



Experts pointed out the disadvantages of anti-corruption policy in Ukraine

On May 15, 2012 Working Group 1 "Democracy, human rights, good governance and stability" of the Ukrainian National Platform the EaP CSF issued a statement regarding the law of Ukrainian Parliament № 2837 "On Amendments to Certain Legislative Acts of Ukraine on implementation of the state anti-corruption policy" of May 14, 2013.

Experts emphasized the support of a number of changes in the improvement of existing anti-corruption legislation concerning the refinement and expansion of legal terms "close person" and "conflict of interest", to improve monitoring of conflict of interest, open to the public free access to the data of a single register of persons who committed corruption offenses, establishment of the mechanism to control the accuracy of information on officials' declarations, distribution requirements and restrictions imposed by the Law of Ukraine "On Prevention and Combating Corruption" on local councils and anti-corruption expertise of existing regulations.

However, Working Group 1 also noted significant shortcomings of the Act, at which attention must be paid, namely - financial control over the accuracy of information on officials' declarations, anti-corruption expertise of legal acts and public access to information officials' declarations.

WG 1 participants believe that the proposed in the law mechanism of financial control over the accuracy of information on officials' declarations is inefficient and biased because controllers of the authorized units that will operate within the structure of the same ministries and departments will be entitled to inspect their superiors and colleagues.

Instead, the experts suggest a specialized anti-corruption institution that will carry out financial control over the accuracy of information on officials' declarations officials and employees and which will not depend on the ministries and departments, as proposed under the bill declined "On the National Anti-Corruption Bureau» (№ 2218 of 02.07.2013).

Achievement of efficiency verification of declarations' accuracy information would be possible with the mandatory response to conflict of interest and corruption risks in the activity of officials who became public through publication in the media and were identified as a result of public corruption expertise. Also, it would help to establish more effective communication between the institutions of civil society, which monitor government activities in order to identify corruption risks and the relevant state and local authorities.

WG 1 experts find it necessary to extend the mechanism of anti-corruption expertise with the active involvement of civil society and the development of clear, understandable and public mechanisms and procedures to promote civil society anti-corruption expertise and transparent

examination and consideration of its results. An important element is the widespread practice of corruption expertise of draft legal acts for regional and local levels.

In the opinion of WG 1 the mechanism of publication of declarations of officials must be changed in the relevant official web sites, because according to the law, the disclosure of the declarations on the Internet is optional. Alternatively, it is possible disclosure declarations in official publications that don't ensure openness and accessibility and it complicates public participation in activities for preventing and combating corruption. The establishment of transparent and clear manner of declarations disclosure and specially created official internet-portal will be the most effective way to solve this problem. This website will be public access channel to information about income, expenses and financial obligations of state officials and local governments.

At the same time, WG 1 has expressed hope for further consideration of comments and declared its readiness to provide organizational expertise to representatives of Ukrainian authorities in order to improve anti-corruption legislation and to provide public examination of its implementation.

Experts believe that the adoption of the law "On Amendments to Certain Legislative Acts of Ukraine on implementation of the state anti-corruption policy" of May 14, 2013 is a significant step towards Ukraine's European integration.