant HCJ positions in the future is the provision in Draft Law No. 15374²⁷ stipulating that each vacant position is to be filled separately. In such a case, any number of candidates recommended by the Ethics Council for election (but no fewer than two) would allow the selection procedure for existing vacant HCJ member positions to continue rather than requiring a new competition to be announced. In this respect, Draft Law No. 15374 fully reflects the civil society recommendations consistently provided in the 2024–2025 Shadow Reports and merits support.

²⁷ On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' and Certain Legislative Acts of Ukraine Regarding Improvement of Disciplinary Procedures and the Exercise of Other Powers by the High Council of Justice: Draft Law of Ukraine, registration No. 15374 of 02.07.2026.

Full staffing of vacant positions in the HCJ is critically important to ensure the continuity of its functioning. Even when operating with 17 members, the HCJ was, in certain cases, unable to adopt decisions in plenary due to recusals and/or self-recusals of individual members. For example, the adoption of final decisions on the dismissal of certain judges of the DACK, which was liquidated in 2022, remains blocked.

As regards the selection of the next composition of the **HQCJ**, the Venice Commission is currently preparing an urgent opinion on the Draft Law of Ukraine 'On Amendments to the Law of Ukraine "On the Judiciary and the Status of Judges" and Certain Other Laws of Ukraine Regarding Improvement of Competitive Procedures for the Positions of Member of the High Qualification Commission of Judges of Ukraine and Member of the High Council of Justice'. The draft law concerns, in particular, the involvement of international experts in the Selection Commission for the appointment of HQCJ members, the conditions for announcing competitions for positions as members of the HQCJ or HCJ and the term of office of the Selection Commission, among other matters.

A preliminary analysis of the draft law indicates that it contains several problematic proposals. Instead of addressing the legislative inconsistencies identified previously, the draft law creates new ones by adding hybrid arrangements to the existing models, expanding legal uncertainty and increasing corruption risks in competitive procedures. This concerns, among other matters, the terms of office of the Selection Commission and the Ethics Council, the timing of the launch of competitive procedures, requirements for candidates and the operating models of the secretariats of the Selection Commission and the Ethics Council.

The draft law therefore requires substantial revision. Rather than introducing new competitive procedures, the procedures for selecting HCJ and HQCJ members should be brought into line with common standards and rules, approaches to candidate assessment should be unified, the terms of office of the Selection Commission and the Ethics Council should be extended and approaches to the work of their secretariats should be harmonised. Once a revised version of the draft law has been prepared, it should be discussed with all stakeholders, including representatives of civil society.

From the perspective of continuity of the work of the HQCJ, Law No. 1402-VIII²⁸ provides that, where the term of office of an HQCJ member expires and, as a result, the HQCJ would become non-quorate, that member shall continue to perform their duties until a new person is appointed to the position, but for no longer than three months. In view of the uncertainty regarding the timing of the selection of the next composition of the HQCJ, there is a risk that the HQCJ's work may be suspended after May 2027 for a period exceeding three months. Under such circumstances, the current composition of the HQCJ may require an extension of its term of office until a new duly authorised composition is appointed, with the corresponding amendments to Law No. 1402-VIII.

During the reporting period, moderate progress was observed in competitions for appellate courts and the HACC, the selection of new judges for local courts, the consideration of disciplinary complaints against judges and the dismissal of members of the judiciary who failed to confirm their suitability for office or committed corruption-related or other criminal offences. Although, following the results of personnel procedures in 2025 and the first half of 2026, the number of judges leaving the judiciary continued to exceed

28 On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016, para. 2 Part 4 Article 92.

those appointed, progress in competitive procedures during the reporting period created a solid basis for further judicial appointments and for improving the staffing situation, particularly in appellate courts and the HACC. In August, the President appointed 17 new judges to the HACC: 12 to the court of first instance and five to the AC HACC.

At the end of August 2026, the HQCJ approved the results of the first stage of the qualification assessment (the qualification examination) within the selection procedures for judges of the **Specialised District Administrative Court** and the **Specialised Administrative Court of Appeal**, which are intended to replace the DACK, dissolved in December 2022, in adjudicating cases against central executive authorities. The HQCJ plans to complete the second stage of the qualification assessment and determine the winners of the competitions during the fourth quarter of 2026. Equally importantly, a competition has already been announced for the Kyiv City District Administrative Court, whose commencement of operations should resolve the problem of adjudicating administrative cases involving Kyiv residents that arose following the liquidation of the DACK.

During the reporting period, competitions were completed for a number of appellate general courts, primarily those where staffing shortages were most acute, as well as appellate courts in cities with populations exceeding one million (except Kyiv, where the competition is still ongoing). The President is gradually appointing the winners of these competitions as judges of appellate general courts.

At the same time, interviews with candidates for positions in a further 11 appellate general courts will be conducted between the third quarter of 2026 and the second quarter of 2027. It is expected that the workload problem in appellate courts will be resolved in 2027.

Following the competition for appellate courts, an in-depth analysis should be conducted of the results of the qualification assessment of candidates for appellate administrative courts, appellate commercial courts and appellate general courts to assess the effectiveness of the Unified Indicators for Assessing the Integrity and Professional Ethics of a Judge (Judicial Candidate).

As of 31 August 2026, rankings had been approved for judicial candidates and judges who had expressed an intention to be appointed (transferred) to district administrative courts, local commercial courts and local general courts. The competition for district administrative courts was announced in August 2026. The competition for local commercial courts is planned to be announced after completion of the competition for district administrative courts, while the competition for local general courts is planned to be announced after completion of the aforementioned competitions.

The HQCJ notes that, provided interviews are conducted continuously, most heavily burdened first-instance courts will receive substantial reinforcement by the end of 2027, while by mid-2028 the entire system of local courts could be brought to an acceptable average workload level.

At the same time, legislation has still not been adopted to eliminate the duplication of interviews conducted by the HQCJ and the HCJ with winners of competitions to local courts. This requires legislative amendments transferring the power to conduct interviews with successful candidates in competitions to local courts from the HQCJ to the HCJ, thereby extending at the HCJ level the statutory procedure for judicial appointment and eliminating its duplication with the HQCJ.

The absence of clear requirements for collecting personal data on judges, candidates, members of their families and close persons, as well as third parties who automatically become subject to vetting where, for example, they share a business with a judge or candidate or are involved in property transactions with them, also remains unresolved. The issue of differing approaches to assessing the integrity and ethics of judges and candidates also remains relevant. This requires clarification of the legislative requirements governing the HQCJ's discretion in vetting judges, candidates, members of their families and third parties, including provisions on the protection of such persons' personal data.

During the reporting period, qualification assessments for compliance with the position were conducted at a relatively slow pace. This is due to the large number of other procedures involving members of the HQCJ and the inability to conduct them simultaneously. The number of judges who, as of the beginning of 2026, had not completed qualification assessment was approximately 1,300. Around 100 of them are so-called 'five-year judges' who have not administered justice for an extended period. The HQCJ has prioritised the completion of qualification assessment of this category of judges.

At the same time, competitions for appellate courts contribute to the completion of qualification assessment procedures for individual judges who successfully undergo an assessment of their ability to administer justice in an appellate court of the relevant specialisation.

In June 2026, Parliament adopted Law No. 4905-IX on improving judicial integrity declarations and declarations of family ties. Shortly afterwards, the HQCJ approved new forms of the integrity declaration and declaration of family ties for judges and judicial candidates and amended the relevant internal regulatory framework governing their verification.

Despite some criticism from certain civil society representatives, the adoption of this legislation is a step forward in implementing commitments under the Rule of Law Roadmap and the Ukraine Facility Plan. Conclusions on the effectiveness of this tool for strengthening the integrity of the judiciary can be drawn once judges have submitted the new declarations. This will require an analysis of the tool's effectiveness.

At the end of August 2026, Draft Law No. 15564 was registered in Parliament. It proposes establishing in law a unified approach to assessing the integrity of judges and judicial candidates, to be applied consistently by different assessment bodies. The draft law provides for a statutory definition of integrity, identification of its components, specification of circumstances indicating compliance or non-compliance with each component and uniform rules for assessing financial integrity. At the same time, defining integrity and its components at the legislative level requires broad public discussion and consideration of international experience.

During the reporting period, the term of office of the current composition of the **PCIE**, which was involved in vetting candidates for the HACC, expired. No decision has yet been taken regarding the future mandate of the PCIE.

At the same time, the 2025 EU Enlargement Package Report states that, following the adoption of new legislation on judges' integrity declarations, independent experts nominated by international partners should temporarily participate in the verification of integrity declarations of judges of higher courts. In addition, to mitigate corruption risks in the SC, such experts should also be temporarily involved in the selection of new SC judges. It

therefore appears entirely logical to extend the mandate of the PCIE for three purposes: completion of the selection of HACC judges for all vacant positions, selection of new SC judges and verification of integrity declarations of SC judges and judges of higher courts using a risk-based approach in accordance with the Rule of Law Roadmap. However, taking into account the 2025 EU Enlargement Package Report, the composition of the PCIE should be revised.

Consideration should also be given to legislative amendments granting international partners the right to delegate both international and Ukrainian experts to future compositions of the PCIE and to determine their numerical ratio. The mechanism of a predominant vote of international experts should be abandoned, since all members of the PCIE would be delegated by international partners.

During the reporting period, partial changes took place in the leadership of the **SC**. After eight years in office, the Head of the Civil Cassation Court within the SC, Borys Hulko, resigned. A new Head (Judge Maryna Chervynska) was elected by the assembly of judges only on the sixth attempt. Her election is considered a compromise; however, she will reach the mandatory retirement age for judges (65) in March 2027.

The Head of the Administrative Cassation Court within the SC, Mykhailo Smokovych, was also replaced after eight years in office. Ihor Dashutin was subsequently elected to the position by a margin of one vote. This appointment received negative reactions from civil society, as following a journalistic investigation,²⁹ concerns were raised regarding his integrity due to allegedly undeclared assets.

In January 2026, Serhii Pohribnyi assumed the position of Secretary of the GC SC, although his term of office as a judge of the GC SC is limited until December 2026. The composition of the GC SC also underwent partial changes.

As of the end of the reporting period, 145 judges served on the **SC**, with 51 positions vacant. Despite repeated public appeals by the SC regarding the need to hold a competition for vacant SC judicial positions, the HCCJ has not announced a competition to any of the cassation courts within the SC because of its workload in other procedures. At the same time, the HCCJ notes that a competition for the SC could be conducted in 2027.

In June 2026, former SC President Vsevolod Kniaziev entered into a plea agreement, with a sentence of five years' imprisonment, deprivation of the right to hold positions in judicial and law enforcement bodies for three years and confiscation of property, and allegedly provided incriminating testimony concerning four SC judges, one of whom has already retired. On this basis, they were notified of suspicion of receiving an undue advantage, bail was set and, by decisions of the HCJ, they were suspended from the administration of justice. In August 2026, the HCJ held two of these four judges disciplinarily liable and imposed disciplinary sanctions in the form of submissions for dismissal.

During the reporting period, the assembly of judges of the HACC elected Ihor Strohy (a judge of the first instance of the HACC) as Head of the HACC and Dmytro Mykhailenko (a judge of the AC HACC) as Deputy Head of the HACC. The position of Deputy Head had remained vacant for four years. Civil society representatives had drawn attention to this issue and the need for its prompt resolution. Ihor Panaida was also elected Head of the AC HACC. Thus, for the first time in four years, the leadership of the HACC has been fully formed.

29 A judge of the Supreme Court spotted in one of Kyiv's most expensive cottage towns. Bihus.Info, 2024.

No progress was made in regulating the issue of limiting tenure as a court head to no more than six years (two three-year terms). A draft law that could regulate this issue was being developed by the Verkhovna Rada Committee on Legal Policy but work on it effectively stalled because of the absence of consensus among MPs. It is therefore necessary to develop a draft law on the tenure of court heads and their deputies that would prevent judges from holding these positions for more than six years. A 'cooling-off' period between positions at the same level should be at least one year for each judge, except in courts with fewer than three judges.

During the reporting period, a new composition of the **CJU** was elected: 30 members, the number required for the CJU to exercise its full powers. The election took place under the old procedure, without prior nomination of candidates and without balanced regional representation among CJU members. Vitalii Salikhov, a judge of the Kyiv Court of Appeal and former HCJ member, was elected as Head of the CJU; civil society has repeatedly expressed concerns regarding his activities.³⁰ As noted repeatedly in previous reports, the approach to forming the CJU should be changed at the legislative level to ensure gender balance and equal regional representation. The prior nomination and vetting of CJU candidates should also be regulated. Vetting of candidates for CJU membership should continue at least until completion of judges' qualification assessments and consideration of the accumulated disciplinary complaints against them.

The **NSJU** management did not undergo significant changes. At the same time, in 2025 the NSJU developed draft amendments to its Statute introducing competitive selection of the NSJU leadership and a fixed term of office for the relevant positions (five years under contract) and submitted the proposed amendments to the HQCJ for approval. These amendments merit support as they are aimed at introducing merit-based selection of the NSJU leadership and fixed terms for key administrative positions. In June 2026, the HQCJ Head announced that this would be implemented in the near future.

By contrast, in December 2025 the competition for the position of Head of the **SJA** was completed with the appointment of Maksym Pampura, who had served as Acting Head of the SJA for two years. This appointment is presented by the HCJ and the SJA as progress in fulfilling Ukraine's European integration commitments, despite the fact that it was made without conducting a 'classical' competition and during martial law. Accordingly, after martial law ends, the competition envisaged by legislation for category 'A' civil service positions will need to be held.

The appointment of M. Pampura drew criticism from civil society and the judicial community. Some civil society organisations believe³¹ that this appointment may undermine Ukraine's anti-corruption achievements. Furthermore, at the XX regular Congress of Judges of Ukraine, the activities of the SJA were assessed as 'unsatisfactory', and it was proposed to express no confidence in the Head of the SJA due to the discrepancy between SJA reports and the actual situation in courts, particularly courts of first instance.³²

30 Publication by the DEJURE Foundation on the social network Facebook, 2026. ; Publication by Automaidan on the social network Facebook, 2026.

31 'Competition without choice: how the HCJ once again appoints "its own" as Head of the SJA'. Anti-Corruption Action Centre, 2025. ; 'A questionable competition and a predictable outcome: Pampura appointed Head of the State Judicial Administration'. DEJURE Foundation, 2025.

32 Pravo TV. 'XX Congress of Judges of Ukraine: text and live broadcast, day three'. YouTube, 2026.

In August 2026, the HCJ appointed two Deputy Heads of the SJA. One is to be responsible for external and institutional matters, while the other is to be responsible for property management, capital repairs and financial matters.

As of 31 August 2026, the **CCU** operated with 13 judges out of 18. One judge was appointed to the CCU during the reporting period. Competitions for five vacant positions are currently ongoing. The Advisory Group of Experts submitted nine candidates to Parliament for two vacant CCU judicial positions and five candidates to the Congress of Judges of Ukraine for two vacant CCU judicial positions. Applications for one vacant CCU judicial position under the President's quota may be submitted until 8 September 2026. At the same time, the term of office of one CCU judge appointed under the quota of the Congress of Judges will expire in November 2026, which will require a separate competition.

Institutional Capacity of Courts of General Jurisdiction and the CCU

Local and Appellate Courts

Since September 2025, no significant positive changes have been observed in the functioning of local and appellate courts.

The dynamics of changes in the number of judges from September 2025 to July 2026 inclusive are as follows. In local courts, the number of serving judges decreased from 3,619 to 3,356, that is, by 263 judges. Accordingly, the percentage of vacant positions increased from 26.6% to 36.5%. As of July 2026, no judges had been appointed in nine local courts; jurisdiction of four of these courts had been transferred to other courts and one court had ceased operations. In 35 local courts, only one judge had been appointed, with jurisdiction of 12 of these courts transferred to other courts, while in 98 courts two judges had been appointed, with jurisdiction of 17 of these courts transferred to other courts.

A different trend can be observed in appellate courts. Here, the number of judges increased as a result of appointments following competitions, from 571 to 671, that is, by 100 judges. As a result, the percentage of vacant positions decreased from 57.9% to 39.7%.³³ Despite this positive development, the level of unfilled positions remains critically high at approximately 40% of the required number of judges.

Overall, the available data confirm that the staffing shortage in local and appellate courts in Ukraine persists as a systemic problem that adversely affects their institutional capacity.

In 2025, 5.8 million cases were pending before courts of all instances and jurisdictions, of which 4.6 million were resolved, compared with 5.3 million and 4.4 million respectively in 2024.³⁴ In 2025, 4.1 million cases were submitted to courts of first instance, 716,000 to appellate courts and 93,000 cases and materials to the SC.³⁵ During the first half of 2026, 2.6 million cases were pending before first-instance and appellate courts, of which 2.3 million were resolved.³⁶

³³ Register of Judicial Positions. High Qualification Commission of Judges of Ukraine.

³⁴ Opening of the Judicial Year at the Supreme Court: Results, Achievements and Prospects for the Development of the National Judicial System. Supreme Court, 2026.

³⁵ Ibid.

³⁶ Letter of the State Judicial Administration of Ukraine No. Inf/BP741-26-768/26 of 13.08.2026.

Excessive and uneven judicial workload remains a systemic problem, both nationally and across regions. This adversely affects the effectiveness of the administration of justice, including the time taken to consider cases. Updated data from the interactive court workload map indicate a deep systemic crisis in the inefficient use of human and financial resources. There are more than 30 district courts in Ukraine where judges do not have even a minimum workload. It is not uncommon for judges to consider 150–160 cases a year (around three cases a week), while their colleagues consider more than 3,000 cases a year.³⁷ Such courts operate in different regions of Ukraine.

Judges in courts with a minimal workload have the same number of assistants as their counterparts in courts in cities with populations exceeding one million, where the workload is dozens of times higher. Ukraine continues to finance court apparatuses that effectively have no workload, while courts with excessive caseloads experience an acute shortage of resources. Despite the evident need for optimisation, the process is being delayed by the lack of political will to adopt 'unpopular' decisions and close courts that do not have even a minimum workload, followed by the transfer of judges to courts with a high workload and changes in territorial jurisdiction. The development of a new court network intended to address these issues has been halted due to the ongoing Russian aggression. At the same time, delays in the optimisation of the court network lead to further destabilisation of the judicial system.

Against this background, during the reporting period the Standards for Staffing, Financial and Material and Technical Support of Courts, the Methodology for Calculating the Number of Judges of Courts of First and Appellate Instances and the Methodology for Calculating the Projected Number of Cases of Courts of First and Appellate Instances were approved. According to these documents, 12,267 judges would be required to administer justice, almost three times the number of judges who administered justice in 2025. Not all respondents interviewed during the preparation of this report consider these figures realistic, even with the current number of judges, the judicial system faces a significant funding shortfall each year.

In addition, hostilities resulted in changes to the territorial jurisdiction of individual courts. Between September 2025 and August 2026 inclusive, the territorial jurisdiction of 13 courts was changed.

As of August 2026, Russia's armed aggression had caused varying degrees of damage to 194 premises of courts and judicial authorities, of which 170 premises belonged directly to courts. At the same time, three new court premises opened during August 2026: the Dolynskyi District Court of Kirovohrad Region, the Kyiv-Sviatoshynskyi District Court of Kyiv Region and the Smila City District Court of Cherkasy Region.

A separate issue that emerged following the Russian Federation's strikes on Ukraine's energy infrastructure between December 2025 and February 2026 was the energy resilience of the judicial system. An unusually cold winter and prolonged power outages significantly restricted citizens' access to justice and adversely affected the timeliness of case adjudication. This issue will require targeted action by the judiciary and Ukraine's international partners in view of the intensification of the Russian Federation's strikes on critical infrastructure in frontline regions and cities with populations exceeding one million even in summer 2026, which calls into question the possibility of ensuring stable

³⁷ Ibid.

access to justice in winter 2026–2027, despite the efforts undertaken by the SJA and the courts.

One of the main problems is persistent underfunding of judicial authorities. During the reporting period, the funding needs of the SJA, as the main budget holder for local and appellate courts, were not met at any point. At the same time, systemic shortcomings were identified in the planning and allocation of budget resources, which led to a low level of needs coverage, uneven distribution of funding, accumulation of accounts payable and the return of unused funds to the state budget.

For its part, the SJA reported on the allocation and use of funds provided in the general fund of the State Budget for 2025 in the relevant areas. The level of court provision with IT equipment was reported at 87%. In August 2026, the SJA began the procurement of 4,000 computers to replace obsolete equipment in courts, after which a tender procedure for the procurement of server equipment is expected to begin.

At the same time, the staffing deficit in court administrations reaches 26–29%. This is due both to excessive workload and to the low level of remuneration in previous years. The full-scale war of the Russian Federation against Ukraine is also one of the factors contributing to staff outflow.

During the reporting period, the SJA took the initiative to collect data to rank the physical condition of court premises, making it possible to structure modernisation priorities and identify critical facilities, including courts on the left bank of Kyiv. According to the SJA, the necessary priority repair works at all emergency facilities will be completed before the start of the 2026 heating season. Further repairs are planned to be carried out in stages according to the needs of each facility. Despite a shift towards more rational and evidence-based expenditure planning, the effectiveness of these measures has been accompanied by public dissatisfaction due to the delayed start of the inventory of power networks and the condition of premises across the country.

High Anti-Corruption Court

A key challenge for the HACC at this stage of its activity is the rapid increase in the number of cases submitted for its consideration. While 122 criminal proceedings were submitted for consideration on the merits in 2024, the number increased to 156 in 2025. As a result, the backlog of pending cases is growing: while at the end of 2024 there were 260 such cases, by the end of the first half of 2026 the backlog had reached 322 criminal proceedings. Despite an increase in the number of judgments from 77 in 2024 to 109 in 2025 (+41%), in 2025 the pace of case consideration did not keep up with the inflow of new cases, and the backlog continued to grow.

In the first half of 2026, the efficiency of considering criminal proceedings increased by 37%, while that of claims for the recognition of assets as unjustified and their recovery to the state increased by 22%. The HACC's efficiency in considering criminal proceedings reached 101% for the first time since the court began operating. The number of judgments delivered by the HACC in the first half of 2026 increased by 25% compared with the same period in 2025, from 52 to 65.

At the same time, the introduction of single-judge consideration of criminal cases has become an important factor in improving the court's efficiency. In 2025, 64 out of 109 judgments were delivered by single judges. In the first half of 2026, 31 judgments were

delivered by HACC judges sitting alone, accounting for 48% of all judgments during that period.

The premises allocated to the HACC during the current reporting period at 35 Metropolitan Vasyl Lypkivskyi Street, Kyiv are currently unsuitable for the administration of justice and require renovation. However, as of the end of August 2026, the necessary funding was unavailable, and the HACC and the AC HACC therefore continue to operate in their existing premises. This situation requires urgent resolution.

Supreme Court

In 2025, 93,600 cases were submitted to the SC for consideration, which is 3% more than in 2024, while the number of cases considered reached 91,700, exceeding the previous year's figure by more than 4,000. At the same time, 22,000 cases were decided on the merits. In the first half of 2026, approximately 49,000 cases were received by the SC and approximately 48,000 cases were considered. This indicates that the trend of excessive recourse to the SC by individuals and legal entities, observed in previous periods, has persisted.

The excessive number of appeals also negatively affects the consistency of judicial practice. At the same time, the existing system in Ukraine of full reimbursement of court fees in cases where a case is refused admission to cassation review does not serve as a deterrent and contributes to the overloading of the SC.

Another factor that continues to affect the consistency of judicial practice is the failure of state authorities and local self-government bodies to follow SC case law, even where ordinary citizens or advocates refer to relevant SC case law in their applications to such bodies. This systemic problem has remained unresolved for a prolonged period and leads to the SC being overloaded with similar cases in which a legal position has already been established. As a result, this situation prevents the full development of strategic approaches to the evolution of case law.

The SC's excessive caseload of administrative cases — 57,000 in 2025 — also calls into question the effectiveness of the Law of Ukraine 'On Administrative Procedure'.

A separate serious problem is the failure of a significant number of appellate court judges to follow SC case law. This, among other factors, contributes to the SC's excessive caseload: a first-instance court decision adopted in accordance with SC case law is subsequently overturned by an appellate court, which in turn leads to its reversal by a cassation court within the SC. The upward trend in the number of cases submitted to the SC provides further confirmation of this problem.

Other systemic challenges affecting the consistency of judicial practice during the reporting period include legislative instability and inter-jurisdictional divergences within the SC. The problem of legislative instability is likely to deepen further as Parliament prepares to adopt a new version of the Civil Code of Ukraine. The draft new Civil Code has been prepared in a way that changes not only provisions undergoing harmonisation with the EU *acquis* but also provisions whose substance remains unchanged, while altering their numbering, placement or wording. This will require renewed judicial interpretation of such provisions, in addition to the several years that all new provisions of the Civil Code would require to become settled in judicial practice. At this stage, it would therefore be advisable not to adopt a new Civil Code but instead to focus on introducing the necessary amendments to the current Civil Code of Ukraine.

At the same time, active work is ongoing within the SC on mechanisms to ensure the consistency of judicial practice. A working group involving SC judges has been established to implement measures envisaged by the Rule of Law Roadmap, within which draft legislative amendments introducing a mechanism for advisory opinions of the SC have already been prepared. This would allow first-instance and appellate courts to submit a preliminary request to the SC where there is inconsistent practice in cases that are not subject to cassation appeal. Work is also ongoing on a comprehensive package of legislative amendments covering cassation filters, remote justice and measures to prevent abuse of procedural rights. These initiatives merit support.

Accordingly, effective tools should be introduced to ensure the consistency of judicial practice, including a preliminary ruling request mechanism enabling appellate and first-instance courts to refer questions to the SC in cases where no SC conclusion exists on the matter. The reasoning of SC judicial decisions should also be strengthened, including as regards the similarity of legal relations and the admissibility or inadmissibility of cassation appeals considering cassation filters. To improve procedural instruments, it is proposed to review the approach to the use of model cases, intensify their application and consider extending this institution to other jurisdictions, considering their specific features. To ensure the stability of judicial practice, it is also proposed to discuss the possibility of introducing a qualified majority rule for departures from previous legal conclusions of the GC SC, joint chambers and chambers of the cassation courts.

During the reporting period, with the support of the EU Project 'Pravo-Justice', the SC integrated the SC Legal Positions Database with the Unified State Register of Court Decisions. This should facilitate faster, more convenient and more efficient searches for relevant case law.

At the same time, during the reporting period, a project on the comprehensive digitalisation of the judiciary was launched. It is being implemented by the Agency for Legislative Initiatives, a non-governmental organisation, with the support of the Swedish International Development Cooperation Agency (Sida). The recipients of the project are the HCJ, the HQCJ, the SC, the CCU and the SJA. As of August 2026, the development of individual modules of the new Unified Judicial Information and Communication System had commenced.

Constitutional Court of Ukraine

Despite the existence of a formal quorum at the level of the senates and the plenary composition of the CCU, plenary sessions of the Grand Chamber of the CCU operate at the limits of their quorum. Certain issues falling within the competence of the Grand Chamber cannot be considered due to recusals or self-recusal of judges, which results in the CCU lacking quorum in specific cases.

Given the complexity and contentious nature of the issues under consideration by the CCU, in many cases it is effectively impossible to adopt decisions due to the lack of sufficient votes of CCU judges (at least ten judges must vote in favour for a decision to be adopted). This negatively affects the duration of constitutional proceedings and hampers the adoption of procedural and organisational decisions by the plenary composition of the CCU.

A statistical analysis of data on the activities of the CCU since the beginning of the full-scale invasion demonstrates the inefficiency of the Grand Chamber. In 2022–2025, be-

tween 43 and 50 constitutional submissions were pending before the CCU in different years. As of the end of 2025, 48 constitutional submissions remained under consideration, of which 32 had been submitted to the CCU before 2022.

Since the introduction of the constitutional complaint mechanism in Ukraine (30 September 2016), subjects entitled to lodge a constitutional complaint have submitted 4,464 complaints to the CCU. Although the allocation of constitutional complaints among judges began in 2016, the CCU started adopting decisions on their merits only in 2019. In total, the CCU has adopted 67 such decisions.

The duration of proceedings before the CCU is adversely affected by **several factors**, including: (1) the absence of a unified analytical centre (service) within the CCU that would ensure a consistent approach to the preparation of draft decisions, systematic analysis of case law and doctrinal coherence of reasoning; (2) the absence of unified standards for the structure and drafting of decisions, which leads to inconsistency in style, length and reasoning and complicates the achievement of consensus among judges; (3) insufficient digitalisation of internal processes (case management), including the absence of an integrated case management system and automated document workflow; (4) uneven distribution of workload among judges and the absence of flexible mechanisms for re-allocating cases, which affects the speed of preparation of individual proceedings; and (5) the considerable complexity and sensitivity of cases considered by the CCU, which objectively requires lengthy coordination of positions within the Court, among other factors.

In December 2025, two draft laws — No. 14321 and the alternative No. 14321-1 — were registered in the Verkhovna Rada to amend the Law of Ukraine 'On the Constitutional Court of Ukraine'. They are aimed at regulating the disciplinary liability of CCU judges, defining disciplinary offences and sanctions, introducing disciplinary proceedings within the Court, strengthening transparency and integrity mechanisms and modernising procedural aspects of its functioning. At the same time, the proposed amendments raise a number of structural, constitutional and legal concerns that may affect the independence and effective functioning of the CCU. For example, the list of disciplinary offences proposed in the draft laws is internally inconsistent and contains a number of evaluative and open-ended concepts, such as 'dishonourable conduct', 'breach of the oath' and 'improper performance of duties', which may be interpreted excessively broadly, creating risks of arbitrary application of disciplinary mechanisms. In addition, the draft laws do not provide for an adequate admissibility filter for complaints, which may lead to abuse of disciplinary proceedings.

Draft Law No. 4533,³⁸ which has been pending second reading in the Parliament since April 2021, is aimed at addressing some of the aforementioned issues related to the procedural and operational functioning of the CCU.

The problem of clearly delineating the procedural mechanisms for the exercise of powers between the CCU and the SC also remains unresolved, as does the need to strengthen the institutional capacity of the Secretariat of the CCU.

A separate issue concerns the implementation of CCU decisions by the Parliament, particularly with regard to the timeliness of introducing the necessary legislative amendments, as well as the substantive adequacy of such implementation.

38 On Constitutional Procedure: Draft Law of Ukraine, registration No. 4533 of 21.12.2020.

To address the above-mentioned problems, Draft Laws Nos. 14321 and 14321-1 on improving the legislative regulation of certain provisions of the functioning of the CCU and establishing disciplinary liability of CCU judges should be submitted to the Venice Commission for an expert opinion on their compliance with European standards. After receiving such an opinion, Parliament should revise one of the draft laws with the proper involvement of the CCU, legal professionals and civil society and adopt the revised draft law. It would also be advisable to amend the Law of Ukraine 'On the Constitutional Court of Ukraine' and the Rules of Procedure of the CCU with regard to recusals and self-recusals of CCU judges and time limits for considering constitutional submissions. A mechanism should be developed to prevent a judge-rapporteur from delaying proceedings and to allow a constitutional submission to be transferred to another judge-rapporteur in order to expedite the proceedings. At the same time, it is important to conduct an audit of existing processes within the CCU, including its administrative, financial and procedural components, as well as material and technical support, followed by the relevant discussions and procedures for legislative amendments. In this context, Draft Law No. 4533 should be revised considering the recommendations previously provided by civil society. At the legislative level, the procedural mechanisms for the exercise of powers of the CCU and the SC should be clearly delineated, taking into account that the powers of the CCU are defined directly by the Constitution of Ukraine, in order to prevent practices whereby a constitutional complaint is effectively used as an instrument for reviewing court decisions on the merits (a 'fourth instance').

State of Judicial Independence

During the reporting period, judicial governance bodies and public oversight institutions were subjected to pressure from the TIC established by the Verkhovna Rada of Ukraine, which constitutes a serious interference with the independence of the judiciary and the civil society sector. The independence of the judiciary was also undermined by bodies of the Bar self-governance.

At the end of August 2026, Draft Resolution No. 15568³⁹ was registered in Parliament, providing for the re-establishment of a TIC of the Verkhovna Rada of Ukraine to investigate possible corruption or corruption-related offences in law enforcement agencies, courts and judicial authorities. However, given the previous Commission's interference with judicial independence, re-establishing a commission with the same functions and a similar composition appears questionable.

As of the end of August 2026, the implementation of Law No. 4905-IX⁴⁰ remained unresolved with regard to applying, for the purpose of determining a judge's basic official salary, the monetary value of the subsistence minimum for able-bodied persons in the amount established by the State Budget Law for the relevant year. Judicial salaries have been brought into line with this Law only in the CCU and the HACC, using savings from the general fund of their allocated budgets resulting from vacancies during the previous

39 On the Establishment of the Temporary Investigative Commission of the Verkhovna Rada of Ukraine to Investigate Possible Facts of Corruption or Corruption-Related Offences in Law Enforcement Agencies, Courts and Judicial Authorities: Draft Resolution, registration No. 15568 of 27.08.2026.

40 On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' and the Law of Ukraine 'On the High Council of Justice' Regarding Improvement of Judicial Integrity Declarations and Declarations of Family Ties: Law of Ukraine No. 4905-IX of 09.06.2026.

seven months⁴¹. The MoF does not approve the use of the State Budget special fund for the payment of judicial remuneration, despite the availability of sufficient funds in that fund, placing judges in an unequal position and undermining guarantees of judicial independence. Accordingly, the Cabinet of Ministers of Ukraine should implement the provisions of Law No. 4905-IX concerning the level of judicial remuneration in both 2026 and 2027.

Training of Judges and Court Staff

The problem of NSJU staff losses due to relocation abroad as a result of the war has been overcome. At the same time, the NSJU is experiencing a shortage of trainers due to insufficient funding, the lack of regulation of procedures for seconding sitting judges to serve as NSJU trainers and the high workload of judges. Judge-trainers, while agreeing with these problems, also point to the low organisational and strategic-intellectual capacity of NSJU staff in developing training programmes, where the judge-trainer is required to develop everything — from training subtopics, detailed programmes and selection of the regulatory framework and relevant case law and its analysis to the preparation of presentations. This significantly affects the willingness of judges and retired judges to join the NSJU's pool of trainers.

The level of financial support for NSJU staff does not meet the requirements established by legislation and is approximately 20% lower than that of HQCJ staff, which does not contribute to attracting highly qualified personnel to the NSJU.

During the reporting period, the issue of asset and income declarations by the management and staff of the NSJU remains unresolved. At the same time, the NSJU continues to insist that there are no corruption risks in its activities.

This position cannot be accepted as long as the Testology Centre operates within the NSJU, as it develops test questions for qualification examinations. The presence of such a centre within the NSJU creates corruption risks and a potential conflict of interest and assigns functions to the NSJU that are not inherent to it. At the same time, there is a view that changing the operational model of the Testology Centre during an active phase of competitions could suspend those procedures for an unpredictable period.

Under these circumstances, following a functional audit of judicial governance and self-governance bodies, the place of the Testology Centre within the structure of the judiciary should be determined. If the Testology Centre remains within the NSJU, mandatory asset and income declarations should be introduced for NSJU management and staff whose functions involve corruption risks. If the Testology Centre is transferred to the HQCJ, or its status is otherwise regulated outside the NSJU, the need for asset and income declarations by NSJU management and staff should be determined with the involvement of the NACP in the discussion.

According to the NSJU, 52,876 participants took part in its training activities in 2025. During the first half of 2026, the NSJU conducted 430 training events attended by 31,174 participants.

⁴¹ The Council of Judges of Ukraine Adopted an Appeal to the President of Ukraine on Restoring Guarantees of Judicial Independence. Council of Judges of Ukraine, 2026.

In 2025, staff of the EU Law Training Laboratory (Training Laboratory) completed the full cycle of developing, piloting and delivering materials for a training-of-trainers programme on 'Application of European Union *acquis* and the case law of the Court of Justice'. Overall, EU law training reached 8,140 persons in 2025 and more than 7,000 participants in the first half of 2026, including more than 2,000 judges.

At the end of 2025, the NSJU approved the Strategy for the Development of Judicial Education for 2026–2030. The Strategy is aligned with the European Judicial Training Network (EJTN) Strategy.

To assess the NSJU's compliance with the requirements and standards applicable to EU judicial training institutions, an expert mission was conducted in 2025 under the TAIEX instrument. International experts carried out a comprehensive functional, staffing and financial audit of the NSJU. This was one of the recommendations provided by civil society in the previous reporting period. To strengthen the institutional capacity of the NSJU, its structure, including regional branches, and functions should subsequently be reviewed, including by removing functions not inherent to judicial training institutions, and the NSJU should be transformed into a modern training centre on the basis of the functional audit of judicial governance and self-governance bodies and taking into account the recommendations of the TAIEX report.

Enforcement of Court Decisions

On 7 April 2026, the Verkhovna Rada adopted Law No. 4833-IX,⁴² which provides, *inter alia*, for: (1) improving the procedure for recovery from debtors' funds and electronic money held in accounts or electronic wallets opened with banks and other financial institutions; (2) automated lifting of attachments from debtors' accounts where the amount to be recovered does not exceed ten minimum wages and removal from the Unified Register of Debtors (URD) after the debt has been paid; (3) expanded functionality of the AEPS and the URD and their interaction with other state registers to prevent debtors from disposing of property; and (4) raising the debt threshold below which enforcement against a debtor's sole dwelling is prohibited from 20 to 50 minimum wages, among other measures.

Law No. 4833-IX will enter into force gradually: some provisions entered into force in April 2026, while others, including the launch of the fully functional AEPS, will enter into force in autumn 2026. This phased approach is due to the need for technical preparation of the systems and updating of registers.

At present, the first stage of the AEPS modernisation has been implemented. The current software update implements individual provisions of Law No. 4833-IX, with one of the key innovations being functionality enabling enforcement officers to promptly adopt and register decisions to remove information on a person from the URD. In addition, new functionality for electronic interaction between the AEPS and the Unified Judicial Information and Telecommunication System has been introduced. The new functionality optimises the work of state and private enforcement officers and should facilitate more prompt enforcement of court decisions. In addition to integration with the judicial sys-

⁴² On Amendments to Certain Legislative Acts of Ukraine on Improving the Procedure for Enforcing Court Decisions and Decisions of Other Bodies and Digitalising Individual Stages of Enforcement Proceedings: Law of Ukraine No. 4833-IX of 07.04.2026.

tem, developers implemented further technical improvements and fixes. All of them are aimed at improving user interaction with the AEPS functionality.

At the same time, Law No. 4833-IX does not regulate, among other matters, the equalisation of the powers of private and state enforcement officers, automation of the procedure for access to the profession and improvement of the training of new candidates, or the remuneration of private enforcement officers.

Legislation on the enforcement of court decisions and decisions of other public authorities should be further revised to address issues not regulated by Law No. 4833-IX, with a view to unifying approaches and developing a coherent state policy on the enforcement of court decisions. The concept for the digitalisation of enforcement proceedings should also be further developed to include practical measures for transitioning all levels of enforcement proceedings to electronic format.

Prosecution Reform

Systemic *progress* in prosecution reform remained *very limited* during the reporting period. Despite certain organisational and strategic developments, key EU integration recommendations and commitments in the area of prosecution reform remain either unimplemented or only partially implemented.

Despite repeated recommendations and calls by the European Commission to ensure competitive and merit-based selection of prosecutors and to refrain from appointments outside competitive procedures, the prosecution service has shown no willingness to abandon this mechanism. On the contrary, the possibility of appointment to regional prosecution offices and the PGO outside a competitive procedure, provided for by Law No. 4555-IX, is actively used in practice. As of early September 2025, in the first month and a half alone, 148 persons had been appointed to regional-level prosecution offices under this procedure⁴³ and 130 persons to the PGO.⁴⁴ The prosecution service subsequently provided no further official data, but the scale of the problem can be inferred from these figures. There is also a practice of appointing prosecutors to positions in regional prosecution offices and subsequently transferring them to district prosecution offices, as a result of which many participants in competitions for district prosecution offices withdraw their applications. Thus, the practice of appointments outside competitive procedures has spread to prosecution offices at all levels, with the exception of the SAPO.

The issue of prosecutors' procedural independence remains unresolved. Recommendations aimed at strengthening guarantees of prosecutorial independence, including by introducing the possibility of appealing decisions removing prosecutors from criminal proceedings, have not been implemented. Nor have the risks of using staffing and organisational mechanisms as instruments of influence over prosecutors been eliminated. The expansion of the Prosecutor General's powers, combined with insufficient institutional safeguards for independence, further exacerbates these risks.

The prosecution service's function of representing the interests of the state in court still requires separate legislative regulation. Following the decision of the CCU concerning the relevant constitutional provisions, the legislature should clarify the legal framework

⁴³ Data summarised based on information provided by regional prosecution offices in accordance with the Law of Ukraine 'On Access to Public Information'.

⁴⁴ Letter of the Prosecutor General's Office No. 07-823-25 of 10.10.2025.

governing this function by defining the exceptional cases and limits of its exercise. Further regulation should ensure its subsidiary nature and compliance with European approaches.

There is still no *competitive selection procedure for managerial (administrative) positions* within the prosecution service, although the deadline for implementing this task under the Ukraine Facility Plan and the Rule of Law Roadmap expired in the first quarter of 2026. Relevant legislative proposals have been developed, but they remain at draft stage and have not yet been submitted by the Government to Parliament.

Certain institutional changes took place in the area of *prosecutorial self-governance*, although they do not address systemic problems. In August 2026, the regular All-Ukrainian Conference of Prosecutors was held, at which 11 new members of the CPU were elected. Vasyl Martyniuk, a representative of the Rivne Regional Prosecutor's Office, was elected Head of the CPU.⁴⁵ The Conference also approved amendments to the Regulation on the CPU, the Code of Professional Ethics and Conduct of Prosecutors, the Regulation on the Procedure for the Operation of the Body Conducting Disciplinary Proceedings and the Rules of Procedure of the All-Ukrainian Conference of Prosecutors. While, during the previous All-Ukrainian Conference of Prosecutors in 2024, a relevant working group had, as part of a pilot project, conducted a preliminary assessment of candidates for the QDCP,⁴⁶ this practice was not applied at the 2026 Conference. As a result, the new CPU was elected for five years under the old rules, without a preliminary assessment of candidates' compliance with professional and integrity criteria.

The *attestation of prosecutors*, introduced as a temporary mechanism for removing professionally unqualified personnel and personnel lacking integrity from the prosecution service, continued during 2025–2026. Following the temporary suspension of the attestation commissions in 2025 due to the change of Prosecutor General, their work resumed. The PGO has still not proposed a systemic solution for completing the attestation process and determining the future status of prosecutors who remain outside the completed procedure.

In parallel, the QDCP continued to consider disciplinary proceedings, including cases concerning the *unlawful acquisition of disability status by prosecutors*. Of 320 relevant QDCP decisions, 32 prosecutors were held disciplinarily liable and dismissed from the prosecution service (10% of all disciplinary proceedings); 20 prosecutors (6.3%) were sanctioned by a one-year prohibition on appointment to a higher position within the prosecution office in which they served and by transfer to a higher-level prosecution office; and one prosecutor (0.3%) received a reprimand. A total of 265 disciplinary proceedings (82.8% of all proceedings) were closed because the prosecutors' actions did not constitute a disciplinary offence. Hence, despite the considerable number of checks conducted, *the vast majority of prosecutors avoided disciplinary liability: 82.8% of proceedings were closed* and dismissal was imposed in only 10% of cases. The criminal-law response also failed to produce adequate results: despite investigations by the SBI into possible abuses, as of the reporting period there were no publicly known final outcomes in most such cases. Taken together, this indicates that the mechanisms for holding prosecutors accountable for possible abuses related to the acquisition of disability status are insufficiently effective.

45 On the Election of the Head, Deputy Head and Secretary of the Council of Prosecutors of Ukraine: Decision of the Council of Prosecutors of Ukraine No. 119 of 28.08.2026.

46 With the support of the EU Project 'Pravo-Justice', a working group assessed candidates for the QDCP, including against the integrity criterion, at the CPU request.

At the same time, *several strategic documents were approved* during the reporting period. In October 2025, the Prosecutor General approved the Prosecutor's Office Development Strategy for 2025–2028 and, in June 2026, the PGO Anti-Corruption Programme for 2026–2028 and the Unified Communication Strategy of Law Enforcement Agencies and Prosecution Authorities for the Period up to 2030. These documents identify several priority areas for the further development of the prosecution service, including digital transformation, human capital development, openness, accountability and independence. Their adoption is predominantly strategic and organisational in nature and does not in itself demonstrate systemic reform. Implementation of these documents and of the individual measures envisaged by them requires further monitoring.

Overall, systemic progress in prosecution reform remained very limited during the reporting period. Key unresolved issues include ensuring prosecutors' procedural independence, restoring uniform competitive and merit-based principles for their selection and promotion, introducing a transparent competitive mechanism for appointment to managerial positions, depoliticising the procedure for the appointment and dismissal of the Prosecutor General, strengthening the transparency and effectiveness of prosecutorial self-governance and fully implementing the digital mechanisms envisaged by the Rule of Law Roadmap. The recommendations of the Fourth Evaluation Round of the Group of States against Corruption (GRECO) concerning the random allocation of criminal proceedings, the system for evaluating prosecutors and improvement of the grounds and procedures for disciplinary liability also remain unimplemented, while the work undertaken by working groups and pilot projects has not translated into sustainable and effective management decisions.

Bar Reform

No progress was recorded in Bar reform during the reporting period. The only institutional step was the establishment, on 12 January 2026, of a Government working group on improving legislation on the Bar, while the relevant strategic documents remain unapproved or at draft stage. The Rule of Law Roadmap provides for the adoption, by the fourth quarter of 2026, of a draft law to improve the legal regulation of the practice of law, but it remains uncertain whether this deadline will be met. At the same time, decision-making within BSG bodies is becoming increasingly centralised and non-transparent.

A positive development was the inclusion of the Bar in the draft Anti-Corruption Strategy for 2026–2030 developed by the NACP. Draft Law No. 15230-d approving the Strategy is awaiting consideration by Parliament.

The Government working group has not yet produced substantive results. Only one meeting was held during the reporting period, on 19 March 2026; no substantive reform issues were considered and instead a decision was taken to expand the group, which currently comprises 27 members. At the same time, its current composition requires updating: in July 2026, following the formation of the new Government, Denys Maslov, the former Head of the Verkhovna Rada Committee on Legal Policy and a co-chair of the working group, was appointed Minister of Justice of Ukraine. As of the end of August 2026, a new Head of the Committee had not been elected.⁴⁷

⁴⁷ Under the Regulation on the Working Group on Improving Legislation in the Field of the Bar and Practice of Law, approved by Resolution of the Cabinet of Ministers of Ukraine No. 42 of 12.01.2026, the Working Group is co-chaired by the Deputy Minister of Justice for European Integration and the Head of the Verkhovna Rada Committee on Legal Policy.

It is critically important to align the legal framework governing the Bar with the Constitution of Ukraine and European best practices through inclusive and transparent consultations involving the legal community and civil society. Such consultations should aim to build an independent and professional Bar that is accountable to advocates and society. The key areas for reform are:

- 1) decentralising the powers of the BCU by separating rulemaking, executive and oversight functions and introducing a system of checks and balances;
- 2) transparent, democratic and credible procedures for electing BSG bodies;
- 3) a unified, standardised and digitalised qualification examination;
- 4) an accountable and independent disciplinary mechanism with public registers of decisions;
- 5) mandatory financial reporting by BSG bodies, with an annual independent audit;
- 6) liberalising continuing professional development by ending the monopoly of the UNBA HSB;
- 7) strengthening guarantees for the practice of law and expanding advocates' professional rights in line with European standards.

The system of BSG bodies remained unchanged. Elections have not been held, even though their terms of office expired in 2022. As a result, advocates elected in 2012, 2017 and 2019 continue to hold leadership positions within the Bar at central and regional levels, while Lidiia Izovitova has continuously served as Head of the UNBA and the BCU since 2012. This indefinite continuation of mandates is justified by martial law, although Article 22 of the Law of Ukraine 'On the Legal Regime of Martial Law' prohibits the use of that regime to retain power. Moreover, neither the Law of Ukraine 'On the Bar and Practice of Law' nor the Constitution of Ukraine provides for the extension of the powers of BSG bodies after their terms of office expire. The HCJ addressed the UNBA and the BCU in Decision No. 1476/0/15-26, stressing that the Bar has had no representatives on the HCJ for more than four years, since no Congress of Advocates has been held since 2022; that electing such representatives by the Congress of Advocates is a constitutional duty rather than a right; and that martial law does not prevent a congress from being held, since judges, prosecutors and legal higher education and research institutions have held their respective congresses.

At the same time, since 2021 Kyiv has had no BSG bodies due to a BCU decision, leaving more than 15,000 advocates without representation. The key systemic problem is the BCU's monopoly over electoral processes: the BCU must initiate the electoral cycle for BSG bodies at both regional and central levels. Another problem is that advocates vote openly for the new composition of BSG bodies by a show of hands: the law does not guarantee a secret ballot and, in practice, voting at the relevant meetings is conducted by a show of hands. This is contrary to Recommendation No. R (2000) 21 of the Committee of Ministers of the Council of Europe. In addition, a non-transparent system of delegation and quota-based representation at such meetings remains in place, effectively excluding the vast majority of advocates from voting. There is also effectively no procedure for exercising passive voting rights, which is inconsistent with basic democratic principles. It is essential that reform begin with a new electoral system for BSG bodies to build trust in them. Accordingly, reform of Bar legislation should precede new elections.

The lack of transparency of BSG bodies is a separate problem. In practice, a significant number of BCU decisions are not published and some have effectively been classified,

contrary to the law. BCU meetings are not streamed and their minutes or transcripts are not published. Following a request from the NGO 'Tomorrow's Lawyer', the UNBA refused to provide the requested information concerning the Bar or to cooperate, stating that the UNBA and the BCU constitute the sole entity authorised to represent the Bar. The Bar is the least transparent of all institutions in the justice system.

Priority changes in the field of the Bar include: abolishing quota-based representation and introducing direct participation of advocates in elections through secret online voting on independent platforms based on the 'one advocate — one vote' principle; automatically launching elections upon expiry of the term of office of BSG bodies; reducing the term of office of BSG bodies to three years; delineating the competences of the BCU and the BCRs and developing a system of checks and balances; and ensuring mandatory transparency of BSG bodies, including the streaming of meetings, as an element of accountability to advocates.

Admission to the Bar remains non-transparent and follows an outdated procedure based on paper examination tickets. There are no mechanisms for objectively assessing candidates. The current law establishes only formal requirements for candidates — education, professional experience and language proficiency — and contains no moral and ethical requirements or checks of disciplinary or other sanctions.

An analysis of the URAU reveals regional anomalies indicating the absence of uniform admission standards: per 100,000 inhabitants, the least populous regions issue the highest number of certificates, with Poltava and Zakarpattia regions issuing almost twice as many as Lviv region. No objective factors that could explain these figures — such as a concentration of nationally prominent law faculties, a large legal services market or strong demand from business — are apparent in these regions. Because the law allows candidates to sit the examination and obtain a certificate in any region and then practise throughout Ukraine, they are not restricted in their choice of QDCB. This points to differing admission conditions across regional QDCBs, making some of them attractive to candidates regardless of where they actually intend to practise and creating potential procedural risks.

The reform should provide for a unified, standardised nationwide digitalised examination using specialised software and video recording, the introduction of moral and ethical requirements and a candidate declaration of integrity subject to mandatory verification by the QDCB, and improvement of the traineeship procedure taking into account best practices of EU Member States.

A key problem in **continuing professional development** is the monopolistic position of the UNBA HSB, which is both the administrator of the professional development system and its principal provider of paid services to advocates. This conflict of interest is embedded in its Charter: the UNBA HSB is both regulator and provider, while the BCU effectively requires advocates to use these paid services. At the same time, the UNBA HSB is a private-law legal entity and is not accountable to advocates. During 2024–2026, the UNBA HSB also acted as a complainant before Bar disciplinary bodies against advocates who had formally failed to meet professional development requirements. This creates an institutional conflict of interest: the complainant is a direct beneficiary, because advocates are required to undertake the relevant professional development through the UNBA HSB, making it the financial beneficiary of the system.

The law should be amended to liberalise the market for providers of professional development services.

The disciplinary system has not undergone systemic improvement and continues to demonstrate structural dysfunction. There is still no public electronic register of disciplinary decisions, while disciplinary proceedings are used as a tool of pressure on advocates.

The closed nature of disciplinary proceedings has direct consequences. In the absence of a register of decisions of QDCBs and the HQDC, the Bar community, complainants and independent researchers cannot verify statistics, analyse legal positions or assess whether decisions are well founded. Advocates are also unable to determine the actual standards of conduct for which they may be held liable.

Disciplinary bodies remain administratively dependent on BSG bodies. The incumbent Head of the HQDC was not elected by the Congress of Advocates of Ukraine, as required by law, but was appointed by the BCU — a body whose members regularly initiate disciplinary proceedings. At the same time, the Head of the HQDC unilaterally determines which regional QDCB will consider a particular complaint where one of them lacks quorum, as more than 10 regional QDCBs lack quorum and do not hear cases. This is how a complaint concerning HCJ member Roman Maselko was transferred to the Zakarpattia Regional QDCB, while complaints concerning members of the HQCJ were transferred to other regions, creating risks of targeted selection of the disciplinary body. In 2025–2026, the BCU initiated disciplinary proceedings against members of the HCJ and the HQCJ — Roman Maselko, Roman Sabodash and Ruslan Sydorovych — who had not been delegated to those bodies by the Bar and whose right to practise law had been suspended. In its decisions, the HCJ characterised the actions of BSG bodies concerning Roman Maselko as interference in the activities of a member of a constitutional body and as discrediting his decisions.

The law should provide for the establishment of a public electronic register of disciplinary proceedings and decisions; suspension of the execution of a decision for the duration of its appeal; a definition of a disciplinary offence and an exhaustive list of entities entitled to lodge complaints; an expanded range of disciplinary sanctions; and a rule that actions by a person whose right to practise law has been suspended, where performed outside the scope of legal practice, cannot be subject to disciplinary proceedings.

The situation regarding the **financial management of BSG bodies** remains unchanged. Financial reporting to advocates has not been published since 2022, including pursuant to BCU Decision No. 50 of 20 May 2023, to which advocates themselves do not have access because the decision has neither been published nor provided in response to their requests. Funds are managed without external or independent oversight; open procurement, audits and transparent approval of expenditure are not used; and annual contributions payable by advocates are set at the maximum level permitted by law without published justification or calculations.

BCU Decision No. 92 changing the procedure for distributing contributions between the UNBA and the BCRs, adopted in 2024 without financial and economic calculations, was implemented in 2025. According to approximate calculations based on URAU data, the UNBA received around UAH 12 million in additional revenue without publishing a report on its use. In response to individual requests by advocates for financial reports, the UNBA

refuses to provide information, referring to BCU Decisions Nos. 50 and 51 and Order No. 91 of the Head of the UNBA and BCU, and states that the reports will be published only within three months after the termination of martial law. Accordingly, an advocate who has fulfilled the obligation to pay the contribution has no means of verifying whether the funds have been properly spent, either through official web resources or by submitting an individual request.

The law should provide for the annual publication of budgets of BSG bodies at all levels and justification of the amount of the contribution, including expenditure calculations made available to advocates; publication of financial reports for 2022–2025; standardisation and itemisation of reporting by expenditure category, contracts and remuneration; advocates' access to the key terms of contracts and primary documents; transparent and competitive procurement; and a mandatory annual external independent audit, with the results published for advocates.

Judicial control over decisions, actions and omissions of BSG bodies. Courts consistently refrain from reviewing the substance of decisions of BSG bodies, limiting themselves to verifying compliance with procedure and recognising these bodies as having unlimited rule-making discretion. There is no public authority responsible for overseeing the quality of acts adopted by the UNBA and the BCU, and acts of Bar self-governance are not subject to any oversight by the MoJ. As a result, decisions of BSG bodies are effectively removed from meaningful judicial review. The law should provide for the possibility of challenging before a court decisions of BSG bodies that display the characteristics of a normative legal act, with review against the criteria set out in the CAP of Ukraine.

There has been no qualitative improvement in the **protection of professional rights of advocates**: obstruction of access to clients continues, mobilisation mechanisms are used to remove defence counsel, advocates are identified with their clients and advocates' requests are ignored. The number of written reports of violations of professional rights increased from 86 in 2024 to 97 in 2025. The liability mechanism for failure to respond to an advocate's request remains ineffective due to the inaction of the BCRs, which have exclusive authority to draw up the relevant offence reports. It is necessary to guarantee advocates unimpeded access to clients, empower them to independently conduct certain procedural actions and provide them with identified access to registers, strengthen guarantees of attorney-client privilege and exercise the right of veto in respect of Draft Law No. 12320,⁴⁸ whose vague categories of 'identification' violate the principle of legal certainty.

An important step was Ukraine's signature, on 9 March 2026, of the Council of Europe Convention for the Protection of the Profession of Lawyer — Ukraine became the 28th state to join the treaty. Parliament must still give its consent for Ukraine to be bound by the Convention, while its proper implementation will require substantial amendments to legislation governing the Bar, as the MoJ has also emphasised. The Convention should therefore be ratified simultaneously with or after the adoption of the amendments envisaged by the Rule of Law Roadmap. Ratification should not precede legislative reform of the Bar, as this would create a gap between Ukraine's international obligations and its national regulatory framework.

48 On Amendments to the Code of Ukraine on Administrative Offences, the Criminal Code and the Criminal Procedure Code of Ukraine to Ensure Compliance with Guarantees for the Practice of Law: Draft Law of Ukraine, registration No. 12320 of 16.12.2024.

Legal Education Reform

Certain progress was observed in the area of legal education during the reporting period. The USQE was held for the third time for the specialities 'Law' and 'International Law', while the minimum passing score for admission to bachelor's programmes in D8 'Law' and D9 'International Law' remained at 150 points. The Law of Ukraine 'On Academic Integrity' was adopted. At the same time, the European Commission's recommendations on separating legal education from the training of specialists for law enforcement agencies, unifying standards, improving admission, licensing and funding arrangements and strengthening practical training remained largely unimplemented.⁴⁹

The Rule of Law Roadmap provides for the adoption of a Law on Higher Legal Education and Initial Access to the Legal Profession, the revision of standards and the USQE programme and the institutional separation of the training of legal professionals from the training of specialists for law enforcement agencies.⁵⁰ As of 31 August 2026, the relevant draft law had not been submitted to the Verkhovna Rada, new standards for D8 'Law' and D9 'International Law' had not been approved and departmental HEIs continued to train legal professionals. The Government's Priority Action Plan for 2026 also did not identify legal education reform as a separate area.

The transition to the new classification of specialities was accompanied by the reissuance of licences, but no specific licensing or accreditation requirements were introduced for legal education programmes. In the 2024/2025 academic year, the NAQA adopted decisions on 50 educational programmes in field 08 'Law': 80% were accredited for the full term, 18% received conditional accreditation and 2% were denied accreditation; no programmes were recognised as 'exemplary'.⁵¹ A total of 19.23% of participants failed the USQE held on 20 November 2025.⁵² In August 2026, NAQA supplemented the List of Significant Shortcomings with requirements concerning analysis of USQE results, publication of qualification papers and the functioning of academic integrity systems.⁵³ However, graduate employment outcomes and the quality of practical training did not become mandatory components of accreditation.

In 2026, the departmental model of the state order was retained. At bachelor's level in D8 'Law', 60.7% of the state order is allocated to commissioning authorities outside the MoES system, with the MoIA remaining the largest individual commissioning authority.⁵⁴ The Law on the Financing of Higher Education, adopted on 18 August 2026,⁵⁵ established the basis for a permanent state grant model. Resolution of the Cabinet of Ministers of

49 Ukraine 2025 Report: Communication on EU Enlargement Policy / European Commission. Brussels, 2025. 111 p.

50 Rule of Law Roadmap: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025.

51 Analytical Report of the National Agency for Higher Education Quality Assurance on the Results of Accreditation of Educational Programmes from September 2024 to June 2025. Kyiv, 2025, pp. 9–11.

52 Report on the Results of the Unified State Qualification Exam in Specialities 081 'Law' and 293 'International Law' / Scientific and Methodological Centre for Vocational Education and Training of the Ministry of Education and Science of Ukraine. Kyiv, 2026.

53 List of Significant Shortcomings: Annex 1 to the Expert Group Report, approved by Decision of the National Agency for Higher Education Quality Assurance of 27.08.2024 (Minutes No. 15 (65)), as amended by Decision of the National Agency for Higher Education Quality Assurance of 25.08.2026 (Minutes No. 14 (105)).

54 Certain Issues of Forecasting Demand for Specialists and Skilled Workers in the Labour Market, Demand for Applicants and the State Order for the Training of Specialists, Scientific, Academic and Teaching Staff and Skilled Workers, and for Advanced Training and Retraining of Personnel: Resolution of the Cabinet of Ministers of Ukraine No. 906 of 13.07.2026.

55 On Amendments to Certain Laws of Ukraine Regarding the Financing of Higher Education and the Provision of State Targeted Support to Higher Education Students: Law of Ukraine No. 4946-IX of 18.08.2026.

Ukraine No. 1030⁵⁶ extended grant support to applicants for master's programmes. For D8 'Law' and D9 'International Law', a first-level grant is not available; applicants may qualify for a second-level grant, while the special increasing coefficient is not applied to these specialities.

The content of legal education was not substantially updated: the standards for 081 'Law' and 293 'International Law' remain in use, while the USQE and Unified Professional Entrance Examination programmes have not been substantially revised. The regulatory framework for practical training in justice institutions, courts and prosecution offices has been partially developed, but formalistic approaches to placements, the quality of placement providers and weak oversight by HEIs remain problematic. Development of the professional standards 'Advocate' and 'Advocate's Assistant' has moved to the organisational stage. The MoES should approve new standards for D8 'Law' and D9 'International Law', strengthen the study of EU law, professional ethics, legal writing, digital technologies and the responsible use of AI and align educational standards with the requirements of the legal professions.

The Law of Ukraine 'On Academic Integrity'⁵⁷ entered into force on 1 February 2026 and became applicable on 31 July 2026. It defined violations of academic integrity, response procedures and rules governing the use of AI. At the same time, HEIs need to update their internal policies, introduce uniform procedures for considering violations and regulate the use of AI in assessment and administrative activities. Further implementation of the reform requires adoption of the sector-specific law, institutional separation of the training of legal professionals from the training of law enforcement personnel, specific licensing and accreditation requirements, updating the content of legal education and forming the state order with due regard to labour-market needs, USQE results and graduate employment outcomes.

War-Related Justice

Harmonisation of Ukrainian Criminal Legislation with International Law

The process of harmonising Ukrainian criminal legislation with international law remains incomplete despite the adoption of the implementing Law on 9 October 2024.⁵⁸ The Interagency Working Group established under the PGO on 14 January 2025 developed proposals to distinguish the elements of war crimes and clarify the definition of the crime of aggression. Nevertheless, the issue of the retroactive application of provisions on crimes against humanity remains unresolved, while the draft law that has been developed is awaiting submission to the Verkhovna Rada.

Legislation establishing a comprehensive system for the support and protection of victims and witnesses, which is necessary for compliance with Directive 2012/29/EU, has yet to be adopted.

⁵⁶ On the Implementation of an Experimental Project on the Provision of Academic Grants for Higher Education: Resolution of the Cabinet of Ministers of Ukraine No. 1030 of 19.08.2026.

⁵⁷ On Academic Integrity: Law of Ukraine No. 4742-IX of 18.12.2025.

⁵⁸ On Amendments to the Criminal and Criminal Procedure Codes of Ukraine in Connection with the Ratification of the Rome Statute of the International Criminal Court and Amendments thereto: Law of Ukraine No. 4012-IX of 09.10.2024.

Institutional Capacity and Cooperation

The institutional capacity of the system is developing. A key role is played by the specialised Department for Combating Crimes Committed in the Context of Armed Conflict, as well as the relevant units within regional prosecutor's offices and other law enforcement bodies. The investigation of war crimes is also a declared priority of the PGO.

On 23 April 2026, the new Strategy for the Exercise of Powers by Prosecution Authorities in the Field of Criminal Prosecution for International Crimes for 2026–2028 was approved. The Strategy requires clearer measures to strengthen cooperation with international organisations and civil society, as well as a detailed implementation plan with clear indicators and deadlines.

The Coordination Centre for Victim and Witness Support under the PGO continues to operate, with 12 regional units in different regions. However, its challenges include limited funding, the absence of a unified coordination mechanism and the administration of many programmes by CSOs.

The issue of investigative jurisdiction over the most serious international crimes also needs to be addressed. Although all international crimes fall within the exclusive investigative jurisdiction of the SSU, in practice a significant share of the work is carried out by the NPU. The SSU therefore needs to be provided with sufficient resources, while public policy, including the measures in the Rule of Law Roadmap assigning exclusive investigative jurisdiction to the SSU, should be aligned with the situation in practice.

Judicial Consideration of Cases

During 2025, four criminal proceedings under Article 437 of the CC of Ukraine (crime of aggression) were submitted to local courts, 19 proceedings submitted during that period were under consideration and three judgments were delivered. Under Article 438 of the CC of Ukraine (war crimes), 164 proceedings were submitted and 391 were under consideration, resulting in 72 judgments.⁵⁹ Most cases are considered *in absentia*. The first acquittal of a Russian service member (case No. 369/6338/23) attracted significant public attention because the evidence was insufficient to prove guilt beyond reasonable doubt.⁶⁰

The NSJU continues to provide training on the consideration of war crimes cases, criminal proceedings in absentia and related matters.

Ensuring the right to defence in international crimes cases remains problematic, owing to the weak position adopted by advocates, which sometimes results in their agreeing with the prosecution's position. Advocates have limited resources available from the state, particularly those working within the FLA system. At the same time, public pressure on them, including equating advocates with their clients, sometimes adversely affects the quality of legal assistance. Funding has been discontinued for pilot projects supporting victims in courts and for the development of an electronic database of Ukrainian court decisions delivered in war crimes cases. The risks associated with Draft Laws Nos. 7033-d,

⁵⁹ The data were calculated based on information contained in the reports of courts of first instance published on the Judiciary of Ukraine website in the 'Court Statistics' section in 2025.

⁶⁰ Judgment of the Borodianka District Court of Kyiv Region of 30.10.2025 in case No. 369/6338/23.

11538, 11539 and 10301, including restrictions on the transparency of judgments, possible unconstitutionality and additional workload for judges, also need to be addressed.

As regards collaboration activities, such criminal proceedings account for almost half of proceedings concerning crimes against the foundations of national security. The previously identified problems in the legislation on collaboration activities and its application persist.⁶¹ The SC largely maintains a formalistic approach under which merely holding a position in an occupation authority is considered sufficient for liability for collaboration activities, takes a narrow approach to voluntariness and coercion under occupation and does not take international humanitarian law standards into account when assessing the conduct of persons under occupation. However, references to ECtHR case law are becoming more frequent; for example, the SC took into account the findings in 'Ukraine and the Netherlands v. Russia' when assessing coercion under the occupation of Ukrainian territory.

The UN Human Rights Monitoring Mission and the Independent International Commission of Inquiry on Ukraine reiterated that the broad interpretation of collaboration leads to legal uncertainty and the prosecution of acts that do not harm national security. Nevertheless, no amendments were made to the relevant provision of the CC of Ukraine during the reporting period.

International Cooperation

In 2025, Ukraine became a full State Party to the Rome Statute of the ICC and, for the first time, participated in the work of the Assembly of States Parties on an equal footing. A communication concerning Russian attacks on energy infrastructure was submitted to the ICC,⁶² together with 13 communications concerning crimes committed in Crimea.⁶³ Since the beginning of Russia's full-scale aggression against Ukraine, the PGO has ensured the execution of 163 of the 175 requests for assistance received from the Office of the Prosecutor of the ICC.⁶⁴

It would be advisable for Ukraine to withdraw its declaration under Article 124 of the Rome Statute, which contains a reservation concerning the exercise of ICC jurisdiction over Ukrainian nationals for a period of seven years.

Between February and April 2026, a competition was held to select Ukraine's candidate for the position of ICC judge. Lev Kyshakevych, a judge of the GC SC and Chair of the Ethics Council under the HCJ, was selected as the principal candidate for the position of ICC judge nominated by Ukraine.

Cooperation with the ICC is taking place amid political pressure on the Court. On 13 July 2026, the US Administration announced a campaign to 'dismantle' the Court, including sanctions, visa restrictions on ICC staff and pressure on States Parties to withdraw from the Rome Statute.

61 Shadow Report on Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Ukraine Progress Report under the European Union Enlargement Package in 2024 / Agency for Legislative Initiatives [et al.]. Kyiv, 2025, p. 568.

62 Ruslan Kravchenko: Materials Concerning Russian Attacks on Ukraine's Energy Infrastructure Submitted to the International Criminal Court. Prosecutor General's Office, 2026.

63 Human Rights Violations in Crimea: Scale, National and International Response. Prosecutor's Office of the Autonomous Republic of Crimea and the City of Sevastopol, 2026.

64 Report for the Media and Civil Society for 2025. Prosecutor General's Office, 2026. P. 113.

The work of the JIT involving the ICC and Europol continues. In October 2025, Ukraine for the first time transferred a detained Russian service member to another state, Lithuania, for prosecution under the principle of universal jurisdiction.

The network of JITs coordinated by Eurojust is expanding: as of 31 December 2025, 60 such teams were operating, compared with 39 in 2024; more than 70% were with EU Member States.⁶⁵

The Core International Crimes Evidence Database is operational and brings together evidence of international crimes obtained by national and international actors. Its effective operation requires amendments to Ukrainian procedural legislation, in particular concerning the status and admissibility criteria for digital evidence of international origin.

As regards the Special Tribunal for the Crime of Aggression, in July 2026 the Netherlands agreed to host all stages of its establishment, including its full operation. At the same time, as of July 2026, the draft law regulating cooperation between Ukrainian authorities and the Special Tribunal had been withdrawn following a change in the composition of the Government.

Fighting Corruption

During the reporting period, *progress in the fight against corruption remained limited*: positive developments were largely isolated and depended on internal institutional processes, while systemic legislative changes envisaged by the Rule of Law Roadmap remained largely unimplemented.

Track Record

The performance of the NABU, the SAPO and the HACC continued to improve. The HACC increased the pace of case consideration: 114 cases (concerning 180 persons) were adjudicated in 2025, compared with 88 cases in 2024, and 109 verdicts were delivered (72 based on plea agreements), compared with 77; in the first half of 2026, verdicts were delivered in 65 proceedings.

At the same time, **the share of verdicts based on plea agreements continues to grow**, while transparency remains limited in respect of some of them. Although the average duration of consideration of a single case fell to 405 days in 2025, it rose again to 689 days in the first half of 2026, while the number of pending cases continued to grow.

The court's effectiveness in asset recovery improved: the value of assets subject to special confiscation increased from UAH 158.8 million in 2024 to more than UAH 673 million in 2025. At the same time, there is no systematic record of the enforcement of confiscation decisions, making it impossible to track the actual receipt of these funds into the state budget.

⁶⁵ Ibid. P. 110.

Investigations into corruption offences by other bodies (the NPU, the SBI, the SSU and the ESB) **still lack sufficiently detailed statistics and specialisation**. Of the 4,714 indictments in 2025, the overwhelming majority (3,935) were referred to court by the NPU, which focuses on less serious offences (Articles 357 and 369 of the CC of Ukraine⁶⁶). The quality of investigations into complex cases, particularly by the SBI, also remains problematic, as evidenced by repeated acquittals and the annulment of notices of suspicion by the HACC and the AC HACC in high-profile cases.

Independence Guarantees of Anti-Corruption Bodies

The legislation governing the competitive selection of the heads of the NABU and the SAPO **did not change during the reporting period with regard to limiting the excessive discretion of the Prime Minister and the Prosecutor General**. The most revealing developments were the materials from the 'Forest Gump' special operation and the investigation in the Olha Stefanishyna case, published in August 2026. The correspondence presented by law enforcement authorities indicates attempts by the former official to influence the formation of selection commissions for appointments to the leadership of the NACP and the ESB, while recordings of conversations involving Iryna Mudra, former Deputy Head of the Office of the President, point to attempts to influence the selection of a 'personnel reserve' for anti-corruption bodies and the NABU Public Oversight Council. These facts confirm that **the participation of independent international experts with a decisive vote in selection commissions remains a critical safeguard against the politicisation of selection procedures**.

Pressure on staff of anti-corruption bodies continued throughout the reporting period. This included detentions and searches of NABU detectives by the SSU and the PGO, the discovery of covert surveillance devices targeting heads of NABU units in February and June 2026 and the activities of the TIC of the Verkhovna Rada,⁶⁷ which civil society organisations publicly described as an instrument of pressure. At the same time, **the legislative provisions needed to strengthen the institutional autonomy of the SAPO have still not been adopted**, including provisions granting the Head of the SAPO authority to initiate criminal proceedings and approve investigative actions concerning MPs, as well as powers in the field of international cooperation.

A positive development during the reporting period was **the appointment, by decrees of the President in August 2026, of 17 judges to the HACC and the AC HACC** following the competition, although the court's staffing needs have not yet been fully met. On 19 August 2026, **a competition for the position of Deputy Head of the SAPO was also launched** under an updated procedure that is less vulnerable to obstruction. Given that the term of office of SAPO Head Oleksandr Klymenko expires in July 2027, this selection is of particular importance. At the same time, legislative amendments are needed to **restore the participation of international experts in the formation of the new Selection Commission responsible for selecting HQCJ members**, so as not to establish a dangerous precedent given the scale of the forthcoming selection of judges.

⁶⁶ Theft, misappropriation or extortion of documents, stamps or seals, obtaining them through fraud or abuse of office, or damaging them (Article 357 of the CC of Ukraine). Offer, promise or provision of an undue benefit to an official (Article 369 of the CC of Ukraine).

⁶⁷ Temporary Investigative Commission of the Verkhovna Rada of Ukraine to Investigate Possible Facts of Corruption or Corruption-Related Offences in Law Enforcement Bodies, Courts and Judicial Bodies.

The issue of the NACP's independence has become more acute following publication of the 'Mindich tapes', which contained references to the possible provision of an undue advantage to Agency employees, although the NACP's internal investigation found no evidence of such involvement. The NACP's exercise of financial control continues to raise concerns. In particular, the Agency failed to ensure transparent communication regarding the verification of the asset declaration of former Head of the Office of the President Andrii Yermak.

Human Resources

The NABU completed its first two-year cycle for evaluating detectives under a system of 16 performance indicators. At the same time, the system for evaluating the quality of prosecutors' work, including that of SAPO prosecutors, was not implemented as of 1 January 2026. Funding for the NABU, the SAPO and the HACC increased, but, according to the NABU, still falls short of actual needs.

The NACP remains understaffed, with 377 of 425 positions filled. In April 2026, Parliament adopted at first reading Draft Law No. 13478-1 on resuming competitions for civil service positions, which experts have criticised for insufficient integrity safeguards. **Resuming competitions for civil service positions is one of Ukraine's international commitments, making it urgent to revise this draft law before adoption.**

Institutional Autonomy and Cooperation

The NABU remains dependent on the SSU for intercepting information from electronic communications networks, despite a memorandum signed between the bodies. This dependence should be eliminated. At the same time, the NABU should strengthen its analyst units that proactively identify corruption risks, while the 'iCase' system should be extended to all participants in criminal proceedings, including defence counsel, and integrated with judicial document management systems.

Sensitive investigations require **an independent forensic institution**. The current system creates risks of delay and information leaks, while private forensic experts are subject to pressure. The independence of a new or reformed institution should be guaranteed through transparent selection of its head and experts, adequate funding and the absence of subordination to bodies with an interest in the outcomes of forensic examinations.

Legislation should also expand the NABU's investigative jurisdiction to all top officials, in particular the Head of the Office of the President and their deputies.

External Audit of the Activities of Anti-Corruption Bodies

The most acute situation concerns the **NACP**. The mandatory biennial external evaluation has not been conducted for more than four years due to the MoJ's delay in updating the criteria and methodology. Draft Law No. 14209, submitted by MP Anastasiia Radina, would transfer the power to approve the criteria to the Evaluation Commission itself. It has been awaiting consideration by the Verkhovna Rada Committee on Anti-Corruption Policy since November 2025, while the NACP itself opposes this approach. The NACP's report on implementation of the recommendations from the previous audit, published in March 2026 and stating an implementation rate of 80.7%, shows a systematic tendency

to substitute formal regulation in the Agency's own acts for substantive implementation of the recommendations — including in relation to publication of the rules for logical and arithmetic control. In some instances, the Agency states outright in the report that it disagrees with the implementation of individual audit recommendations.

Verification of Declarations and Lifestyle Monitoring

In 2025, the NACP completed 970 full verifications of declarations and identified violations in 56% of them, including inaccurate information totalling UAH 3.8 billion. However, these figures do not make it possible to assess the subsequent handling of the materials after their referral to other bodies or how the relevant cases were ultimately resolved.

The NACP should publish information on the further consideration of such materials and improve the methodology for full verification of declarations.

Automated verification was successfully completed for 244,659 of the 607,708 declarations for 2025 eligible for such verification — a record 40.26%. However, successful completion means only that no discrepancies above the established threshold were detected automatically; it does not confirm the absence of illicit enrichment or unjustified assets. **This demonstrates the need to reconsider the approach under which certain declarations are deemed fully verified through automated procedures and to update the risk-based system for selecting declarations for full verification.**

Lifestyle monitoring has produced significant results: in 2025, the NACP referred materials in 94 cases concerning assets worth more than UAH 1.1 billion. However, the procedure requires the automated random allocation of cases, as well as proper safeguards for the independence of the control process and the protection of privacy. **The NACP should also be granted the powers envisaged by the Civil Procedure Code of Ukraine to identify unjustified assets and collect evidence.**

Legislative gaps in asset declaration — including with regard to rented property of MPs, declarants' access to verification materials and the range of officials required to submit declarations — remain unaddressed. The NACP still has not published the rules for logical and arithmetic control. The European Commission's recommendations on liability thresholds and limitation periods also remain unimplemented, as does the commitment under the Memorandum of the International Monetary Fund to update the risk-based verification system by the end of June 2026.

State Funding of Political Parties

Failure to submit financial reports remains a systemic problem: for the second quarter of 2026, more than 110 of 399 registered parties failed to submit reports. A fine of UAH 5,100–6,800 does not have an adequate deterrent effect. **The NACP should strengthen the verification of reports by introducing the annual automatic allocation of party audits among Agency staff, publishing the verification criteria and publishing the results in full. Annual reporting should be retained for non-parliamentary parties.**

The POLITDATA 2.0 Register has become more user-friendly, but it lacks automated verification of information and interoperability with other state registers. To identify risks, the NACP should also establish systematic information exchange with the State Tax Service, the SFMS, civil society organisations and journalists. Possible criminal offences identi-

fied in NACP materials should be properly investigated, while the Accounting Chamber should conduct a more substantive assessment of the effectiveness of political parties' use of state funds.

In December 2025, a new Draft Law 'On Political Parties' (registration No. 14289) and an alternative Draft Law No. 14289-1 were registered. At the same time, Draft Law No. 11462 on election campaign financing has not been considered since August 2024.

Monitoring of Conflicts of Interest

The number of conflict-of-interest monitoring measures rose to 258 in 2025, up 21% from 2024. However, **the number of protocols drawn up by the NACP fell significantly** — from 27 in 2024 to 11 in 2025 — which is a concerning trend.

The NACP should introduce the automated allocation of cases among authorised officials. In November 2025, the NACP approved the Procedure for Monitoring and Controlling Compliance with Legislative Acts on Ethical Conduct, Prevention and Management of Conflicts of Interest in the Activities of Persons Authorised to Perform State or Local Self-Government Functions and Persons Equivalent to Them. This document, however, does not establish clear time limits or criteria for the mandatory initiation of monitoring. The Agency still has no right to participate in court hearings or lodge appeals in cases concerning its own protocols on administrative offences, which contributes to an extremely low rate of persons being held administratively liable on the basis of such reports.

Whistleblower Mechanism

National legislation is still not aligned with Directive (EU) 2019/1937, and there is no separate law on the protection of whistleblowers disclosing information of public interest. Of more than 7,100 reports submitted through the Unified Whistleblower Reporting Portal from September 2025 to July 2026 inclusive, only 85 persons were granted whistleblower status. In 2025, only eight cases were brought before the courts. These figures indicate the need to assess not only the number of reports but also the outcomes of their consideration and the protection provided to reporting persons.

Draft Law No. 15089 on military whistleblowers does not eliminate the risk of liability for disclosure of state secrets and requires further revision. A July 2026 court injunction prohibiting publication of an investigation by Slidstvo.Info and the Anti-Corruption Action Centre also demonstrated the **need for anti-SLAPP legislation**.

The new State Anti-Corruption Programme should set out specific stages, realistic deadlines and result indicators for these changes, taking into account martial law and the resources available to public authorities.

Strategic Documents: National Anti-Corruption Strategy and State Anti-Corruption Programme

As of the end of July 2026, of the 1,135 measures under the current State Anti-Corruption Programme for 2023–2025, 55.1% had been fully implemented and 23.1% had not been implemented.

The draft **new Anti-Corruption Strategy for 2026–2030**, prepared by the NACP through an inclusive process involving experts and civil society, went through a complex legislative process. Several alternative drafts were also registered. On 15 July 2026, the Verkhovna Rada Committee on Anti-Corruption Policy unanimously recommended that Parliament adopt at first reading a consolidated version, No. 15230-d. **It should be put to a vote in Parliament as soon as possible.** This version provides for competitive selection of the SBI Director, restoration of competitive recruitment in prosecution authorities and the involvement of international experts in judicial governance bodies.

Effectiveness of Judicial Consideration in the HACC

Measures to counter **the abuse of procedural rights** still have not been regulated by law: the draft law increasing fines for contempt of court was vetoed by the President in October 2025, while Draft Law No. 15333, registered on 16 June 2026, does not provide for monetary penalties where participants fail to appear without valid reasons. On 25 February 2026, the GC SC partially resolved one of the ambiguities in the application of the 'Lozovyi amendments', but the automatic **closure of cases due to expiry of the pre-trial investigation time limits** (paragraph 10 of Part 1 Article 284 of the CPC of Ukraine) has still not been abolished by law. In May 2026, the HACC again closed a high-profile proceeding concerning JSC 'Ukrzaliznytsia' on precisely this ground.

The number of verdicts based on **plea agreements** continues to grow, although some of the terms of individual agreements raise concerns that could be addressed through better communication.

Draft Law No. 12439 on **time-limited asset seizure** has been revised, but it contains new problematic provisions, including immunity for actions taken 'on the basis of clarifications' issued by public authorities.

Compliance with Investigative Jurisdiction and the Application of Criminal Law

Violations of the **NABU's exclusive investigative jurisdiction** remain unresolved. Pre-trial investigation bodies, primarily the SSU, continue to investigate and refer to court cases that formally fall within the NABU's investigative jurisdiction. There are currently no mechanisms for disciplinary liability for such violations, nor are there statutory time limits for transferring proceedings.

During the reporting period, **no amendments were made to the CC of Ukraine** concerning the elements of corruption offences, the disposition of Article 364 or the rules for calculating limitation periods, even though the draft Anti-Corruption Strategy for 2026–2030 provides for the systematic alignment of legislation with EU acts, including the Directive on combating corruption by criminal law adopted in March 2026.

Reform of confiscation mechanisms — including extended confiscation and non-conviction-based confiscation — remains incomplete despite the express requirements of Directive (EU) 2024/1260. A unified analytical system for monitoring corruption cases is still absent, as demonstrated by the substantial discrepancies between agencies even as regards the number of persons convicted by the HACC who are actually serving their sentences.

Protection of Fundamental Rights and Freedoms

The Institution of the Ukrainian Parliament Commissioner for Human Rights (Ombudsman)

During the reporting period, *no progress* was made on issues related to the functioning of the Commissioner. Draft Law No. 13181, which proposes a new version of the Law of Ukraine 'On the Ukrainian Parliament Commissioner for Human Rights', is being prepared for the second reading. Despite positive changes, including lowering the age requirement and strengthening the institution's financial independence, the procedure for appointing the Ombudsman needs to be amended to ensure civil society involvement. The possibility of dismissing the Ombudsman during martial law should also be reviewed. These gaps threaten the independence of the institution.

The institution's quantitative performance indicators increased: the number of complaints rose by 24% in 2025,⁶⁸ the Secretariat's budget for 2026 increased by 25%⁶⁹ and the authorised staff size increased by 7%.⁷⁰

National Preventive Mechanism (NPM)

The NPM operates under the 'Ombudsman+' model: 626 visits were carried out in 2025 and 240 in the first half of 2026,⁷¹ with 156 civil society representatives involved.⁷² Despite growing needs, NPM funding has steadily declined, from UAH 2.65 million in 2023–2024 to UAH 2.39 million in 2025–2026,⁷³ while the issue of compensating civil society monitors for participating in visits remains unresolved.

The Council of Europe also drew attention to these issues in its report, together with the weak implementation of recommendations by public authorities. At the same time, the Council of Europe noted the NPM's full independence and functionality. With Council of Europe support, an automated NPM system was developed in 2025, with the system due to be fully populated and opened for public access in 2026.

In April 2026, the NPM Strategy for 2026–2028 was approved.

Counteracting Discrimination

The Ombudsman is vested with the authority to respond to cases of discrimination and performs the function of a national equality body. The number of discrimination-related

68 Information provided by the Ukrainian Parliament Commissioner for Human Rights in letter No. 01.36/678.14/688.13/26/ZI of 27.03.2026.

69 On Approval of the Passport of Budget Programme under budget programme code 5991010 for 2026: Order of the Secretariat of the Ukrainian Parliament Commissioner for Human Rights No. 14.15/26 of 05.02.2026.

70 Information provided by the Ukrainian Parliament Commissioner for Human Rights in letter No. 01.36/678.14/688.13/26/ZI of 27.03.2026.

71 Human at the Centre of the State: Four Years of Transforming the Human Rights Protection System. Ukrinform, 2026.

72 Special Report of the Ukrainian Parliament Commissioner for Human Rights 'On the State of Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in Ukraine in 2025' / Ukrainian Parliament Commissioner for Human Rights. Kyiv, 2026. P. 17.

73 Passports of Budget Programmes. Ukrainian Parliament Commissioner for Human Rights.

complaints submitted to the Commissioner is rising significantly: in 2025, it more than doubled compared with 2024, from 1,110 to 2,535. At present, one department within the Secretariat of the Commissioner considers discrimination-related complaints. Draft Law No. 13597 is under consideration in Parliament and, among other things, would authorise the Secretariat to draw up protocols on violations of anti-discrimination legislation. Its adoption would significantly increase the workload without a corresponding increase in resources.

Work is ongoing to develop an approach to the collection and recording of data on discrimination cases in line with EU standards.

Military Ombudsman

Since September 2025, the Office of the Military Ombudsman has operated as an auxiliary body under the President, headed by human rights defender Olha Reshetylova. Almost 12,000 complaints were received during the first seven months of 2026,⁷⁴ while the Office's funding is only half of what is required. A key problem remains the absence of legal liability for failure to comply with the demands of the Military Ombudsman. This is to be addressed by Draft Law No. 13267, which is awaiting its second reading in Parliament.

National Human Rights Strategy

On 19 March 2026, the MoJ published for public consultation a draft new National Human Rights Strategy until 2035. The draft contains three strategic and 24 operational objectives. Following the consultation, around 90% of more than 600 proposals submitted by civil society organisations were not accepted. In particular, the draft does not cover the protection of the rights of service members or Ukrainians abroad and partially duplicates existing policies, including those concerning IDPs. As of early August 2026, neither the Strategy nor its implementation plan had been adopted.

Combating Torture and Inhuman or Degrading Treatment

During the reporting period, *limited progress* was made in combating torture and inhuman or degrading treatment.

Prevention of Torture and Ill-Treatment (Activities of the National Preventive Mechanism)

In 2025, the NPM documented systemic violations of the rights of persons in places of deprivation of liberty similar to those identified in previous years and issued corresponding recommendations, some of which require resources and systemic solutions. One such solution is the transfer of penitentiary healthcare to the MoH, which has not yet been implemented. It is also advisable to integrate places of deprivation of liberty into the civil protection system, ensure respect for the labour rights of convicted persons and improve conditions of detention in PTDCs.

Following NPM visits, the Commissioner submitted 62 recommendations in 2025, and pre-trial investigation bodies initiated 10 proceedings.⁷⁵

⁷⁴ Information provided by the Military Ombudsman during an interview conducted on 27.07.2026.

⁷⁵ Special Report of the Ukrainian Parliament Commissioner for Human Rights 'On the State of Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in Ukraine in 2025'. Kyiv, 2026. P. 14.

Protection of the Rights of Convicted and Detained Persons

The prison population fell by 5.9% compared with the previous year,⁷⁶ but this did not improve the human rights situation in penitentiary institutions. Responses to human rights violations in places of deprivation of liberty involve international institutions, including the European Committee for the Prevention of Torture and the UN Committee against Torture, as well as public authorities. At the national level, the Commissions for Reviewing Complaints on Inadequate Conditions of Detention in Pre-Trial Detention Facilities and Penitentiary Institutions continued their work, but violations were confirmed in only seven of the 242 complaints considered.⁷⁷

The Department for the Execution of Criminal Penalties also continued selecting and appointing human rights inspectors to PTDCs and correctional colonies. In particular, 69 human rights inspector positions were filled in 65 institutions.⁷⁸ A major shortcoming of this initiative, however, remains the inspectors' subordination to the management of the institutions, which adversely affects their independence.

Medical Care, Documentation of Bodily Injuries and the Istanbul Protocol

Pilot projects to integrate penitentiary healthcare into the unified healthcare system at Lutsk PTDC and Bila Tserkva Correctional Colony are not being implemented. Instead, in January 2026 a decision was adopted to transfer the Healthcare Centre of the State Criminal-Executive Service of Ukraine to the MoH from 1 January 2028 without pilot projects. Medical staffing shortages remain at 13–20%. Opioid substitution therapy has been introduced in only 31% of institutions.⁷⁹

In 2025, 56 persons were released from serving their sentences on health grounds, while 13 persons died during the release procedure, either while undergoing medical advisory commission or while their case was being considered by a court.⁸⁰ This indicates that the mechanism is excessively formalistic and operates too slowly.

Despite the approval of a form for documenting bodily injuries in line with the recommendations of the Istanbul Protocol and the completion of more than 7,000 forms in 2025,⁸¹ the NPM continues to identify shortcomings in documentation in practice. Monitors recorded cases where injuries were not properly photographed, law enforcement bodies were not notified and other violations occurred.

Investigation of Torture and the Activities of the SBI

During 2025 and the first half of 2026, the SBI investigated more than 5,000 proceedings concerning torture and ill-treatment, with indictments sent to court in 91 proceedings

76 Ibid.

77 On the Activities of the Commissions for Reviewing Complaints on Inadequate Conditions of Detention in Pre-Trial Detention Facilities and Penitentiary Institutions as of 01.01.2026: Report / Department for the Execution of Criminal Sentences, 2026.

78 Information provided by the Department for the Execution of Criminal Sentences in letters No. 14/2 of 26.03.2026 and No. 06_0159 of 21.06.2026.

79 Information provided by the State Institution 'Healthcare Centre of the State Criminal-Executive Service of Ukraine' in letter No. 06_0207 of 16.06.2026.

80 Information provided by the State Institution 'Healthcare Centre of the State Criminal-Executive Service of Ukraine' in letter No. 03_0081 of 20.03.2026.

81 Ibid.

against 157 persons.⁸² High-profile developments included investigations into systematic torture at Bozhkovska Correctional Colony No. 16 and a 'criminal vertical' at the Kyiv PTDC, as well as the final SC judgment in the 'Kaharlyk case', in which two police officers were sentenced to 11 years' imprisonment for beatings, torture and other violent acts committed at the Kaharlyk police department in Kyiv Region in 2020.

In 2025, the SBI introduced specialisation for 157 investigators in torture investigations.⁸³ At the same time, staff shortages and the growing workload, including cases concerning Territorial Centres of Recruitment and Social Support, remain a problem. Draft Law No. 5305, which would increase the SBI's staff to 2,500, has been awaiting its second reading in Parliament since 2021.

The legislative amendment introduced in 2022 excluding the crime of torture from limitation periods has limited effect in respect of acts committed before the amendment because of the principle of non-retroactivity of criminal law. In practice, the lengthy consideration of such cases leads to criminal proceedings being closed because the limitation period has expired and perpetrators escaping liability.

Impact of the War

Since the beginning of the full-scale invasion, 36 penitentiary institutions have been damaged or destroyed and a further 41 remain in the TOT of Ukraine. As of January 2026, 11 institutions were not operating because of evacuation.⁸⁴ The Ombudsman's recommendations to relocate institutions in frontline regions have been implemented only partially. Ukraine's largest PTDC, located in Kyiv, continues to operate without shelters and almost 3,000 people are regularly exposed to threats to life and health from Russian attacks.

Freedom of Expression

During the reporting period, *some progress* was observed in the funding of the public broadcaster. In addition, good progress was made regarding access by media, journalists and citizens to information on the activities of Parliament's committees. At the same time, *no progress was made on funding for the National Council*.

Implementation of the Law of Ukraine 'On Media'

The provisions concerning the financial independence of the National Council have remained suspended for the fourth consecutive year. Work continues on criteria for classifying persons as subjects in the field of online media, with the draft published for consultation on 10 July 2026. The National Council's clarification on the registration of media entities broadcasting without using the radio-frequency spectrum created a risk of fines for some media that live-stream programmes through accounts on video-sharing platforms. At the same time, no cases of sanctions being imposed on such media had been identified as of 21 July 2026. In 2026, a Working Group on the Implementation of the

82 Annual Report 2025: Report on the Activities of the State Bureau of Investigation for 2025 / State Bureau of Investigation, 2026. P. 42.; Information provided by the Head of a Department within the Directorate of the Main Investigation Department of the State Bureau of Investigations during an interview conducted on 30.06.2026.

83 SBI Strengthens Work on Investigating Torture and Human Rights Violations. State Bureau of Investigations, 2026.

84 Special Report of the Ukrainian Parliament Commissioner for Human Rights 'On the Situation Regarding the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in Ukraine in 2025' / Ukrainian Parliament Commissioner for Human Rights. Kyiv, 2026. P. 45.

EMFA was established under the Verkhovna Rada Committee on Humanitarian and Information Policy. Some issues related to strengthening the independence of the National Council and approximating Ukrainian legislation to the EMFA could be addressed if Draft Law No. 12111 is adopted in the final version proposed by the lead committee.

Functioning of the Public Broadcaster and the Unified Telethon

Funding for the public broadcaster increased to UAH 2.47 billion in 2026,⁸⁵ although the amount allocated remains below the level required under the statutory formula. Suspilne considers the amount allocated for 2026 acceptable under martial law. The Unified Telethon continues to operate, but opinion polls show a high level of distrust, with around 40% of respondents.⁸⁶

Harassment and Intimidation of Journalists

In 2025, the Institute of Mass Information recorded 130 violations of freedom of expression, 67 of which resulted from Russia's actions.⁸⁷ Progress in investigating the intimidation of journalist Yuriy Nikolov remains limited, while there has been no progress in the investigation of surveillance of Bihus.Info. New cases of pressure were documented in 2026: indications of pressure and veiled threats against a journalist by a service member of the 'Skelia' regiment following publication of an investigation into non-combat deaths in the unit; a court prohibition on publishing an investigation concerning a relative of the Director of the SBI, which has features of a SLAPP; and compiled profiles of journalists discovered in the 'Mindich case'. Digital pressure also persists, including threats against journalists of The Kyiv Independent, online attacks on presenter Daryna Trunova, the dissemination of deepfakes and anonymous smear campaigns. Problems with implementation of the ECtHR judgment in 'Gongadze v. Ukraine' and the European Commission's recommendation on the effective investigation of pressure on journalists remain unresolved.

Insurance of Journalists

On 26 September 2025, the Ministry of Culture and Strategic Communications of Ukraine approved the Procedure and Conditions for Insuring the Life, Health and Working Capacity of Journalists and Other Employees of Media Entities during Assignments to Areas of Military (Combat) Operations and/or the TOT of Ukraine. This constitutes some progress, but the Procedure has shortcomings, including its extension to the TOT of Ukraine, incorrect use of the term 'captivity' in relation to journalists, a low minimum insured amount, the unresolved issues concerning the taxation of insurance premiums and the absence of a mechanism for monitoring compliance with the insurance obligation.

Access of Media and the Public to Information

Since January 2026, Law No. 4212-IX has required Verkhovna Rada committees to publish information on their work and broadcast their meetings. These requirements are largely being met. Between September 2025 and June 2026 inclusive, cases were recorded in which grounds for restricting access to public information were applied formally or excessively broadly. A draft law published by the MDT on 11 June 2026 amending the Law of Ukraine 'On Access to Public Information', despite its stated objective of

85 On the State Budget of Ukraine for 2026: Law of Ukraine No. 4695-IX of 17.12.2025. Annex No. 3, line 493.

86 Ukrainians Trust Telegram and YouTube More Than Traditional Media: Results of a Sociological Survey / Rating Group, 2025. Pp. 6–7.; Ukrainian Media. News Consumption and Trust in 2025 / Internews Ukraine, 2025. P. 14.

87 Freedom of Speech in Ukraine in 2025: 130 Violations, Most Attributed to Russia. Institute of Mass Information, 2026.

harmonisation with EU law, creates risks for the right of access to public information by substantially extending the timeframe for publication, repealing provisions defining information subject to mandatory publication and narrowing the range of information holders, among other changes.

Anti-SLAPP Legislation and the Draft New Civil Code

The working group established on 2 June 2025 under the Verkhovna Rada Committee on Freedom of Speech prepared a draft anti-SLAPP law and corresponding procedural amendments, which received a positive assessment from the Council of Europe. Finalisation of the documents is ongoing. At the same time, on 28 April 2026 Parliament adopted at first reading as a basis the draft new Civil Code of Ukraine (registration No. 15150), which creates serious risks for the work of journalists and media and for the public's right to receive information of public interest. These arise from the excessively broad definition of the 'right of reply', unclear wording of the presumption of innocence, weakened protection of whistleblowers and the possibility of requiring the removal of archived materials through exercise of the 'right to be forgotten'. Accordingly, the draft Civil Code of Ukraine (registration No. 15150) should be rejected.

Right to Privacy and Personal Data Protection

The current legal framework for personal data protection does not comply with European standards. The 2010 Law of Ukraine 'On Personal Data Protection' is outdated and does not take account of digital transformation. Supervisory functions are exercised by the Commissioner, who does not have the authority to impose sanctions independently. The current two-stage model, under which the Ombudsman records a violation and the court takes the decision, reduces the effectiveness of the mechanism compared with the European model of independent regulators with direct corrective and sanctioning powers.

In 2025, the Ombudsman received almost three times as many complaints as in 2024, 2,109 compared with 857; 98 inspections were conducted, 75 orders to remedy violations were issued and information on 35 violations was entered in the URPTI. Awareness-raising activities also intensified, with 209 training events held.⁸⁸ Nevertheless, despite combining supervisory, advisory and educational functions, the institutional model of oversight remains limited and there is still a need to establish an independent regulator with sanctioning powers.

To fulfil obligations under the EU-Ukraine Association Agreement, Draft Laws No. 8153 'On Personal Data Protection', which is awaiting its second reading, and No. 6177 'On the National Commission on Personal Data Protection and Access to Public Information', which has remained stalled for more than five years because of concerns about funding and the institutional independence of the new body, were developed. As of August 2026, both draft laws require revision and adoption, meaning that no progress has been made in this area. Ratification of the Protocol amending Council of Europe Convention No. 108 (Convention 108+)⁸⁹ also needs to be completed.

Personal data protection has acquired a security dimension during the war: personal data of service members and their families are used for surveillance, fraud, disinforma-

⁸⁸ Information provided by a representative of the Ukrainian Parliament Commissioner for Human Rights in letter No. 03_0065 of 10.03.2026.

⁸⁹ Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data of 28.01.1981.

tion and psychological pressure. A comprehensive assessment of personal-data protection risks in wartime should therefore be conducted and special data-security protocols developed for state registers and digital services, particularly for personal data of individuals belonging to high-risk groups.

Extrajudicial Blocking of Websites

During the reporting period, *no progress* was made in implementing the recommendations of the 2025 EU Enlargement Package Report concerning extrajudicial website blocking.

Regulatory Changes and Enforcement Practice

No regulatory acts on extrajudicial blocking were adopted during the reporting period, so the recommendations of the 2025 EU Enlargement Package Report have yet to be implemented. At the same time, the National Council clarified its approach to classifying YouTube channels as non-linear audiovisual media, creating a possibility of adding pro-Russian channels to the List of Audiovisual Media Services of the Aggressor State, although the law does not provide a mechanism for requesting video-sharing platforms to restrict access. During the reporting period, 27 new services and 86 websites providing access to previously restricted non-linear services were added to the List.⁹⁰ The State Agency of Ukraine PlayCity restricted access to 9,136 websites offering illegal gambling.⁹¹ The provision on blocking resources displaying terrorist symbols has not been used since September 2024. By contrast, the provision on 'other sanctions' was applied in 15 presidential decrees, including against blogger Vsevolod Filimonenko, Bashkan of Gagauzia, Evghenia Guțul and politician Boryslav Bereza. The NTNOC issued 178 orders restricting access, mainly concerning the sale of alcohol, tobacco and narcotics,⁹² although there were also isolated cases of blocking foreign media resources, including resources from Hungary and Cuba and the website of the AfD party.

On 30 June 2026, the Verkhovna Rada rejected Draft Law No. 13505, which could have led to a de facto ban on the Russian segment of the internet and Telegram from 2030. Instead, discussions intensified around Draft Law No. 11115 on the regulation of information-sharing platforms. It does not provide for blocking but creates a risk that services with opaque ownership structures, potentially including Gmail, Google Maps and Android, could be prohibited on official devices. There is also a separate risk of amendments granting the National Council the power to block such platforms.

Two ECtHR judgments were significant. In 'M.S.L., TOV v. Ukraine', the Court found a violation of the right to property because the sanctions decisions lacked individualised reasons, preventing the applicant from preparing proper legal arguments. The SC's review of the sanctions, which did not separately analyse the grounds for their application, was also found not to constitute an adequate procedural safeguard. In 'Boyarov and Others v. Ukraine', the ECtHR held that the specific context of the conflict could justify the choice of measures, taking into account the Russian Federation's effective control over the social networks concerned. However, the Court did not analyse the legislative mechanism

⁹⁰ List of On-Demand Audiovisual Media Services and Services of Audiovisual Service Providers of the Aggressor State. National Council of Ukraine on Television and Radio Broadcasting.

⁹¹ Illegal Website Tracking System. State Agency of Ukraine PlayCity.

⁹² Orders of the National Centre for Operations and Technology Management of Telecommunications Networks of Ukraine. State Service of Special Communications and Information Protection of Ukraine.

applied under the Law of Ukraine 'On Sanctions', while the state itself acknowledged the absence of specific legislation governing the blocking of internet services. Experts recommend interpreting this judgment narrowly despite its potential impact on future debates concerning the regulation of Telegram.

Impact of Regulatory Changes on the Identified Problems

The use of the 'other sanctions' provision to block websites remains unresolved: the State Register of Sanctions still does not contain specific reasons for the application of sanctions, undermining policy transparency and making effective judicial protection of sanctioned persons impossible. The existing procedure does not meet the requirement of being 'prescribed by law'.

As regards the NTNOC discretion, despite clarification of its status in early 2025, the Procedure governing its activities still does not define technical requirements for blocking or types of unlawful content. It merely identifies the initiating authorities (the SSU, the SBI, the ESBU and the NPU) and the general objective of defence and security. This makes the NTNOC a technical implementing body without any genuine assessment of the legitimacy of requests, since some blocking measures, such as those concerning the sale of alcohol and nicotine, are unrelated to state security, while certain online media, including 'Antikor' and 'War on the Rocks', were unblocked following court proceedings or the cancellation of the NTNOC's decisions. The duplication of powers between the NTNOC and the State Agency of Ukraine PlayCity in relation to gambling needs to be addressed through legislative amendments.

Freedom of Peaceful Assembly, Association and Expression

Attacks on Human Rights Defenders and Activists

During 2025–2026, the situation in this area did not improve, although civil society retained its ability to mobilise and influence public decision-making. In 2025, ZMINA Human Rights Centre documented 178 cases of persecution, pressure and losses involving civil society representatives in territory controlled by the Ukrainian Government; more than 60% were related to actions by the Russian Federation, while the remainder resulted from internal factors, including intimidation, smear campaigns, SLAPPs and physical attacks.⁹³ A further 83 cases were recorded in the first half of 2026, more than half resulting from Russian aggression. Pressure on anti-corruption activists increased, with the case against Vitalii Shabunin, Head of the Anti-Corruption Action Centre, being a prominent example. The police often fail to recognise hate motive in cases concerning the LGBTIQ+ community, and pressure on environmental activists is growing. Victims face refusals to register reports in the URPTI and delays in court proceedings, which worsened from autumn 2025 because hearings were postponed during power outages.

Legislative Regulation of CSOs

Ukraine has 107,000 registered public associations, 33,000 charitable organisations and 11,000 volunteers.⁹⁴ The legislative framework is generally favourable, although regis-

93 Yuzyk I., Roman Kh., Deputat D., Martynchuk A. The Situation of Human Rights Defenders and Civil Activists in Ukraine in 2025: Analytical Report / ed. Pechonchuk T., Syniuk O.; ZMINA Human Rights Centre. Kyiv, 2026. 170 p.

94 Civil Society in Ukraine during the War, 2022–2025: Report on a Comprehensive Sociological Study / ISAR Ednannia, 2025. 190 p.

tration procedures can be lengthy. Measures envisaged in the Rule of Law Roadmap concerning legislation on a model charter and a single organisational and legal form for public associations were not implemented on time. However, a pilot project for online registration of public associations using a model charter became operational in April 2026. By the end of July 2026, around 400 public associations had been registered using this procedure.⁹⁵ The service is experimental and is due to end in April 2027. Draft Law No. 8084, which comprehensively updates the regulation of public associations, has been under consideration in Parliament since 2022 and has been revised for the second reading, but it creates risks by requiring existing organisations to re-register.

Political Parties

The 2001 Law of Ukraine 'On Political Parties in Ukraine' does not reflect current security challenges or the case law developed in proceedings to ban political parties. The mechanism established by the Law for banning pro-Russian political forces was only partially effective because the MoJ lacks the power to collect evidence independently. In December 2025, a new draft Law 'On Political Parties' (registration No. 14289) was registered in Parliament. It simplifies the registration procedure by abolishing the requirement for 10,000 signatures and reducing the regional threshold to five regions and, for the first time, comprehensively regulates the procedure for terminating political parties, including the role of law enforcement bodies.

Freedom of Peaceful Assembly and Curfew

Ukraine has no dedicated law on peaceful assembly, and the right itself may be restricted under martial law. Regulatory practice remains inconsistent: assemblies are prohibited both in frontline and distant regions, for example Ivano-Frankivsk Region, while special requirements apply in other regions. In practice, despite formal prohibitions, protests took place without obstruction: in summer 2025 concerning the independence of the NABU and SAPO, in May 2026 concerning the draft new Civil Code of Ukraine and in July 2026 concerning the resignation of the Minister of Defence. Curfew applies in all regions except Zakarpattia region, but there is no administrative liability for violating it.

Legislation Threatening the Activities of CSOs

On 17 September 2025, the President signed Law No. 4576-IX, which restricts the scope of publicly available information on legal entities in the State Register of Property Rights to Immovable Property by concealing cadastral numbers and exact addresses, thereby complicating journalistic investigations and anti-corruption monitoring. Calls by CSOs and media for the Law to be vetoed were not heeded, while a draft resolution published by the MDT in March 2026 provides for even broader restrictions than the Law itself.

In September 2025, Law No. 4608-IX was adopted concerning the status of a verified humanitarian organisation and the rules for using vehicles imported as humanitarian aid. Although generally positive, it sets a higher threshold for access to this status and may disadvantage small, newly established or local organisations. The Government's broad powers and the evaluative nature of certain criteria create a risk of selective application, while the absence of a procedure for restoring status may have direct property consequences, including an obligation to transfer an imported vehicle free of charge.

⁹⁵ Civil Society Organisation Sustainability Index for Ukraine for 2025. Ukrinform, 2026.

The draft new Civil Code of Ukraine also creates risks concerning freedom of expression, privacy and other rights. At the same time, Draft Law No. 13181, adopted at first reading as a basis in May 2026, extends the Ombudsman's supervisory powers to CSOs, requiring them to cooperate with the Commissioner and respond to requests, although under the Constitution of Ukraine such an obligation applies only to public authorities.

Draft Law No. 7033-d provides for restrictions on access to court decisions. These restrictions should therefore be reconsidered when the draft law is prepared for second reading in Parliament.

Protection of the Rights of the Child

Progress across different areas of children's rights policy remains limited or partial.

Impact of the War and Investigation of War Crimes against Children

The armed aggression of the Russian Federation is accompanied by systemic violations of children's rights covering all grave violations under international law. Despite certain institutional achievements, including stronger international coordination on the return of children and improved mechanisms for documenting crimes, the situation remains critical. According to the PGO, as of the end of July 2026, 719 children had been killed and 2,705 injured.⁹⁶ The actual figures may be higher because of the lack of access to the TOT of Ukraine. Some 1.6 million children remain under Russian control, including children who have been deported, forcibly transferred or remain in the TOT. More than 20,000 cases of deportation have been documented, and 2,404 children have been returned, compared with 1,480 as of July 2025.⁹⁷ The Bring Kids Back UA coalition and the Register of Information on Deported Children established in September 2025 contributed to these returns. Recruitment of children into activities against the foundations of national security continues. Criminal prosecution of war crimes against children shows limited progress because only a small number of notices of suspicion have been issued. Accountability remains limited relative to the scale of the crimes because of difficulties in gathering evidence and the workload of the justice system.

Juvenile Justice

Moderate progress has been made in juvenile justice. In July 2025, the National Strategy for the Protection of Children's Rights in the Field of Justice until 2028 was adopted. Child-friendly justice practices are also expanding, including the establishment of 'green rooms' and Barnahus centres, while professional training is becoming more systematic. At the same time, changes remain fragmented because they are implemented mainly through pilot projects without a basic legislative framework, procedural codes are outdated and staff shortages and weak interagency coordination limit the sustainability of the reform. In practice, children's access to legal and psychological assistance remains restricted by age barriers and dependence on parental consent.

Deinstitutionalisation and the Development of Family-Based Care

Implementation of the reform in practice is contradictory: institutional facilities are being closed faster than alternatives are being created because of insufficient funding. The

⁹⁶ Crimes Committed during the Full-Scale Invasion of the Russian Federation, as of 24.07.2026. Prosecutor General's Office.

⁹⁷ Bring Kids Back UA.

transformation of infant homes has reduced access to care for young children without medical indications: almost 300 children remain in hospitals for months without stable care. The number of foster families and family-type children's homes is declining because of insufficient financial support, delays in payments over the past year and the absence of adequate social support. At the same time, the number of patronage families is increasing but does not meet actual needs, as the absence of proper support and preparation creates risks of declining service quality and may lead to the secondary traumatising of children. Social services are overloaded, contributing to the spread of 'hidden orphanhood'.

Positive developments during the reporting period should also be noted: the European Child Guarantee in Ukraine until 2030 was introduced, with an action plan approved in April 2026; the National Council on the Guarantees of the Rights of the Child was established; and the Law of Ukraine 'On Mentorship' was adopted. At the same time, the draft new Civil Code of Ukraine contains controversial provisions concerning children's legal agency, the right to know one's origins in adoption and the powers of guardianship authorities.

On 2 March 2026, Law No. 4779-IX on the mandatory evacuation of children from areas of hostilities without parental consent was signed, creating risks of family separation and the institutionalisation of evacuated children.

Access to Education

In the 2025–2026 academic year, only 70% of pupils attended school in person, contributing to learning losses. The situation regarding access to education is most acute in the TOT of Ukraine: of more than 582,000 children, only around 34,000 participate remotely in Ukrainian education.⁹⁸ The remainder are outside the Ukrainian education system and exposed to militarised and ideologically driven education, while parents risk their safety by having their children attend Ukrainian schools. On 28 April 2026, a simplified Procedure for recognising learning outcomes obtained in the TOT of Ukraine entered into force, based on an educational declaration and without examinations in most subjects. Its effectiveness is limited, however, by the absence of an implemented Model Educational Programme and insufficient methodological guidance for schools. A similar procedure for vocational and higher education was approved in 2025 but also faces implementation limitations. In December 2025, the 'Open Path to Higher Education' project was introduced for residents of the TOT of Ukraine, veterans and service members, but in practice they frequently face refusals. For 1.7 million children abroad,⁹⁹ the situation is relatively stable: a shortened educational programme is in place and foreign school-leaving examinations may be recognised. However, an audit by the Accounting Chamber found that there is no accurate record of such children and that coordination between the MoES and Ukrainian educational centres abroad is weak.

Combating Discrimination and Hate Crimes

During 2025 and early 2026, legislative activity in the field of counteracting discrimination intensified in Ukraine, generally demonstrating progress towards the EU acquis.

98 School Statistics: 70% of Pupils Study in Person, While the Number of Teachers Has Decreased by 52,000. Trade Union of Education and Science Workers of Ukraine, 2025.

99 Ippolitova I., Kolesnichenko N., Okhrimenko Y., Levchenko Y., Koshutska M., Khovrak O. Ukrainian Refugees after Four Years Abroad. Fifth Wave of the Study / Centre for Economic Strategy, 2026.

However, this development remains fragmented because some legislative initiatives are contradictory.

The key initiative, Draft Law No. 13597, provides for expanding the list of protected characteristics, including sexual orientation and gender identity in order to implement the ECtHR judgment in 'Karter v. Ukraine', narrowing the scope of Article 161 of the CC of Ukraine in line with EU Framework Decision 2008/913/JHA and enabling the prosecution of legal entities. However, the draft law requires further revision to ensure that bias motive is taken into account for a number of criminal offences, such as minor bodily injury and hooliganism, and to regulate private prosecution.

Codification initiatives contain similar gaps. The draft new CC of Ukraine treats a bias motive as an aggravating circumstance without adequately defining it. The draft Labour Code of February 2026, which was the most closely aligned with European standards, was withdrawn in July 2026 following the change in the composition of the Government,¹⁰⁰ as was Draft Law No. 15107 on shifting the burden of proof in discrimination cases.

DESS is also developing a draft law to prohibit hate speech outside the media sector. It does not yet define sanctions and has not been aligned with other legislative initiatives.

Among the institutional developments, the establishment of the Commission for the Consideration of Complaints on Gender Discrimination in early 2026 should be noted.

In early 2026, provisions on preventing discrimination and sexual harassment were added to the Disciplinary Statute of the AFU, although without a direct reference to anti-discrimination legislation. In February 2026, the Government also approved the Procedure for Responding to Cases of Discrimination Based on Sex in public authorities, the Armed Forces and law enforcement bodies. The Procedure, together with the Commission for the Consideration of Complaints on Gender Discrimination introduced at the beginning of the year, has been criticised for the absence of clear launch deadlines, duplication of functions with the national equality body and insufficient coordination with existing institutions.

In practice, the application of anti-discrimination norms remains limited and unsystematic: most cases of discrimination do not reach the courts because of limited public awareness, bureaucratic procedures and a lack of trust in the judiciary. This is also linked to the absence of effective procedural tools, including the courts' failure to use the mechanism for shifting the burden of proof and the absence of specialised, expedited and/or simplified procedures for considering such cases. Official hate-crime statistics differ significantly from CSO monitoring data, indicating systematic underreporting and misclassification of such crimes.

Training activities are conducted for law enforcement officers and judges. There is no systematic mechanism in Parliament for conducting anti-discrimination review of legislative initiatives, as the existing review mechanism covers only acts of executive authorities. Enhanced security measures applied to persons from the TOT of Ukraine pose a separate challenge: checks are carried out on the basis of origin and/or the presence of relatives in occupied territories. These measures do not always meet ECtHR standards concerning proportionality and individualised risk assessment, resulting in group-based restrictions.

¹⁰⁰ The draft Labour Code of Ukraine was re-registered by the Cabinet of Ministers of Ukraine in the Verkhovna Rada of Ukraine on 2 September 2026 under No. 16010.

Rights of Persons with Disabilities

As of 1 January 2026, there were almost 3.5 million persons with disabilities in Ukraine, including more than 177,000 children.¹⁰¹ During the reporting period, the state continued to improve the legal framework protecting the rights of persons with disabilities. However, *overall progress remains fragmented* and does not ensure systemic change, meaning that a significant share of the problems identified in the Shadow Report 2025 remain unresolved.

Employment

On 1 January 2026, the Law on ensuring the right of persons with disabilities to work entered into force. However, the previously identified inconsistencies with international standards persist and the development of secondary legislation is proceeding slowly. Draft Law No. 14389 on reasonable accommodation, registered in January 2026 to implement Article 27 of the UN Convention on the Rights of Persons with Disabilities, does not provide an effective mechanism for exercising this right and does not recognise denial of reasonable accommodation as a form of discrimination. The Principles, Criteria and Limits of Reasonable Accommodation approved by the Government in December 2025 contain substantial gaps, including the absence of clear definitions of key concepts and an insufficient role for persons with disabilities in assessing measures. The draft Labour Code, which retained an outdated medical model of disability, was withdrawn in July 2026 following the change in the composition of the Government and re-registered in September. The actual employment rate of persons with disabilities did not change significantly during the year.

Accessibility

No systemic progress has been observed in ensuring accessibility: most media content remains inaccessible to persons with hearing impairments, while high-profile cases, including a bank's refusal to identify a veteran with an amputation, demonstrate the lack of adaptation of digital and financial services. A positive step was the NBU resolution adopted on 15 July 2026 updating customer identification procedures for persons with disabilities. Despite updated building standards on inclusiveness, nationwide monitoring found that only 8.5% of facilities are barrier-free, while 74.5% contain barriers.¹⁰²

Deinstitutionalisation

Previously identified problems persist: an estimated 85% of budget funding is spent on the institutional system, while only 15% is spent directly on individual needs. No amendments have been made to the Deinstitutionalisation Strategy or Operational Plan, and no auxiliary body has been established to coordinate action. At the same time, practices contrary to the very idea of deinstitutionalisation have been recorded, including an 'experimental' supported-living project designed for 136 persons in one building and the temporary placement of persons with disabilities in residential institutions during the energy crisis in winter 2025–2026.

¹⁰¹ Information provided by the Ministry of Social Policy, Family and Unity in response to a request for access to public information in letter No. 2601-20243/05-26-ZPI of 14.05.2026.

¹⁰² Report on the Results of Implementation of the National Strategy for Creating a Barrier-Free Space in Ukraine for the period up to 2030 / Ministry for Development of Communities and Territories of Ukraine, 2026.

Establishment of Disability Status

Since 1 January 2025, assessment of everyday functioning by expert teams has replaced medical and social expert assessment. However, this remains merely a procedural change within the healthcare system rather than a transition to a human-rights-based approach. A draft law introducing a biopsychosocial assessment model has still not been submitted to Parliament. Law No. 4954-IX¹⁰³ postponed implementation of the new system until 2030, drawing criticism from more than 20 CSOs. Between 1 January 2025 and 30 March 2026 inclusive, more than 587,000 cases were considered, but delays in consideration, non-transparent document management and ineffective patient-protection mechanisms have been recorded.

Social Services

The structural reform initiated by amendments to the Law of Ukraine 'On Social Services' is accompanied by a critical gap between need and actual service provision. Although the overall number of recipients increased from 31,046 in 2023 to 52,807 in 2025,¹⁰⁴ the range of services is narrowing towards the simplest forms of care, while the number of recipients of 'Day Care' fell by more than half, from 920 persons in 2024 to 434 in 2025. A positive development was the adoption in August 2026 of a Law on comprehensive support for families with persons with disabilities, which from 2027 introduces a systematic approach to cash payments for children and persons with disabilities since childhood. At the same time, systemic gaps persist for other categories of adults. The experimental 'money follows the person' project is being implemented extremely slowly, with only 675 recipients over two years, and remains available exclusively to IDPs, creating institutional inequality.

Rehabilitation

In 2025, the rehabilitation system moved into a standardisation phase, including through Government Resolution No. 1438, which established community-based rehabilitation. However, problems remain, including excessive bureaucracy, the advisory nature of individual rehabilitation programmes, the provision of formal services without genuine outcome monitoring, shortages of specialised professionals and an institutional divide between the medical and social components of rehabilitation, leading to unjustified hospitalisation.

Freedom of Religion and Belief. Protection of the Rights of Indigenous Peoples and Persons Belonging to National Minorities

Freedom of Religion and Belief

No progress was made in the area of freedom of religion and belief: procedures continue for the termination of religious organisations affiliated with the Russian Orthodox Church under the 2024 Law of Ukraine 'On the Protection of the Constitutional Order in

103 On Amendments to Certain Laws of Ukraine on Ensuring the Right of Service Members, Veterans and Prisoners of War Released from Captivity to Appropriate Medical Care, Rehabilitation and Prosthetics: Law of Ukraine No. 4954-IX of 19.08.2026.

104 Information provided by the National Social Service of Ukraine in letter No. PI/45-2026 of 08.04.2026.

the Activities of Religious Organisations', whose definition of affiliation creates grounds for terminating the UOC regardless of the actions of its leadership.

The right to alternative non-military service during mobilisation remains unresolved, despite DESS reports that relevant legislative amendments are being prepared. Since September 2025, DESS has initiated discussions on a new model of 'partnership' between the state and selected religious organisations, but the substance of the concept remains unclear and its potential impact on the European integration process requires attention. Different state approaches to different denominations are evident: representatives of the UOC are not included among organisations considered critically important for the functioning of the economy and the livelihood of the population during the special period, meaning that the UOC cannot secure deferment from mobilisation for clergy under the reservation mechanism, while its representatives are not invited to meetings with the President or to the National Day of Prayer. Such differential treatment is inconsistent with Article 5 of the Law of Ukraine 'On Freedom of Conscience and Religious Organisations'.

Hate Crimes and Antisemitism

No progress has been made in combating xenophobia: the classification of hate crimes remains problematic because hate motivation is almost never taken into account and cases are instead classified under provisions on hooliganism, intentional destruction or damage to another person's property, damage to a religious building or place of worship, obstruction of religious rites and similar offences. Amendments to the CC of Ukraine criminalising 'manifestations of antisemitism', adopted in 2022, were signed by the President only on 14 April 2026 despite shortcomings in the text itself.

Indigenous Peoples

Some progress has been made in protecting the rights of indigenous peoples, as in April 2026 the Cabinet of Ministers of Ukraine officially recognised the Mejlis as the representative body of the Crimean Tatar people. This is an important development given the collective nature of indigenous peoples' rights, unlike the individual rights of national minorities. The two other recognised indigenous peoples, the Karaites and Krymchaks, still do not have officially recognised representative bodies.

Language Rights of National Minorities

On 12 June 2026, the President signed Law No. 4699-IX concerning the updated translation of the European Charter for Regional or Minority Languages. For the first time, it expressly establishes a list of languages protected by the Charter, including Crimean Tatar, Hungarian, Polish, Romani, Romanian and others, while removing Russian from that list. Parliament therefore implemented the relevant recommendation of the Shadow Report 2025. At the same time, the Venice Commission's recommendations concerning commercial advertising and campaigning in minority languages without mandatory translation have yet to be implemented, and clear time limits still need to be established for restrictions on the rights of the Russian national minority.

In December 2025, almost two years late, the Government approved the List of Settlements with a Concentrated Population of National Minorities. In practice, however, because of the complexity of the methodology, no community has yet made use of the related language opportunities. In June 2026, following an agreement with the Hungarian Government, amendments were agreed to the Action Plan and legislation concerning minority rights, mainly in the areas of education and language.

Action Plan on National Minorities and Roma Integration

Some progress has been recorded in ethnopolitics, although a number of Venice Commission recommendations remain unimplemented. A significant share of the measures in the 2025 Action Plan,¹⁰⁵ including development of the Strategy for the Preservation of Endangered Languages, were not implemented. DESS supported three of the five planned projects for preserving the cultural heritage of minorities, covering the Slovak and Greek communities, Urum and Rumei heritage. Nine projects are planned for support in 2026.

Progress on Roma integration remains limited. On 22 March 2026, the Government approved the Operational Plan for 2026–2028, which was positively assessed by the community. However, the report on implementation of the Roma Strategy in 2025 has not yet been published, while representatives of the Roma community point to passivity among local authorities and insufficient interagency coordination.

Gender Equality and Protection of LGBTIQ+ Rights

Despite certain positive developments, the overall pace of reform in the field of gender equality remains limited: *limited progress was recorded in some areas and regression in others*, including through legislative initiatives that may narrow the rights of women, LGBTIQ+ persons and same-sex couples.

Women in the Defence of the Country

The number of women in the AFU increased to 75,000, up by 5,000.¹⁰⁶ On 18 March 2026, Law No. 4797-IX on preventing discrimination and sexual harassment in the AFU entered into force, requiring commanders to respond and allowing the suspension of persons involved in crimes against sexual freedom. On 18 February 2026, the Government approved the corresponding response procedure, partially implementing a recommendation of the Shadow Report 2025. At the same time, the absence of established gender-adviser positions at unit and command levels remains to be addressed.

Gender Equality in the Political Process and Public Life

Women's representation is not increasing: following changes in July 2026, only two women remain in the Government. Among category 'A' civil servants, women account for 26%, compared with 68% in category 'B' and 80% in category 'C'.¹⁰⁷ The continuous-residence requirement for standing in elections, which excludes women refugees, has still not been abolished, although the Government implemented the recommendation to remove restrictions on border crossing for women who are local council members. The representation of women experts in broadcasts of the 'United News' marathon and the 'Pershyi' television channel remains at 15–24%.¹⁰⁸

105 Action Plan for the Protection of the Rights of Persons Belonging to National Minorities (Communities) of Ukraine: Order of the Cabinet of Ministers of Ukraine No. 475 of 14.05.2025.

106 More than 75,000 Women Serve in the Armed Forces of Ukraine — Oksana Hryhorieva, Gender Adviser to the General Staff of the AFU. Army FM, 2026.

107 Dashboard on the Quantitative Composition of Civil Servants in Ukraine. National Agency of Ukraine on Civil Service.

108 Krumin O., Lihachova N., Oliinyk M., Pivtorak O. Faces of the 'United News' Marathon and Suspilne: Who Was Featured Most Frequently in February 2026. Detector Media, 2026.

Labour and Civil Relations

The draft Labour Code, which was removed from consideration following the Government's resignation but re-registered on 2 September 2026, provided for the principle of equal pay for work of equal value in accordance with Directive (EU) 2023/970, a prohibition on harassment and parental leave. The initial drafts of the new Civil Code posed a significant threat, providing, among other things, for lowering the marriageable age for women to 14 in cases of pregnancy, prohibiting divorce during pregnancy and for one year after childbirth and introducing a mandatory spousal reconciliation procedure. This prompted protests, after which the drafts were withdrawn. However, the draft Civil Code of Ukraine (registration No. 15150), adopted at first reading as a basis, retained some of these problematic provisions, triggering a new wave of protests and appeals from human rights organisations.

Istanbul Convention and Sexual Violence

Almost 95,000 cases of domestic violence were recorded in 2025, compared with almost 150,000 in 2024.¹⁰⁹ Despite new initiatives concerning a gender-sensitive educational environment, judicial training and amendments to the Disciplinary Statute of the NPU, Parliament has not considered Draft Laws Nos. 12297 and 10420 on implementation of the Istanbul Convention for more than a year. Unjustified delay in considering these initiatives remains a general problem.

Homophobic Attacks

Sixty cases of homophobia and transphobia were recorded in 2025, compared with 75 in 2024, of which 23 showed signs of hate crimes. In eight of the 27 cases involving interaction with the police, violations of victims' rights by law enforcement officers were documented.¹¹⁰ A legislative definition of hate crimes based on SOGI has still not been adopted: Draft Law No. 13597, registered in August 2025, partially implements the relevant recommendation but requires further revision. The deadline for adopting such legislation under the Rule of Law Roadmap has passed.

Civil Partnership and Recognition of Same-Sex Unions

Ukraine still has no mechanism for the legal recognition of same-sex couples. Draft Laws Nos. 12252 and 9103 have long been awaiting consideration by the Verkhovna Rada, while the ECtHR judgment in 'Maymulakhin and Markiv v. Ukraine' remains to be implemented. At the same time, on 25 February 2026, the SC upheld the first judgment in Ukrainian practice recognising the de facto marital relationship of a same-sex couple, referring to ECtHR and CCU case law. However, the draft Civil Code of Ukraine (registration No. 15150) may negate this progress: it defines 'de facto family unions' exclusively as unions between persons of different sexes and provides for the automatic invalidation of marriages involving persons who have legally changed sex. The MoJ criticised a similar approach in an earlier version of the draft Civil Code of Ukraine, noting that the absence of fundamental provisions on registered partnerships makes implementation of the corresponding measure under the Rule of Law Roadmap impossible.

¹⁰⁹ The Number of Domestic Violence Cases Decreased in Kyiv and across Ukraine in 2025: Police Statistics. Politarena, 2026.

¹¹⁰ Kravchuk A., Zinchenkov O., Liashchenko O. Holding the Line. The Situation of LGBTQ People in Ukraine in 2025: Report / LGBT Human Rights Centre 'Nash Svit'. Kyiv, 2026. 48 p.

Reintegration of the TOT of Ukraine and Protection of the Rights of Persons Affected by Russian Aggression (IDPs, residents of the TOT of Ukraine, etc.)

Progress in this area is limited: during the reporting period, work on strategic documents concerning IDPs was completed and a new version of the relevant Law was adopted.¹¹¹ However, in key areas, including the recording of damage and the use of documents issued under occupation, a gap remains between declared approaches and practical implementation. Institutional transformation creates additional uncertainty: the decision of 16 July 2026 to establish the Ministry for Communities creates risks of fragmentation across areas of work.

State Policy on Affected Persons and the TOT of Ukraine

No unified strategy has been developed to ensure the rights of affected persons, including those who have suffered harm to life and health. The change in the composition of the Government and redistribution of powers among ministries complicate the development of a systemic approach. Policy on the TOT of Ukraine remains inconsistent: neither the working group established by the Ministry for Development to update Law No. 1207-VII¹¹² nor the Coordination Centre for the Management of Regions in Whose Territory Hostilities Are (or Were) Conducted or Temporarily Occupied by the Russian Federation has proposed effective solutions, while key measures are deferred until after de-occupation. The introduction of housing vouchers for residents of the TOT of Ukraine was a positive step, but only UAH 6.6 billion of the at least UAH 40 billion required has been funded and only for combatants and persons with disabilities resulting from the war. A security policy concerning the TOT of Ukraine needs to be developed, as its absence creates risks of prejudicial treatment of residents of these territories and is inconsistent with EU non-discrimination standards.

Responsibility for IDP policy, transferred in 2025 from the Ministry for Development to the MSP, is now partly being transferred to the new Ministry for Communities. In June 2026, the Cabinet of Ministers of Ukraine approved the Strategy of State Policy on Internal Displacement for the Period up to 2030, focusing on comprehensive support at all stages. On 1 July 2026, Parliament adopted a new version of the Law of Ukraine 'On Ensuring the Rights and Freedoms of Internally Displaced Persons', which will enter into force in October 2026 and, among other things, provides for the right to a pension on general terms and introduces an electronic IDP account. Initiatives to facilitate the return of citizens from abroad also intensified: a draft 2026–2027 Action Plan for Responding to Challenges was presented and the 'Dodomu' digital platform was launched.

Recording Damage Suffered by Affected Persons

Although Law No. 4071-IX entered into force in January 2025, a systematic mechanism for recording damage to personal non-property rights has effectively not been introduced: the relevant information-recording system has not been created, technical integration of registers has not been ensured and a dedicated draft law on the legal framework for supporting affected persons has not been developed. The first meeting of the

¹¹¹ On Ensuring the Rights and Freedoms of Internally Displaced Persons: Law of Ukraine No. 4924-IX of 01.07.2026.

¹¹² On Ensuring the Rights and Freedoms of Citizens and the Legal Regime in the Temporarily Occupied Territory of Ukraine: Law of Ukraine No. 1207-VII of 15.04.2014.

working group on improving the regulatory framework took place only in July 2026. The basic concept of a 'person affected by armed aggression' remains undefined, while many affected persons are unaware that they can record the non-property damage suffered, leaving such damage 'invisible'.

Progress at the international level is more substantial: as of July 2026, more than 170,000 claims had been submitted to the Register of Damage for Ukraine, operating under the auspices of the Council of Europe, of which 58,000 had already been entered in the Register across 17 categories of damage.¹¹³ In December 2025, the Convention on the Establishment of an International Compensation Commission was adopted and signed by 34 states and the EU out of 52 participants. At the same time, the national damage-recording system is not synchronised with these mechanisms. The Register covers only damage caused from 24 February 2022 onwards, while losses dating from 2014 remain unrecorded, creating a risk that evidence will be lost for persons affected during that period.

Documents Issued under Occupation

The state's approach continues to be based on non-recognition of documents issued in the TOT of Ukraine, except documents confirming birth, death and the registration or dissolution of marriage, with the first two facts established through a simplified judicial procedure. Following the withdrawal of Draft Law No. 9069 in summer 2025, no alternative mechanisms to judicial proceedings have been proposed. Approved procedures for recognising learning outcomes obtained in the TOT of Ukraine at different levels of education remain largely unimplemented because the necessary secondary legislation and methodological guidance are absent and the MoES has not sufficiently prioritised the issue. The experimental project launched on 13 July 2026 for issuing identity certificates to undocumented citizens did not resolve the problem. In practice, medical documents from the TOT of Ukraine, for example vaccination or treatment records, are sometimes taken into account informally by doctors, preserving continuity of treatment, but this practice needs to be regulated.

Social Protection and Pensions

Government Resolution No. 299 of March 2025 on unifying pension payments met expectations only partially. In January 2026, widespread cases were recorded of unjustified suspension of pension payments to IDPs who had moved from the TOT of Ukraine, residents of the TOT of Ukraine and persons abroad because of requirements for physical identification and declarations that they were not receiving a pension from the Russian Federation. Following appeals by human rights defenders, the Government postponed this obligation until 1 April 2026, while Law No. 4924-IX abolishes the requirement altogether. Centralisation of payments within the Pension Fund of Ukraine reduced the quality of administration, resulting in delays in processing applications and insufficient communication. Systemic problems include insufficient social-payment levels, disputed eligibility criteria and limited awareness among affected persons of available support. New initiatives include the 'municipal nanny' programme and the 'Houses in the Village' temporary housing programme, but their coverage remains limited and they do not provide a comprehensive system of long-term housing solutions despite the Strategy of State Policy on Internal Displacement for the Period up to 2030 prioritising a transition to sustainable forms of accommodation.

¹¹³ Statement of the Board of the Register of Damage for Ukraine. Register of Damage for Ukraine, 2026.

Citizenship

Overall, no progress has been made in eradicating statelessness in Ukraine.

In January 2026, legislation governing the acquisition of Ukrainian citizenship was amended by Law of Ukraine No. 4502-IX 'On Amendments to Certain Laws of Ukraine on Ensuring the Exercise of the Right to Acquire and Retain Ukrainian Citizenship'. The amendments were intended to simplify the acquisition of citizenship and mitigate the effects of the demographic crisis, while taking into account the need to ensure state security. However, expanded access to Ukrainian citizenship and the introduction of multiple citizenship apply only to certain categories of persons. At the same time, the amended Law of Ukraine 'On Citizenship of Ukraine' does not take into account Ukraine's international obligations to eradicate statelessness and protect children's rights and restricts access to Ukrainian citizenship for stateless persons, children of asylum seekers and persons in need of complementary protection. Moreover, contrary to the approaches applied in most EU Member States, access to naturalisation for stateless persons is not sufficiently simplified and no access to naturalisation is provided for persons recognised as in need of complementary protection.

A risk of statelessness continues to arise and is becoming more widespread among persons from the TOT. As a result of the war in Ukraine since 2014 and the full-scale invasion in 2022, a large number of Ukrainian citizens residing in the TOT are unable to confirm their affiliation with Ukrainian citizenship and risk losing it. Persons from the TOT also face difficulties registering civil-status acts in Ukraine, including obtaining birth certificates, creating a risk of statelessness. The absence of an effective birth-registration procedure for persons from the TOT therefore contributes to the risk of statelessness, as a birth certificate contains important information for establishing affiliation with citizenship.

Property Rights

Ukraine's progress in protecting property rights during the reporting period *remains limited*. Against the backdrop of Russia's prolonged armed aggression, the state launched a large-scale recodification of private law without systematically addressing the urgent property problems caused by the war. Positive developments have been observed in privatisation and the operation of the compensation mechanism, but these remain targeted rather than systemic.

Reform of Civil Legislation

The draft new Civil Code of Ukraine creates significant risks for property rights by abandoning the traditional triad of ownership powers — possession, use and disposal — introducing the substantively undefined concept of 'holding', which could facilitate circumvention of state-registration procedures and including controversial provisions on removing information about accidentally destroyed objects from the SRPR. Given the scale of the reform and martial law, it would be advisable to postpone such systemic changes until the post-war period and focus efforts on more urgent issues concerning the protection of property rights of affected persons.

Privatisation and Management of State Property

In 2025, the State Property Fund of Ukraine generated UAH 6.3 billion in privatisation proceeds¹¹⁴ and received 1,487 sanctioned assets,¹¹⁵ while the overall economic effect of its activities exceeded UAH 9.5 billion.¹¹⁶ Legislative amendments¹¹⁷ that entered into force in June 2026 abolished a tenant's right to purchase state and municipal property directly, replacing it with exclusively auction-based sale. In addition, one year after the termination of martial law, privatisation of housing from the state housing stock will no longer be possible. Draft Law No. 15088, which proposed allowing the privatisation of damaged and destroyed housing, was withdrawn in July 2026 following the change in the composition of the Government.

State Register of Property Rights to Immovable Property

A key systemic problem remains the absence from the SRPR of information on ownership acquired before 2013. This affects at least 9.6 million persons.¹¹⁸ Where archival certificates from technical inventory bureaux are unavailable because they have been lost, destroyed or are located in the TOT of Ukraine, owners are forced to establish title through court proceedings, which are lengthy and financially burdensome, including because of excessive court fees. Draft Law No. 11440, intended to simplify the entry of such information into the Register, has still not passed its second reading, although it has been pending since December 2024.

Compensation Mechanism for Destroyed and Damaged Immovable Property

As of July 2026, almost 168,000 applications had been submitted concerning destroyed housing and almost 233,000 concerning damaged housing. Almost 75,000 housing certificates had been issued, of which 33,643 had been used, while compensation for damaged housing had been granted in more than 153,000 cases for a total of UAH 14.8 billion.¹¹⁹ Nevertheless, the scope of the compensation mechanism remains limited because it does not cover housing destroyed or damaged before 24 February 2022, property in the TOT of Ukraine or property owned by foreigners. Draft Law No. 13136, intended to remove these restrictions, has not been considered by Parliament since August 2025. An alternative solution for some IDPs from the TOT of Ukraine was the housing voucher introduced in autumn 2025, worth UAH 2 million per recipient. However, the allocated UAH 6.6 billion has already been exhausted, while the circle of eligible recipients remains narrow and is being further restricted from 1 August 2026.

Other shortcomings requiring attention include the limited amount of compensation for damaged housing, UAH 350,000–500,000, the inability to reimburse repairs already carried out, the absence of procedures for correcting errors in housing certificates and for their use by heirs and technical gaps in the Register of Damaged and Destroyed Prop-

114 Results of 2025: Nearly UAH 9.5 Billion — Overall Economic Effect of the Activities of the State Property Fund of Ukraine. State Property Fund of Ukraine, 2025.

115 Report on the Activities of the State Property Fund of Ukraine and the Progress of Privatisation of State Property in 2025 / State Property Fund of Ukraine, 2026. Pp. 84–86.

116 Ibid, 2026, p. 9.

117 On Amendments to Certain Laws of Ukraine Regarding the Peculiarities of Privatisation of State and Municipal Property Objects Leased Out: Law of Ukraine No. 4360-IX of 16.04.2025.

118 Problematic Issues of Verification of Ownership Rights to Residential Immovable Property in Ukraine: Expert Study / NGO 'Get Yours Back', 2025.

119 Results of the eRecovery Programme as of the Morning of 10 July 2026. Ministry for Development of Communities and Territories of Ukraine, 2026.

erty.¹²⁰ These include the absence of records of damage caused before 2022 and the continued closure of register data despite the Ministry for Development announcing their opening as early as November 2025.

Procedural Rights

During the reporting period, *no progress* was made in ensuring individuals' procedural rights.

Children's Rights in Criminal Proceedings (Juvenile Justice) and Restorative Justice

The legislation is not fully compliant with the EU acquis, including Directives (EU) 2016/800 and 2012/29/EU: the CPC of Ukraine does not require the mandatory involvement of a lawyer and psychologist for minor victims and witnesses. Such involvement still depends on the will of parents or legal representatives. The relevant amendments envisaged by the National Strategy for the Protection of Children's Rights in the Field of Justice until 2028 and the Rule of Law Roadmap have not been developed. On 23 December 2025, the MoJ submitted to the Government a draft law on introducing child-friendly justice, but the results of its consideration were unknown as of July 2026. At the same time, the pilot project on justice involving minors continues: in 2025, 217 cases involving 287 children were processed and satisfaction with mediation reached 75%.¹²¹

Presumption of Innocence

The presumption of innocence is properly established at the legislative level but is not supported by unified secondary legislation, including rules of ethical conduct. Unlike other law enforcement bodies, the Rules of Ethical Conduct of Police Officers do not expressly prohibit publicly describing a suspect as guilty, while the Law of Ukraine 'On the National Police' does not expressly establish a duty to comply with rules of ethical conduct. Despite criminal liability for knowingly prosecuting an innocent person, only four such proceedings were sent to court in 2021–2025 and the first half of 2026.

Information on Procedural Rights

To address the practice of 'shadow' detentions, implementation of the Custody Records system continues: the number of NPU units covered increased from 88 in January 2024 to 156 as of July 2026.¹²²

In Absentia

Problems with in absentia proceedings remain unresolved: notification of suspects is formalistic, while review of a judgment is possible only on appeal, without a right to ex novo consideration where the person was not duly notified. The dedicated draft law envisaged by the OAS has still not been developed. A draft law that has been prepared is under consideration by the Government.

120 State Register of Property Damaged and Destroyed as a Result of Hostilities, Terrorist Acts and Sabotage Caused by the Armed Aggression of the Russian Federation against Ukraine.

121 Annual Report of the Free Legal Aid System for 2025 / Coordination Centre for Legal Aid Provision, 2026. P. 64.

122 Publication by the Department of Main Inspection and Human Rights Compliance of the National Police of Ukraine on the social network Facebook, 2026.

Right of Access to a Lawyer

In 2025, the FLA system provided more than 800,000 legal services, including more than 105,000 assignments for the appointment of defence counsel in criminal proceedings and cases concerning administrative offences, 96.4% of which were fulfilled.¹²³ Priority support was provided to service members, veterans and families of fallen defenders, accounting for more than 41,000 requests during the first 11 months of 2025. In the first half of 2026, the FLA system provided 171,558 legal services, including 119,343 primary free legal aid services and 52,215 secondary free legal aid services.¹²⁴

Right to an Interpreter

The practice of engaging interpreters remains fragmented: the CPC of Ukraine does not establish qualification requirements for interpreters and remuneration for professional interpreters is uncompetitive, making it difficult to engage specialists. National legislation has not implemented the provisions of Directive 2010/64/EU concerning the possibility of challenging the quality of interpretation. The comprehensive study of this issue envisaged by the Rule of Law Roadmap has not yet been published.

Access to Justice

Digitalisation of criminal proceedings lags behind civil, commercial and administrative proceedings, which were reformed in 2017 and 2021. Law No. 3604-IX, which entered into force in March 2024, created the legislative preconditions for the gradual introduction of the Unified Judicial Information and Communication System in criminal proceedings, but practical implementation remains at an early stage.

123 Annual Report of the Free Legal Aid System for 2025 / Coordination Centre for Legal Aid Provision, 2026. 100 p.

124 Statistics on the Operation of the Free Legal Aid System. Coordination Centre for Legal Aid Provision, 2026.

Chapter 24

‘Justice, Freedom and Security’

Combating Serious and Organised Crime

State of Implementation of Strategic Documents in the Field of Law Enforcement Reform

In January 2026, the Cabinet of Ministers of Ukraine established the **Coordination Council for Monitoring the Implementation of the OAS Action Plan**. The Council has a two-tier structure and includes the heads of law enforcement agencies — the NPU, the SBI, the ESB, the SSU, the SCS and the SBGS — as well as representatives of the Office of the President, the NSDC, academics and international partners. Its inaugural meeting was held on 25 February 2026, when an Expert Working Group was established; its members meet monthly. According to the MoIA and the MoJ, the OAS Action Plan has currently been implemented by 27–28%. The efforts of all responsible implementers should be consolidated with regard to measures that were not completed within the deadlines established by strategic documents in the area of law enforcement reform, to develop a clear implementation approach for such measures.

Key completed measures include approval of the Human Resources Management Strategy (HRM Strategy) until 2030, unification of law enforcement reporting through approval of a Model Annual Reporting Form and approval of the Procedure and Methodology for Assessing the Level of Public Trust in Criminal Justice Authorities. At the same time, cooperation between the PGO and the Government deteriorated: the PGO independently sent 13 draft laws to the Verkhovna Rada outside Government procedures, but they were not registered as legislative initiatives.

A working group within the MoIA is developing a new Strategy for Combating Organised Crime for 2026–2030 (the Strategy adopted in 2020 currently remains in force). In 2025, the NPU Development Strategy for 2026–2030 was also approved — the first departmental document of this level since the establishment of the NPU. In November 2025, the threat assessment under the SOCTA Ukraine system for 2021–2024 was completed and the relevant report was published.

State of Legislation on Combating Organised Crime. Establishment of a Permanent National Coordination Body on Combating Organised Crime

Statistics show that, in 2025, criminal proceedings concerning 677 organised groups and criminal organisations were investigated (NPU — 496, SSU — 40, ESB — 44, SBI — 74 and NABU — 23). The NPU's share decreased somewhat, from 87% to 73%, while NABU activity increased from 3 to 23 proceedings in high-profile corruption cases.

At the same time, **legislative progress is being significantly delayed**. The framework Draft Law 'On Law Enforcement Agencies' has still not been adopted, although the OAS Action Plan envisaged its adoption in the second quarter of 2025 and the Rule of Law Roadmap in the second quarter of 2026. In August 2026, the Expert Group under the

above-mentioned Coordination Council approved the concept of this draft law, **with its submission to Parliament planned for December**. The draft law on establishing a **National Coordinator for Combating Organised Crime (Interagency Coordination Commission)** was withdrawn in July 2026 following the change in the composition of the Government and reintroduced by MPs for parliamentary consideration in August under new registration No. 15493. The transformation of operational and search activities into criminal intelligence is also delayed: the Draft Law 'On Criminal Intelligence', developed by the MoIA, has only completed the coordination procedures and has not yet been adopted.

Strengthening the Institutional Capacity of the Economic Security Bureau of Ukraine

Moderate *progress* has been observed in *reforming the ESBU over the past twelve months*. However, regulatory and resource-related barriers continue to limit the institution's ability to perform its functions. These include insufficient funding to establish 15 ESBU territorial offices, an artificially reduced base for calculating the remuneration of employees holding special ranks, which makes service in the ESBU less attractive, and the absence of a special status for the Bureau that would strengthen its autonomy. Following revision in light of experts' comments, Draft Law No. 14207-1 'On Amendments to Certain Laws of Ukraine on Improving the Legal Regulation of the Activities of the Economic Security Bureau of Ukraine' would help address some of these shortcomings.

Following the appointment of the ESBU Director in August 2025, an attestation process for existing Bureau staff was launched with the participation of independent experts. However, the attestation procedure contains gaps and shortcomings that create a risk of subsequent judicial challenges to decisions of attestation commissions and impose disproportionate restrictions on ESBU staff who fail to demonstrate a sufficient level of professional knowledge and general competencies, in the form of dismissal and a ten-year ban on subsequent employment with the Bureau. These restrictions are inconsistent with International Labour Organization standards on the protection of workers' rights and may be removed by amending Law No. 3840-IX,¹²⁵ provided that employees meet integrity and professional ethics criteria.

During the first half of 2026, the ESBU announced more than 100 competitions to fill vacant positions. However, according to information provided by the ESBU, no person had been recruited by mid-July. As of 31 July 2026, staffing of the ESBU central office stood at only 38.1%, an extremely low level that adversely affects the Bureau's capacity to combat economic criminal offences.

In addition, procedural supervision over the ESBU's activities within the prosecution service should be strengthened. Alternative mechanisms for resolving criminal-law conflicts should be developed, for example by improving the 'tax compromise', for use at the pre-trial stage of criminal proceedings in investigations of certain categories of criminal offences, primarily financial offences. Introducing such mechanisms would increase the ESBU's effectiveness and optimise the resources committed to criminal proceedings.

¹²⁵ On Amendments to Certain Legislative Acts of Ukraine to Improve the Work of the Economic Security Bureau of Ukraine: Law of Ukraine No. 3840-IX of 20.06.2024, para. 4 Section II 'Final and Transitional Provisions'.

Legislative and Institutional Challenges in the Field of Financial Investigations

Limited progress was observed in the field of financial investigations. Positive steps include amendments to the Regulation on the URPTI introduced by PGO Order No. 294 in September 2025. This made it possible to record financial investigations conducted in completed criminal proceedings, in line with the measures under the Rule of Law Roadmap. A **Financial Investigations Strategy until 2028 has been developed**; since June 2026, the ESBU has been responsible for finalising the document, which is undergoing the Government approval procedure and **should be adopted as soon as possible**.

The NABU has successfully integrated into international asset-tracing mechanisms. In 2025, it joined Interpol's 'Silver Notice' pilot project, launched on the FinCAF platform, and posted two relevant requests in early 2026.

However, there has been **no legislative progress**. The measure aimed at clearly delineating investigative jurisdiction and consolidating economic crimes within a single body, the ESBU, which was scheduled for the fourth quarter of 2025, has not been implemented. The relevant draft law was developed by the PGO but was never registered in Parliament. At the same time, Draft Law No. 12439, concerning 'business protection', is under consideration by the Verkhovna Rada. According to assessments by experts and public authorities, including the NABU, the SAPO and the ESBU, it contains controversial provisions that may undermine the effectiveness of financial investigations and restrict the ESBU's independence, particularly with regard to investigations of misappropriation under Article 191 of the CC of Ukraine.

Alignment of National Legislation with European Union Acts on the Prevention of Currency Counterfeiting

Following a moderate increase in 2024, the level of counterfeiting of foreign currency banknotes in Ukraine decreased by approximately one quarter in 2025. Within the overall number of criminal offences in the field of economic activity investigated by the ESBU, proceedings under Article 199 of the CC of Ukraine¹²⁶ did not exceed 6%.

At the same time, **there has been no progress in aligning national legislation with the EU acquis**. Ukraine should ratify the International Convention for the Suppression of Counterfeiting Currency and its Protocol and harmonise criminal legislation with Directive 2014/62/EU. The relevant draft laws have not yet been submitted to the Verkhovna Rada.

Anti-Money Laundering. Politically Exposed Persons. Activities of the SFMS

Limited progress was recorded in **anti-money laundering**: the fourth National Risk Assessment, launched in 2025, has still not been published, while its section on the non-profit sector has been criticised by experts for methodological distortions. In 2025, the

¹²⁶ Article 199 of the CC of Ukraine provides for liability for the manufacture, storage, acquisition, transportation, sending or import into Ukraine, for the purpose of use in the sale of goods or for sale, of counterfeit money, state securities existing in paper form, state lottery tickets, excise tax stamps or holographic security elements.

SFMS processed almost 2 million reports on financial transactions (+11.6% compared with 2024) and transmitted 1,441 case files to law enforcement agencies. However, the effectiveness of the response remains critically low: of UAH 272.7 billion in suspicious transactions identified, assets worth only around 1% of that amount were seized.

The regulation of the status of **politically exposed persons (PEPs)** complies with FATF standards and Directive (EU) 2015/849. However, the Law adopted by Parliament in June 2026 (Draft Law No. 15111-d), which narrows the grounds for continuing enhanced monitoring of PEPs, raises concerns regarding conflicts of interest and the procedural quality of its adoption.

Overall, there has been no progress regarding the **activities of the SFMS**. Draft Law No. 13029 on the institutional independence of the Service (revised version No. 14327-d) has still not been adopted, while the current Head of the SFMS remains in office without having undergone a competitive selection procedure and without any statutory term limit. Media reports published in March 2026 pointed to the Service's disregard of NABU requests — responses were provided to only 50 of 109 requests — and the absence of any real contribution by the SFMS to the investigation in the 'Midas' case. Ukraine's sixth-round MONEYVAL mutual evaluation is scheduled for 2027; Ukraine is currently under enhanced follow-up.

ARMA Reform

Law No. 4503-IX was an important step in ARMA reform, but its implementation requires amendments to the CPC of Ukraine and the practical launch of the new procedures. The first competition for the position of Head of the Agency ended without an appointment: in June 2026, the only candidate to reach the interview stage did not receive the required number of votes. A repeat competition should be conducted taking into account the shortcomings of the previous one, and the winner should be appointed without delay.

The inventory of assets transferred to ARMA in 2017–2025 identified 102,569 asset units covered by 1,435 court rulings, while the relevant register¹²⁷ recorded 44,815 units as of February 2026. ARMA explains the discrepancy by the absence of a unified approach to asset accounting in previous years. Cooperation with the prosecution service also remains problematic: of 100 requests concerning assets that cannot be managed effectively, only 32 received responses, and only five were resolved positively. **ARMA and the PGO should agree on a clear procedure for working with such assets.**

The updated mechanism for selecting asset managers through Prozorro became operational for complex assets with a delay, while for simple assets it had still not been launched as of July 2026. This mechanism should be properly funded and implemented. The draft Asset Recovery Strategy for 2026–2030 is more specific than its predecessor and takes Directive (EU) 2024/1260 into account, but its indicators should be made measurable, and its implementation plans aligned with one another.

¹²⁷ Unified State Register of Assets Seized in Criminal Proceedings.

Cybersecurity

In 2025, **the total number of registered cybercrimes decreased significantly**, by 46%, from 50,181 to 26,913 cases. Online fraud decreased substantially by 48%, offences in the banking sector by 59% and telecommunications-related offences by 37%. The State Service of Special Communications and Information Protection of Ukraine also recorded a 4% decrease in cyber incidents, with no critical incidents recorded, which can be explained by the state's increased cyber resilience over the years of war. **However, the adverse financial impact increased:** material losses amounted to UAH 766.4 million in 2025, compared with UAH 539.9 million in 2024. Losses from payment-card fraud increased by 24% to UAH 1.4 billion.

To improve statistical recording, **a separate Form No. 1-CYBER was introduced** on 1 January 2026. Of the 17,267 recorded proceedings, 12,641 concerned fraud under Article 190 of the CC of Ukraine. A continuing problem is the mixing of cyber-dependent and cyber-enabled offences in statistics, with the category 'other' accounting for more than 3,000 cases. **Unified statistical reporting** by law enforcement agencies and prosecution authorities on combating criminal offences in the field of cybersecurity **should therefore be improved**. In particular, the content of the category 'other' cybercrimes, which accounts for a significant share of the overall number, should be specified. Interpretation and communication of cybercrime data should focus on criminal offences involving the use of information technologies.

As regards implementation of international standards, on 1 July 2026 the **Cabinet of Ministers of Ukraine adopted a resolution concerning the Internet Organised Crime Threat Assessment (IOCTA)** and established an Interagency Working Group under the MoIA. The draft resolution introducing the IOCTA system into the activities of the relevant authorities received a positive opinion from Europol but is still undergoing coordination. At the same time, the concept of 'electronic (digital) evidence' has still not been introduced into the CPC of Ukraine, contrary to the requirements of the Budapest Convention.

Implementation of Directive (EU) 2019/713 on combating fraud in the area of non-cash payments has not been completed. Draft Law No. 10190, which criminalises electronic communications fraud, has been awaiting second reading since May 2024. A separate problem is the widespread use of 'money mule' accounts: more than UAH 30 billion in laundered funds involving 80,000 individuals has been recorded, yet the conduct has still not been criminalised. In July 2026, Draft Law No. 15379 on combating deepfakes and AI-enabled crime was registered; it requires alignment with the EU Artificial Intelligence Act.

Combating Trafficking in Human Beings

Progress in combating trafficking in human beings remains very limited.

Ukraine is gradually approximating its legislation to EU directives, but a number of provisions still require implementation, including those concerning the criminal liability of legal persons, the principle of non-punishment of victims, a comprehensive definition of trafficking in human beings that takes account of digital technologies as a distinct means or aggravating circumstance of the offence and an explicit definition of exploitation of surrogacy as a form of exploitation. The Concept of the State Targeted Social Programme for Combating Trafficking in Human Beings until 2030, adopted in February 2026, for the

first time partially takes account of the challenges posed by digitalisation and the use of artificial intelligence in committing this crime.

In 2025, law enforcement authorities registered 162 criminal offences related to trafficking in human beings, compared with 104 in 2024, with 119 notices of suspicion and 46 indictments concerning 75 persons.¹²⁸ In the first half of 2026, 33 indictments were sent to court and nine persons were convicted.¹²⁹ Despite the positive trend in detection, the effectiveness of prosecution remains limited: as of the end of 2025, 78.7% of proceedings remained unresolved,¹³⁰ while sentences are imposed on a relatively small number of persons, including because of limited victim participation in proceedings and difficulties in classifying acts committed in wartime.

The number of victims increased from 182 in 2024 to 485 in 2025 and 524 as of July 2026.¹³¹ The victim profile changed substantially, with the share of male victims increasing primarily because of a rise in cases involving exploitation of Ukrainian citizens by the Russian Federation. Combined exploitation remains the most common form. Access to assistance remains uneven: victims in remote communities and abroad have limited access to national support mechanisms.

Large-scale information and awareness-raising campaigns were implemented in 2025, reaching millions of people, but their effectiveness in reducing the population's actual vulnerability remains limited because of the gap between information activities and the actual access of the most vulnerable groups to assistance.

Circulation and Control of Firearms and Ammunition

The problem of legislative regulation of civilian firearms remains unresolved, although *limited progress has been observed*.

The circulation of firearms in Ukraine is partly regulated by Law of Ukraine No. 3899-IX of 20 August 2024 'On Amendments to the Law of Ukraine "On Ensuring the Participation of Civilians in the Defence of Ukraine" Regarding Improvement of the Procedure for Obtaining, Declaring and Handling Firearms' and by MoIA Order No. 662 of 21 August 1998. However, the issue requires a comprehensive solution, particularly through the adoption of a special law regulating the acquisition, storage, carrying and use of firearms by civilians for hunting, sport and self-defence purposes.

Draft Law No. 5708 on the regulation of civilian firearms and the accompanying Draft Law No. 5709 on liability for violations of firearms circulation rules, adopted by Parliament at first reading on 23 February 2022, are currently being revised and aligned with EU acts. On 11 June 2026, the MoIA established a working group tasked with preparing proposals to improve these draft laws for second reading.

128 Prosecutor General's Office Strengthens Efforts to Combat Trafficking in Human Beings. Prosecutor General's Office, 2026.

129 Publication by the Prosecutor General's Office on the social network Facebook, 2026.

130 Report of Courts of First Instance on Consideration of Criminal Proceedings Materials for 2025. Judiciary of Ukraine.

131 Number of Persons Granted the Status of a Victim of Trafficking in Human Beings by the National Social Service of Ukraine. National Social Service of Ukraine.

The MoIA developed a draft Roadmap for Combating the Illicit Circulation of Weapons, Their Essential Parts, Ammunition and Explosives until 2030. In late August, the draft was published for electronic public consultation.

Draft Law No. 10179, which proposes strengthening criminal liability for theft, misappropriation, extortion, carrying, storage, acquisition, transfer or sale of a firearm component, as well as for theft, misappropriation or extortion of firearm components by a service member, has been under consideration by the Verkhovna Rada Committee on Law Enforcement since October 2023 and currently remains stalled.

During the assessment period, the activities of the Coordination Centre on Combating the Illicit Circulation of Firearms, Their Essential Parts and Components and Ammunition (Coordination Centre), which performs the functions of **Ukraine's National Firearms Focal Point (NFFP)**, focused primarily on exchanges of experience with EU Member States and international organisations. However, the Centre should conduct regular threat assessments to prevent the illegal possession and circulation of firearms and other small arms and light weapons and strengthen its institutional capacity by joining Europol's SIENA platform for information exchange and improving cooperation with military command authorities.

Transformation of the Security Service of Ukraine into a Modern European-Style Strategic Special Service: Preconditions and Challenges

The activities of the SSU during the full-scale war are **characterised by a high level of public trust** — 78%, second only to the AFU. This can be explained by the Service's re-orientation towards combating collaboration and Russian aggression. At the same time, concerns about the politicisation of the agency persist in society and among experts. During 2026, the **acting Head of the SSU changed twice**: in January, Acting Head Yevhenii Khmara replaced Vasyl Maliuk and, in July, Oleksandr Poklad was appointed Acting Head, without full parliamentary approval of the candidates.

No significant progress has been made in improving parliamentary oversight of the SSU, despite the requirements of the Rule of Law Roadmap. **Consideration should be given to establishing a separate Verkhovna Rada Committee on Special Services** to exercise parliamentary oversight over the activities of the special services, thereby implementing Article 33² of the Law of Ukraine 'On Committees of the Verkhovna Rada of Ukraine'. In April 2026, only a working group was established to prepare for the future specialised committee. Comprehensive Draft Law No. 3196-d on SSU reform has been awaiting second reading since October 2021. The European Commission noted in its Report that 'there has been no progress on SSU reform'. **It remains necessary to adopt a number of legislative measures to reform the SSU**, which should be transformed into a classical special service whose primary function is counterintelligence, including by transferring part of its pre-trial investigation function to another law enforcement agency or agencies.

Positive steps include a review of legislation prepared in 2025 with the assistance of international experts and the approval in April 2025 of the SSU Development Strategy for 2025–2030, which focuses the agency on counterintelligence, combating terrorism and cybersecurity. Law No. 4633-IX was adopted, granting the SSU the right to submit

draft acts directly to the President and the Government rather than through the MoIA, as was previously the case. Important Draft Law No. 11228-1, which exempts persons involved in counterintelligence measures from criminal liability, is under consideration and has received a positive opinion from the Geneva Centre for Security Sector Governance (DCAF).

Systemic problems remain unresolved: the SSU's technical monopoly over the interception of communications, whereby other bodies such as NABU have autonomous access but the SSU controls the technical 'entry point', and the lack of a clear distinction between counterintelligence activities, operational and search activities and covert investigative/search actions. The technical possibility of enabling law enforcement agencies to conduct electronic surveillance and interception independently when carrying out investigations and collecting evidence, without involving the SSU, **should be examined**. The risks of information leakage and the SSU's role in the current model of autonomous interception, which it technically supports, **should be minimised**.

Combating Corruption in the Criminal Justice System. Selection for Senior Positions in the National Police of Ukraine and the State Bureau of Investigation. Reform of the State Bureau of Investigation

Establishing an effective system for preventing and combating corruption in criminal justice authorities, and assessing the existing mechanisms, remain relevant, as *progress in this area has been moderate*.

The OAS Action Plan provides for a number of measures which, if properly implemented, would also have an anti-corruption effect. These include developing and adopting a law on law enforcement agencies that would, among other matters, define criteria for delineating their competences, establish principles of integrity, gender equality and non-discrimination, guarantee the social and legal protection of employees and ensure the institutional independence of these bodies. It also provides for the introduction, at legislative level, of an integrity framework for vetting employees of all law enforcement agencies and prosecution authorities, defining integrity criteria and establishing a single, uniform vetting mechanism. None of these measures has yet been implemented. However, **work is ongoing on an agreed concept and text of the Draft Law of Ukraine 'On Law Enforcement Agencies'**.

Under the State Anti-Corruption Programme for 2023–2025, an external independent assessment (audit) of the effectiveness of SAPO should have been conducted after 21 March 2026. However, as of 31 August 2026, such an audit had not commenced.

Law enforcement agencies and the PGO have anti-corruption programmes in force. However, as in previous periods, a formalistic approach persists in the assessment of corruption risks, the identification of measures to address them and the implementation of risk-mitigation measures. Given that the OAS and its Action Plan include measures related to unifying the activities of criminal justice authorities, it would be advisable to establish a register of typical corruption risks associated with these functions and publish it on the website of the NACP. This would contribute to a more effective system for preventing corruption in law enforcement agencies and the prosecution service.

Law enforcement agencies and the PGO have formalised rules of ethical conduct. However, these do not fully reflect the law enforcement functions of the relevant bodies and are only partly aligned with the European Code of Police Ethics, particularly as regards measures to prevent and combat corruption within the institutions and guiding principles governing investigations and the treatment of detainees.

The internal control system in law enforcement agencies and the prosecution service requires improvement. An effective system should be established that fosters a culture of reporting corruption within these bodies.

The introduction of transparent merit-based selection for managerial positions in the NPU and the SBI remains unresolved. Parliament currently has no draft laws that would introduce competitive selection procedures for the NPU leadership.

Addressing the problems that have emerged in the functioning of the SBI requires a more systemic approach. In line with Ukraine's EU integration commitments, an independent comprehensive review of the SBI's institutional structure, integrity mechanisms and oversight functions should be conducted to assess the need and justification for further reform, followed by the adoption and implementation of legislation reflecting the necessary recommendations.

Draft laws aimed at reforming the SBI have been registered in the Verkhovna Rada.¹³² However, they lack a comprehensive vision of the issue that considers previous experience of reforming law enforcement agencies and the prosecution service. They therefore require further revision and may serve as a basis for the Verkhovna Rada Committee on Law Enforcement when preparing the final version of a draft law that reflects the European Commission's requirements.

International Cooperation of the Law Enforcement Agencies and Prosecutorial Authorities with European Institutions. Information Exchange through Europol's SIENA and SIENA-CT Platforms

Law enforcement agencies actively cooperate with EU institutions, including Europol, European Union Agency for Law Enforcement Training (CEPOL) and Eurojust. In 2025, the NPU processed 685 requests for international legal assistance, of which 451 were executed. The intensity of data exchange through the secure SIENA platform increased significantly: the NPU processed 20,500 incoming and 15,900 outgoing documents. The SBI sent 178 requests through SIENA and 144 requests through the CARIN network for asset tracing. The ESBU is also developing cooperation with tax authorities in EU Member States, including the Fiscal Intelligence and Investigation Service of the Netherlands and the Swedish Tax Agency.

In March 2026, the PGO extended the mandate of the 'Ukraine Case' Joint Investigation Team (JIT), which, with the participation of Eurojust, Europol, the International Criminal Court and six countries, investigates international crimes committed by the Russian

¹³² On Amendments to Certain Legislative Acts of Ukraine to Improve the Work of the State Bureau of Investigation: Draft Law of Ukraine, registration No. 13602 of 06.08.2025; On Amendments to Certain Legislative Acts of Ukraine on Priority Measures for the Reform of Law Enforcement Agencies: Draft Law of Ukraine, registration No. 13602-1 of 13.08.2025; On the Relaunch of the State Bureau of Investigation: Draft Law of Ukraine, registration No. 8059 of 19.09.2022.

Federation. The PGO also regulated the procedure for reimbursement by Eurojust of JIT-related expenses without the need to adopt new regulatory acts. At the same time, **information on the results of international cooperation**, particularly the work of JITs, **should be published periodically**, provided that this does not adversely affect the work of a specific JIT.

Work continues on aligning national legislation with European and international instruments and on Ukraine's accession to international instruments in the field of combating transnational crime.

System for the Protection of Participants in Criminal Proceedings, Including Witnesses

The system for protecting witnesses and other participants in proceedings remains ineffective, underfunded and fragmented. The current law sets an excessively high threshold for applying protection measures, while protection is generally limited to physical security without systematic risk assessment or possibilities for changing identity or relocation.

Legislative progress in this area remains blocked. Draft Law No. 5751, which proposed establishing a separate independent National Service for Ensuring the Safety of Participants in Criminal Proceedings, has been under consideration by Parliament since 2021. Instead, **in February 2026 the MoIA established a new interagency working group** to develop its own draft law. The MoIA's approach differs from the original vision, including that reflected in the OAS Action Plan: rather than establishing a single National Service, it proposes assigning protection functions separately to each law enforcement agency, which may result in fragmented resources and reduce the effectiveness of the witness protection institution.

A National Service for Ensuring the Safety of Participants in Criminal Proceedings should be established, ensuring its autonomy from law enforcement agencies and prosecution authorities. The newly established Service should receive adequate funding based on substantiated calculations of the resources required for effective security measures. **Methodological Guidelines on assessing risks** to the safety of participants in criminal proceedings should also be **developed, adopted and implemented** in the activities of law enforcement agencies and prosecution authorities.

Cooperation in the Field of Drug Control

Activities of the Public Health Centre of the MoH

During the period under review, state policy on combating drugs was characterised by certain progress, **although several institutional and legislative challenges remain unresolved.** The transfer of functions for monitoring the drug situation from the Ministry of Health's Centre for Mental Health and Monitoring of Drugs and Alcohol to the PHC MoH,

a process launched in 2023, is now at its final stage. In April 2026, Government Resolution No. 488 introduced long-awaited **amendments to the Procedure for Monitoring the Drug and Alcohol Situation in Ukraine**. As a result, the PHC MoH received powers that are effectively aligned with those of National Drug Observatories in EU Member States, which operate as National Focal Points. This means that, as part of the European Reitox information network coordinated by the European Union Drugs Agency (EUDA), the PHC MoH now has the full range of functions for collecting, analysing and exchanging data on the drug situation.

In September 2025, the PHC MoH published the National Report on the Drug and Alcohol Situation in Ukraine, based on 2024 data. The report describes in detail the key challenges, including, critically, the growing proportion of adolescents who have used 'hard' psychoactive substances such as heroin, cocaine and amphetamine, as well as prescription medicines without a doctor's prescription. Widespread misuse of sedatives, benzodiazepines, pregabalin and Z-drugs was also recorded. Experts link this to the broad mental health impact of internal displacement and psychological trauma caused by hostilities.

State of Improvement and Implementation of Legislation in the Field of Control over Narcotic Drugs and Psychotropic Substances

On 19 August 2026, the Government approved the **Procedure for Organising an Early Warning System for New Psychoactive Substances**. This act resulted from the work of the Coordination Interagency Working Group on the Development and Coordination of the Implementation of the Early Warning System for New Psychoactive Substances, established in October 2025.

Despite operational progress, the legislative process continues to lag significantly. National legislation still does not define new psychoactive substances or provide for the liability of legal persons for related offences. On 14 August 2026, the Government registered a **draft law** on narcotic drugs, psychotropic substances and precursors implementing **Council Framework Decision 2004/757/JHA**. At the same time, the draft law contains certain shortcomings that should be addressed before voting, and the **Government should also register a draft law amending the CC of Ukraine to prohibit the circulation of new psychoactive substances**.

Activities of Law Enforcement Agencies and International Cooperation in Countering the Illicit Trafficking of Narcotic Substance

Law enforcement practice, particularly that of the NPU, shows a **sustained positive shift in criminal policy**: the focus is moving from prosecuting drug users to combating drug dealers. Statistical data confirm this shift. In 2025, 48,246 drug-related criminal offences were detected, the highest figure in the past seven years. Of these, proceedings concerning possession without intent to sell under Article 309 of the CC of Ukraine accounted for 37.68%, while offences involving sale under Article 307 accounted for 37.77%. In the first half of 2026, 16,862 offences were registered, of which 51.43% fell under Article

309 and 39.33% under Article 307. This differs fundamentally from the situation in 2016, when 74% of detected offences concerned drug users alone, while sale accounted for only 8%.

The quantities of seized substances increased compared with 2024: new psychoactive substances by 8% to 440.1 kg, cocaine and heroin 3.9-fold to 12 kg and cannabis by 12% to 2.3 tonnes. In 2025, the NPU dismantled 69 drug laboratories and 1,224 drug dens. A significant achievement was a joint special operation by the NPU and the SSU that disrupted an international cocaine smuggling channel from Latin American countries. The criminal group distributed drugs under the guise of a taxi service, generating monthly profits of approximately UAH 17 million; 16 persons were detained.

The **Government** also proposes, in its **Programme of Activities**, which has not yet been approved, measures to combat crime in **priority areas**, including organised crime, cyber fraud, illicit trafficking of weapons and **drugs**, for 2026–2027. In substance, these are criminal-policy objectives as part of broader legal policy. Law enforcement agencies should therefore take them into account in their work if Parliament endorses the Government's vision for its future work.

The range of mechanisms for resolving criminal-law conflicts as **alternatives to criminal liability should be expanded** to include non-coercive, incentive-based practices consistent with human rights, in line with the Pompidou Group Work Programme for 2026–2029 and the Drug Policy Strategy until 2030.

Countering Terrorism and Preventing Radicalisation and Violent Extremism

Legal Framework for Countering Terrorism and Preventing Radicalisation and Violent Extremism in Ukraine

An important strategic update took place in the area of combating terrorism. The previous Concept for Combating Terrorism of 2019 ceased to have effect. It was replaced on **11 June 2026, when the President enacted** the relevant NSDC decision and approved, by Decree No. 492/2026, a **new Concept for Combating Terrorism in Ukraine**, following submission of the draft by the SSU in January 2026. The new document clearly identifies the Russian Federation as the key source of the external terrorist threat, in view of its acts of cyberterrorism and use of advanced technologies against civilians. The Concept covers four priorities: prevention, protection, response and prosecution. As of June 2026, the Action Plan for its implementation was still being developed.

Council Decision 2008/615/JHA on stepping up cross-border cooperation, particularly in combating terrorism and cross-border crime, **should be implemented**, including through **the planned measures to enable the SSU Counterterrorism Centre to function as the national contact point for information exchange** aimed at preventing terrorist offences.

Conceptual differences between Ukraine and the European Union persist in the area of preventing radicalisation. The **SSU** notes the absence in Ukraine of a central authority responsible for this area and **emphasises the need to agree on the concept of 'radicalisation'** in the Ukrainian context, given that domestic radicalisation is not as widespread a problem in Ukraine as in Western European countries. The SSU's TAIEX project proposal for training on preventing radicalisation was rejected by the European Commission as not being a priority for 2026. No response has yet been received from the EU Knowledge Hub on Prevention of Radicalisation to the SSU's request of October 2025. Following completion of these consultations, a **strategic public-policy document on preventing and countering violent extremism should be developed and adopted**. It should, among other matters, define the coordinating role of the SSU Counterterrorism Centre and provide for cooperation between central and local executive authorities and civil society.

Work on implementing Directive (EU) 2016/681 concerning the processing of passenger information (API/PNR) has been suspended. In March and July 2025, the SSU and the MoIA prepared the relevant draft laws, which were submitted to the EU for assessment in September. However, the European side indicated that it could not provide an assessment because the PNR rules within the EU itself were expected to be revised following the relevant judgment of the Court of Justice of the European Union.

Protection of Critical Infrastructure Facilities against Terrorist Attacks

In the area of critical-infrastructure protection, **the legislative framework, particularly the Law of Ukraine 'On Critical Infrastructure', has still not been aligned with Directive (EU) 2022/2557**. Draft Law No. 12208, aimed at regulating the relevant provisions, has remained pending in Parliament since November 2024. At the Government level, however, **a decision adopted in March 2026 requires operators of critical infrastructure facilities to provide copies of protection plans to the SSU Counterterrorism Centre** upon request within ten days, which has significantly improved data exchange and the capacity to assess vulnerabilities.

A major breakthrough was the ratification, in March 2026, of the Agreement on Ukraine's participation in the EU Digital Europe Programme for 2021–2027. This enabled Ukraine, in June 2026, to obtain official **access to the EU Cybersecurity Reserve** under the Cyber Solidarity Act, administered by ENISA. The state now has direct access to services provided by vetted European private companies for rapid response to large-scale cyberattacks, containment of threats and system recovery.

Investigation of Collaborationism and Other Threats to the Foundations of National Security by the Security Service of Ukraine

In SSU practice, a particularly acute problem is the distinction between offences of collaboration under Article 111¹ of the CC of Ukraine, terrorism and war crimes. As noted by the UN Human Rights Monitoring Mission, the broad formulation of collaboration offences in the CC of Ukraine results in persons being prosecuted for work that was objectively necessary to sustain life in occupied territories and was carried out under coercion. Judicial practice often disregards the concept of insignificance under Part 2 Article 11 of

the CC of Ukraine and the atmosphere of fear in the TOT of Ukraine, relying instead on the formal fact that a person held a particular position. This overloads investigators with minor cases rather than allowing them to focus on systemic threats.

Public-policy documents **should prioritise the criminal prosecution of the most socially dangerous manifestations of collaboration** that legitimise the occupation authorities and pose a threat to society. At the same time, **the CC of Ukraine should be amended** on the basis of an analysis of the application of Article 111¹ since its criminalisation in 2022, including by taking account of international humanitarian law and the need to carry out certain activities necessary to sustain life in the TOT of Ukraine. The existing forms of the objective elements of the offence should also be clarified to avoid formulations that permit excessively broad interpretation and thereby undermine the principle of legal certainty.

Judicial Cooperation in Criminal, Civil and Commercial Matters

Cooperation with International Partners in the Field of Criminal Justice. Interaction with the European Public Prosecutor's Office

Important institutional developments took place in criminal justice cooperation. On 7 October 2025, the European Public Prosecutor's Office (EPPO) and SAPO signed a Memorandum of Cooperation. This created a direct communication channel for a joint response to offences affecting EU funds allocated to support Ukraine. However, a legislative inconsistency remains: **the NABU, rather than SAPO, remains the central authority for international cooperation in criminal cases falling within the NABU's investigative jurisdiction. Although SAPO's autonomy was substantially strengthened in 2023–2024**, the corresponding amendments to Article 545 of the CPC of Ukraine granting it the functions of a central authority have still not been adopted. **SAPO should therefore be added to the list of central authorities for international cooperation** in criminal proceedings through appropriate amendments to the CPC of Ukraine.

International Cooperation on the Recognition and Enforcement of Court Decisions, in Particular with Regard to International Recovery of Child Support and the Civil-Law Aspects of Child Abduction

Over the past twelve months, *moderate progress has been made in improving existing mechanisms for international cooperation in family law*. Ukraine continued to take measures aimed at improving the legislation governing the international recovery of maintenance and the civil aspects of child abduction. These measures include, above

all, establishing a legal basis for involving the free legal aid system in fulfilling Ukraine's obligations under the Convention on the Civil Aspects of International Child Abduction (1980 Convention), as well as continuing the pilot project on judicial specialisation in family and child cases.

At the same time, despite the measures taken, a number of barriers to the practical implementation of obligations in this area remain. These include lengthy consideration by national courts of cases under the 1980 Convention, the absence of judicial specialisation in family and child cases in Ukraine outside the pilot courts and insufficient training of professionals for the proper consideration of international family disputes. The previous Draft Law No. 10176 was withdrawn in July 2025, while new Draft Law No. 14252, which could have addressed some of these shortcomings, was also withdrawn following another change in the composition of the Government in July 2026.

To strengthen Ukraine's institutional capacity to protect the best interests of the child, efforts should continue to promote wider use of mediation in cases initiated under the 1980 Convention and to ensure appropriate training of professionals, including judges and state enforcement officers, dealing with international family disputes.

Implementation of the Directive (EU) 2019/1023 and Ukraine's Accession to Other International Treaties

Although a preventive restructuring **procedure was introduced in January 2025, it has not yet been widely used by business entities** facing financial difficulties. From 2025 through July 2026, only 15 cases concerning the application of this procedure were pending before courts, of which five resulted in approval of a preventive restructuring plan. This trend is due, on the one hand, to resistance by certain creditors to the use of preventive restructuring for various reasons, including unwillingness to agree to deferred repayment and concerns about possible abuse of protective measures by debtors, and, on the other hand, to shortcomings in the legislation and the absence of explanations or step-by-step guidance on the procedure, particularly for MSEs.

Some of these problems could be addressed by **Draft Law No. 15024**, which aims to introduce a simplified bankruptcy procedure for MSEs and improve the preventive restructuring procedure in light of the specific characteristics of such businesses. However, despite positive legislative changes, the draft law requires further revision due to a number of shortcomings, including the absence of criteria for identifying MSEs and clear mechanisms for judicial oversight, as well as failure to take account of the impact of adverse factors related to martial law on the time limits for the relevant procedures.

A positive development in this area was the Verkhovna Rada's adoption, on 12 March 2026, of Law No. 4820-IX on Ukraine's accession to the Convention on International Access to Justice. This provides Ukrainian citizens with simplified access to legal aid systems in other States Parties to the Convention in the course of judicial proceedings in civil and commercial matters.

Legal and Illegal Migration

Selected Strategic Directions for the Implementation of Migration Policy

The SMS remains the key body responsible for implementing migration policy, but combines an excessively broad range of regulatory, permitting, supervisory and law-enforcement functions, creating risks of formalistic approaches and insufficient external oversight. It would also be advisable to strengthen cooperation between the MoIA, SMS, SBGS and MFA, as ineffective interaction limits access by stateless persons, refugees and asylum seekers to documentation, consular support and the exercise of basic rights abroad.

Specifically, persons recognised as stateless in Ukraine cannot obtain documentation abroad and at the same time are unable to return to Ukraine to regularise their status. In 2025, cases were also recorded of unjustified suspension of social payments to persons in need of complementary protection because of inadequate information exchange between the SMS and the Pension Fund of Ukraine.

Integration measures planned for 2025, including the introduction of a single permit for employment and residence, analysis of social-protection gaps and information resources on language and culture, were not implemented. Stateless persons lack access to social protection and primary healthcare for a prolonged period, approximately three years, until they obtain a permanent residence permit. The adopted Law of Ukraine 'On Ensuring the Rights and Freedoms of Internally Displaced Persons', which will enter into force on 22 October 2026, did not take account of proposals to expand the categories of persons who may be registered as IDPs. As a result, stateless persons continue to be excluded from social guarantees linked to such registration. Proper integration of refugees and asylum seekers in Ukraine is still lacking.

Current legislation continues to use the stigmatising term 'illegal migrant', whereas EU law consistently moves away from it in favour of 'irregular migrant'. In 2025, following appeals by civil society organisations, a partial reduction in the use of the term 'illegal migrant' was recorded in the SMS's public communications.

Improvement of Migration Legislation Regarding the Status of Citizens of the European Union and Other Foreigners and Stateless Persons in Terms of Obtaining Immigration Permits, Temporary Residence, Family Reunification or Employment

Legislation governing the status of EU citizens and third-country nationals in relation to residence, employment and family reunification remains only partially aligned with the EU acquis. Implementation has not been completed of rules on the free movement of EU citizens and their family members, long-term residents, the 'Blue Card', seasonal workers, intra-corporate transfers, mobility of students and researchers and a single permit for employment and residence. The relevant tasks are included in the Rule of Law Roadmap and the draft State Migration Policy Strategy for the period after 2025.

In the field of labour immigration, procedures for the entry, stay and employment of foreigners remain complex and lengthy. An important step was the development of Draft Law No. 14211 by the Government, which provided for the introduction of a single temporary residence and employment permit, digitalisation of procedures, free access for EU citizens to the labour market, separate regulation of seasonal employment and the possibility for foreign students to remain in Ukraine for three months after graduation to seek employment. However, on 16 July 2026 the draft law was withdrawn following the change in the composition of the Government, creating a risk of delayed reform. A new draft law with a similar purpose should be submitted to Parliament as soon as possible, while also addressing the risks, highlighted by experts, of restricting the right to work for asylum seekers and certain categories of stateless persons.¹³³

A positive development in interagency coordination was the work of the Coordination Centre for Cooperation with the European Migration Network, within which the draft objectives of the new migration Strategy were discussed and approved between January and August 2026. At the same time, practical implementation of European integration commitments requires compliance with deadlines for implementing the EU acquis, the establishment of mechanisms for equal treatment of workers from the EU and stronger capacity among public authorities for joint management of migration processes.

Compliance with Migration Legislation of Ukraine by Foreigners and Stateless Persons

During the reporting period, the application of migration legislation to foreigners and stateless persons continued to demonstrate systemic violations of procedural safeguards and the rights of detained persons.

Although the CUAO provides a number of procedural safeguards for detained persons, it is common practice to draw up a protocol on an administrative offence and issue a decision imposing a fine on the same day, contrary to the Code's requirement for sequential consideration of the case. There is no effective mechanism for challenging the fact of detention itself. Cases have been recorded where administrative detention was applied together with a fine under Article 203 of the Code after expiry of the statutory limitation period, as well as cases where persons who applied to the SMS in good faith to regularise their status were detained, fined and expelled during that very application process.

Despite statutory procedural safeguards, including the requirement for reasoned decisions and the right to judicial appeal, the enforcement of return decisions is often objectively impossible because of visa restrictions, the absence of diplomatic missions of countries of origin and additional restrictions related to martial law. The statutory 30-day period for complying with a decision has no minimum threshold, so persons are sometimes given only one or two days, effectively making compliance impossible and artificially creating grounds for subsequent forced expulsion. Decisions on forced return continue to be adopted in respect of undocumented stateless persons despite an express legislative prohibition.

Following the 2023 expansion of the powers of the SMS, SBGS and SSU to adopt expulsion decisions without a court order, the number of such decisions increased. Some grounds for expulsion are evaluative and lack clear criteria for application, creating a risk

¹³³ Material provided by the Charitable Foundation 'Right to Protection' in preparation of this report.

of arbitrary interpretation. The SMS often proceeds directly to an expulsion decision, bypassing the intermediate stage of forced return. A case was recorded in which an asylum seeker was expelled to the country of origin in violation of the principle of non-refoulement.

Stateless persons placed in MCCs are denied access to the procedure for recognition as a stateless person because the relevant application may be submitted only in person at the place of residence. In practice, extension of detention in an MCC for up to six months is justified formally without proper assessment of proportionality; judicial proceedings may last up to five months, during which the person remains deprived of liberty. Existing MCCs in Ukraine need to be equipped with civil-protection shelters that comply with current building standards, as their absence is a critical deficiency in wartime.

The identified problems correspond to violations established by the ECtHR in cases concerning Ukraine and other states, including 'Hoti v. Croatia' (2018), regarding the state's obligation to provide an effective regularisation procedure for stateless persons, and 'Shoygo v. Ukraine' (2021), regarding the unjustified prolonged detention of an undocumented person in an MCC because identification was impossible.

Readmission Procedure. Readmission Dialogue and Return

Since 2022, the practical use of readmission procedures has declined substantially because of changes in migration flows, the closure of air traffic and strengthened border controls. At the same time, continued readmission dialogue with countries of origin or transit of irregular migration, international cooperation on the identification and documentation of persons and automation of the receipt, transmission, registration and processing of readmission requests remain necessary.

Readmission, forced return and expulsion procedures remain lengthy because of insufficient coordination between the SBGS, SMS and MFA, the absence of an integrated electronic system and the lack of clear data-exchange algorithms. Timeframes for considering readmission requests should be shortened and the completeness of records on implementation of Ukraine's international readmission agreements improved.

The Situation Centre for Monitoring Migration Processes and Analysing Migration Risks requires further development, while the Risk Analysis Methodology for Countering Illegal Migration also needs to be updated. Automated monitoring of compliance with return decisions should be introduced, a regulatory framework established for interagency cooperation, voluntary-return procedures improved and mechanisms developed for regularising certain categories of irregular migrants in line with European approaches.

Asylum

Overall, *no progress* has been made in the field of asylum. There is still a need to distinguish between the institution of asylum, established at constitutional level as a presidential power, and the institution of international protection, for which the recognition procedure is regulated in detail by a separate law and falls within the competence of the SMS. This lack of clarity leads the SMS, without proper justification, to refuse to ap-

ply administrative-procedure principles to the procedure for granting refugee status by equating asylum with international protection.

The practice continues of the SMS refusing to accept applications for recognition as a refugee without issuing a written decision. Such refusals are given orally, with references to martial law, missed application deadlines or the position of the UN Refugee Agency that Ukraine is an unsafe country of origin. They have been recorded in respect of applicants of different nationalities, demonstrating the systemic nature of the problem. Courts have repeatedly found such inaction by the SMS unlawful. This practice is also inconsistent with Regulation (EU) 2024/1348, which requires decisions to be issued in writing.

The staffing capacity of the SMS is declining, from 4,814 employees at the end of 2024 to 4,704 by summer 2026. Only 58 officials were directly responsible for examining applications for international protection as of the end of 2025, compared with 86 in 2024.¹³⁴ Budget funding for the SMS also declined,¹³⁵ making the effective examination of asylum seekers' applications more difficult.

Under Law No. 2952-IX,¹³⁶ SBGS bodies do not accept applications for international protection during martial law. This restriction applies collectively, without an individual assessment of the person's need for protection, creating a risk of violating the principle of non-refoulement. The issue is being considered in the context of execution of the ECtHR judgment in 'Kebe and Others v. Ukraine' and is inconsistent with Article 30 of Regulation (EU) 2024/1348.

A certificate confirming an application for protection in Ukraine is not recognised as an identity document, complicating border crossing, the exercise of applicants' rights and access to services, particularly under martial law. Problems that remain unresolved include shortages of interpreters, especially for less common languages, the absence of digitalisation of documents of refugees and asylum-seekers, substantial delays beyond statutory time limits in considering applications, sometimes lasting for years, the SMS's use of unreliable country-of-origin information, limited access to effective free legal aid and the absence of a systematic mechanism for identifying vulnerable categories of applicants other than unaccompanied children.

Visa Policy

Ukraine's visa policy is largely aligned with the EU acquis as regards the examination of applications and the criteria and procedures for issuing visas. At the same time, the task under the Rule of Law Roadmap to determine the model/format of Ukraine's visa policy in line with EU visa policy, scheduled for the fourth quarter of 2025, remained unimplemented as of August 2026. The absence of approved strategic documents following the expiry of the previous strategies in 2025 is also slowing implementation of tasks in this area.

¹³⁴ Information provided by the State Migration Service of Ukraine in letters No. ZPI-ORG-310-26/10.1/230-26 of 21.07.2026, No. ZPI-B-3-26/4.1.2/40-26 of 10.02.2026 and No. ZPI-ORG-185-25/4.1.2/183-25 of 25.04.2025.

¹³⁵ Information provided by Tetiana Anakina, PhD in Law, Associate Professor at the Department of EU Law of Yaroslav Mudryi National Law University, during an interview conducted on 12.03.2026.

¹³⁶ On Amendments to Certain Legislative Acts of Ukraine on the Protection of the State Border of Ukraine: Law of Ukraine No. 2952-IX of 24.02.2023.

The lack of a legislative definition of the concept of a 'migration risk country', criteria for including and removing states from the relevant list and the authority responsible for doing so remains unresolved. In the context of EU integration, Ukraine should gradually align its lists of visa-required and visa-exempt countries with EU policy, which will require appropriate public communication regarding the possible introduction of visas for nationals of certain states. The MFA should develop the model/format of visa policy; the MoIA and the SMS should regulate the concept of a 'migration risk country'; and the MFA, SSU, SMS and SBGS should update the Risk Analysis Methodologies for counter-ing illegal migration. The institution of 'liaison officers' in Ukraine's diplomatic missions in countries of origin or transit of illegal migration should also be further developed.

Integrated Border Management

Notable progress was recorded in integrated border management, particularly in strengthening interagency coordination and preparing for integration into the Schengen system. At the same time, as of August 2026, the new Integrated State Border Management (ISBM) Strategy for the period after 2025 had not been approved, meaning that ISBM actors had been operating for more than six months without a valid strategic document. Approval of the Strategy together with an action plan for its implementation should be one of the priority tasks of the new strategic cycle.

Schengen and External Borders

The key achievement from September 2025 through August 2026 was the establishment of an Interagency Working Group on Coordination of Measures in the Field of Schengen Management and four temporary working groups covering the main areas of the Schengen acquis. Screening of legislation and preparation of the draft National Schengen Strategy have commenced.

In July 2026, interim results of the analysis of acts in the area of external border management were presented. This process requires systematic involvement of international experts, an official list of relevant Schengen legislation and adequate expert and translation support for the temporary working groups.

A National Schengen Coordinator should also be appointed to ensure coordinated planning, decision-making and implementation of measures across all ministries and agencies involved in Schengen-related areas.

The transfer and processing of passenger data (API/PNR) and certain aspects of information exchange within the European Border Surveillance System (Eurosur) remain unregulated. The status and powers of the authorities that will interact directly with the European Border and Coast Guard Agency (Frontex) in accordance with Regulation (EU) 2019/1896 also still need to be established in law.¹³⁷

It is necessary to complete the analysis of EU acts that remain unreviewed, re-examine conclusions concerning acts already analysed and designate the responsible national authority for cooperation with Frontex.

¹³⁷ Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No. 1052/2013 and (EU) 2016/1624.

Implementation of Strategic Documents in the Field of Border Management

Key results of implementing the Integrated Border Management Strategy until 2025 include the criminalisation of smuggling of goods and excisable goods, regulation of the use of criminal analysis, development of interagency information systems, transition to the New Computerised Transit System (NCTS) Phase 5, extension of joint border and customs control to certain sections of the border, approval of the Strategy for the Development and Improvement of Border Infrastructure with the Countries of the European Union and the Republic of Moldova until 2030 and establishment of coordination mechanisms in the area of ISBM. The draft new ISBM Strategy incorporates 15 nationally adapted components of European integrated border management and gives particular attention to cooperation among public authorities, local self-government bodies and civil society organisations.

From September 2025 through August 2026, positive developments took place in the digitalisation of customs procedures: the SCS introduced NCTS Phase 6. At the same time, further integration of customs systems with European systems, stronger anti-corruption mechanisms and enhanced interagency and international cooperation are needed. In the area of joint control, the 'Nyzhankovychi–Malhowice' border crossing point became operational, but agreements on joint customs and border control with neighbouring EU Member States have not yet been concluded. The NSDC and the Government should approve the new ISBM Strategy and its implementation action plan without delay, while the relevant authorities should intensify negotiations on joint control.

List of public authorities, auxiliary and advisory bodies, and state institutions that shape and/or implement state policy in the relevant areas, whose representatives took part in interviews, consultations and written surveys within the framework of assessing Ukraine's progress in implementing the European Commission's recommendations within the Cluster 1 'Fundamentals of the Accession Process'

1. Administration of the State Border Guard Service of Ukraine
2. Administration of the Verkhovna Rada of Ukraine
3. Central Election Commission
4. Commissioner of the Verkhovna Rada of Ukraine for Human Rights (representatives)
5. Constitutional Court of Ukraine
6. Council of Judges of Ukraine
7. High Anti-Corruption Court
8. High Council of Justice
9. High Qualification Commission of Judges of Ukraine
10. Military Ombudsman
11. Ministry of Finance of Ukraine
12. Ministry of Justice of Ukraine
13. National Agency on Corruption Prevention
14. National Anti-Corruption Bureau of Ukraine
15. National Bank of Ukraine
16. National Police of Ukraine
17. National School of Judges of Ukraine
18. Office of the Deputy Prime Minister for European and Euro-Atlantic Integration
19. Office of the Government Commissioner for Gender Policy
20. Office of the President of Ukraine
21. Prosecutor General's Office
22. Public Integrity Council
23. Research Service of the Verkhovna Rada of Ukraine
24. Secretariat of the Cabinet of Ministers of Ukraine
25. Secretariat of the Commissioner of the Verkhovna Rada of Ukraine for Human Rights
26. Security Service of Ukraine
27. State Bureau of Investigation
28. State Judicial Administration of Ukraine
29. State Migration Service of Ukraine
30. State University of Trade and Economics
31. Supreme Court
32. Uzhhorod National University
33. Verkhovna Rada of Ukraine
34. Yaroslav Mudryi National Law University

