

# Ukraine. Annual Report Transparency international

2018

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# **Transparency International Ukraine**

is an accredited chapter of a global movement with a comprehensive approach to development and implementation of changes for reducing levels of corruption.

## Our mission

To reduce the level of corruption in Ukraine.

Strategic priorities 2019-2021



# **CORRUPTION PREVENTION**

Mitigate corruption risks at the national and the local level by increasing transparency and accountability in authorities' work.

# **ENGAGEMENT IN ANTI-CORRUPTION ACTIVITY**

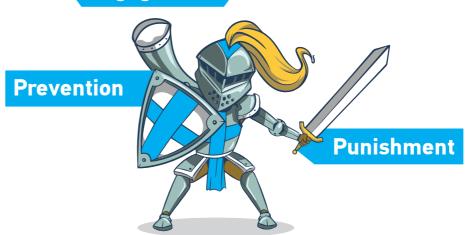
Engage the maximum number of participants and create conditions enabling them to unite into effective networks by providing them with regular support.



# **PUNISHMENT FOR CORRUPTION**

Ensure an effective system of punishment for corruption-related violations.





# **Board**



Yaroslav YURCHYSHYN Chair of the Board, Executive Director of TI Ukraine (2016-2018)



**Yulia KLYMENKO**Former Deputy Minister
of Economic Development and Trade



**Tomas FIALA**Chief Executive Officer of the
Ukrainian investment company
Dragon Capital



José UGAZ
Professor of Law,
Chair of Transparency International
(2014-2017)



**Andrii VYSHNEVSKYI**Executive Director
of Tomorrow's Lawyer CSO

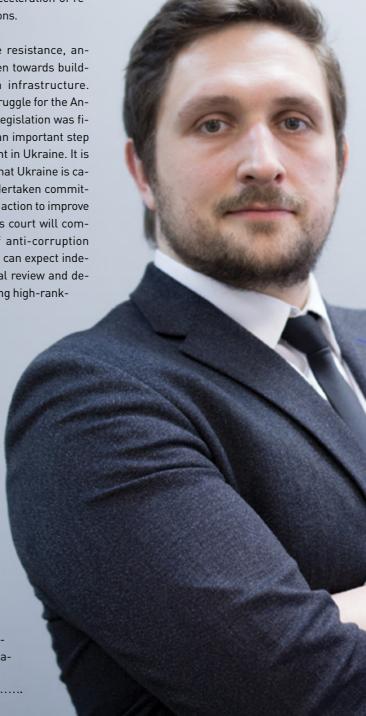
# Andrii Borovyk Executive Director

# **YEAR 2018:** The Slow Ukrainian Anti-Corruption Reform Is Underway

Last year marked the fifth anniversary of the Revolution of Dignity. It was an intense year, yet there was no acceleration of reforms ahead of the elections.

Despite insurmountable resistance, another step has been taken towards building the anti-corruption infrastructure. After over two years of struggle for the Anti-Corruption Court, the legislation was finally adopted. This was an important step in the anti-corruption fight in Ukraine. It is a signal to our partners that Ukraine is capable of fulfilling the undertaken commitments and willing to take action to improve the judiciary system. This court will complete the framework of anti-corruption agencies. As a result, we can expect independent, objective judicial review and decisions in cases concerning high-ranking corrupt officials.

Currently, for our organization, the goal of ensuring unavoidable punishment for corruption-related offenses is unattainable. Bringing high-ranking officials to justice still remains something to which we aspire rather than an accomplished fact. None of the major corruption-related cases (those of Nasirov, Martynenko etc.) has yet led to an actual conviction. In many cases, obsta-



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It was an intense year, yet there was no acceleration of reforms ahead of the elections.

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cles are conjured up at the pre-trial investigation stage, and proceedings are either closed midway or dragged out at the trial stage. In addition, 2018 was a year marked by several scandals in the anti-corruption sector. Unexpectedly, the integrity of the newly-created anti-corruption agencies themselves came into question. However, the NABU and the SAPO started increasingly numerous cases against high-ranking officials. Simultaneously journalists and activists have continued their work exposing corruption. As a result, anti-corruption agencies are subjected to political and populist pressure, whilst activists, in turn, fear for their own safety.

During the past two years, attacks on activists and public figures have escalated – there have been over 50 attacks across the entire country. The attack on Kherson activists and local council member Kateryna Handziuk was fatal. Unfortunately, Kateryna died having never found out who ordered this attack and why. And yet, Ukrainian society will make sure this question is answered.

As it continues developing and upgrading, the electronic Prozorro system remains a symbol of successful Ukranian reform.

Last year a Prozorro component was introduced which automatically identifies suspicious tenders and sends them to the State Audit Service to be processed. Meanwhile, Ukraine continues to receive international awards and recognition. The

DOZORRO monitoring portal was recognized by OGP as a star project for enlisting citizens as corruption watchdogs.

Furthermore, DOZORRO now employs artificial intelligence to help identify potential elements of corruption in public procurement and make the work of expert monitors more efficient. The electronic platform of public auctions ProZorro.Sale, which we launched alongside the Deposit Guarantee Fund (DGF) in 2016, received the international anti-corruption award from C5 Accelerate and the USA Institute of Peace. Small-scale privatization, launched on the basis of this platform, is now carried out across the entire country, bringing extra revenue to local budgets.

In 2018, decentralization reform continued to shift more resources and powers to the local level. Actively working alongside the biggest Ukrainian cities, last year we contributed to the improvement of transparency in more than 30 cities, significantly reducing the risk of corruption.

I am thankful to the team of Transparency International Ukraine and our partners for all the results we obtained last year. Given 2019 is the year of presidential and parliamentary elections, we can probably expect a pause in reforms. There will be change, undoubtedly, but there will probably be more talk than concrete action. It will be a time to take a good look at the successes and failures of recent years, regroup, accumulate all possible resources and prepare for new victories after the election fuss concludes. Most importantly, we have to remember that fighting corruption "is a long and laborious process that can be carried out only by a very strong group of leaders with the strength and moral authority derived from unquestioned integrity" (Lee Kuan Yew).

# Ukraine's Progress Has Only Been Made Possible by the Efforts of Civil Society

# Delia Ferreira Rubio Chair of Transparency International



"

Much of the anti-corruption progress achieved so far has only been made possible by the efforts of civil society and international partners of Ukraine.



In the years following the 2014 Revolution of Dignity, Ukraine has gradually improved its performance in the Corruption Perception Index (CPI), increasing its score by 7 points since 2013. Although Ukraine improved its CPI score by two points in 2018, achieving a score 32 out of 100, the enforcement of anti-corruption reforms launched in 2014 remains incomplete, leaving Ukraine well below the average global score of 43. Much of the anti-corruption progress achieved so far has only been made possible by the efforts of civil society and international partners of Ukraine.

Civil society in Ukraine is all too often exposed to threats, intimidation and hate speech, and this trend has been growing. The world was shocked by the death of anti-corruption activist Kateryna Handziuk in November 2018 following an acid attack. Her tragic death was made worse by the failure of law enforcement agencies to investigate the case in a timely manner, despite the appeals of a broad range of Ukrainian and international actors. More needs to be done to protect activists and the civil society space.

Ukraine has made significant efforts to establish a comprehensive institutional infrastructure to deal with the most critical areas of corruption. However, the situation with the anti-corruption bodies remains uneven. The National Anti-Corruption Bureau (NABU) is up and running, and has already prosecuted around 500 corrupt officials, but the National Agency for the Prevention of Corruption (NAPC) remains a work in progress. Consistent and genuine political will is needed if these bodies are to fully exercise their mandate.

2018 was a significant year for Ukraine because the High Anti-Corruption Court (HACC) was legally established. The court is the judicial system's missing link, needed to complete work on cases of top-level corruption. TI Ukraine led the advocacy and awareness campaigns for the HACC from the moment the concept emerged three years ago, successfully arguing that only a separate court with independent judges would be able to tackle cases of grand corruption. Throughout 2018, Ukrainian civil society has been tirelessly working to ensure an independent, non-partisan selection process for the new judicial body.

Automated VAT refunds, successful work of the business ombudsman's office, and the extension of the public e-procurement system ProZorro and ProZorro.Sale (developed and hosted by TI Ukraine) are among other major achievements in 2018.

Ukraine's Presidential election campaign is now in full swing. The next government must demonstrate exceptional political will and pursue a constructive engagement with civil society to turn Ukraine into a more transparent country, where the rule of law and human rights are not only respected, but championed. Civil society will continue to be at the forefront of anti-corruption work, and Transparency International Ukraine is committed to continue pushing for positive changes for all Ukraine's citizens.



# Support of the Anti-Corruption Infrastructure

Civic Support of High Anti-Corruption Court Establishment

Support to the Asset Recovery and Management Agency

# Civic Support of **High Anti- Corruption Court Establishment**

# **Project Goal**

Establishment of an independent judicial institution to administer fair justice in high-profile corruption cases and ensure unavoidable punishment for corrupt officials.

# Why It Matters

Despite the reboot of the Judiciary after the Revolution of Dignity, neither the principle of the rule of law, nor fair justice, was ever fully established. Every year top-corruption steals billions from the national budget and, according to the IMF evaluation, costs the Ukrainian economy at least 2% in GDP. An independent judicial institution which would administer justice in top-corruption cases effectively and within a reasonable timescale would reduce the level of corruption in Ukraine, as well as having a positive impact on economic growth.

# **Achievements**

The Verkhovna Rada adopted the Law of Ukraine "On the High Anti-Corruption Court" and "On Introducing Changes to the Law of Ukraine 'On Judiciary and the Status of Judges."

A civic assessment of the 100 candidates was performed, and an "unworthy list" was compiled.

There were 342 candidates who applied for the position of High Anti-Corruption Court judges. 55% of the candidates never worked in the judicial system before.

The first stages for selection of the High Anti-Corruption Court judges took place.



## **Action We Took**

We advocated the specialized law. We communicated with members of parliament from all the parliamentary factions and prepared draft amendments to the text of the law which were subsequently submitted for review by MPs. We also participated in meetings of the parliamentary Committee on Legal Policy and Justice and the Committee on Corruption Prevention and Counteraction. We communicated with the government, the civil society sector and entrepreneurs.

We promoted competition in High Anti-Corruption Court appointments. We urged the law community to participate actively in the competition to become High Anti-Corruption Court judges. To achieve this, we communicated with lawyers, scholars and judges, and established a partnership with the Ukrainian Bar Association. We also organized a series of regional discussions where we encouraged legal professionals to apply for selection.

**We monitored HACC candidates.** We studied the candidate profiles, verified the judicial decisions they made, and analyzed open sources and information databases. We also presented a list of candidates whom we had identified being of questionable integrity in 2019.

# Recognition

Partners on
TI Ukraine's
contribution
into AntiCorruption Court
establishment:



# ANDRII STELMASHCHUK,

President of the Ukrainian Bar Association

The Transparency International Ukraine team made a significant contribution towards the establishment of the High Anti-Corruption Court. Thanks to their active work on promotion of the HACC competition, the colleagues motivated more legal professionals to participate. In the summer of 2018, the Ukrainian chapter of Transparency International and the Ukrainian Bar Association organized four expert discussions concerning competition for the High Anti-Corruption Court. This helped to convey the importance of participation and also to clarify the procedure.



I was the main advocate of the law in the Verkhovna Rada but stayed as far away as possible from the competition procedure because I believe politicians should not get involved. Nevertheless, I am following the competition closely. And I am glad that international partners are involved in the competition and made good use of their veto right. Naturally, I am very thankful to civil society organizations, especially my favorite AntAC and Transparency International Ukraine. They helped our colleagues to figure out what kinds of people were applying."

# Team

Maksym Kostetskyi Project Manager Oleksandr Kalitenko Analyst

Legal Advisor

Olesia Koval

Communications Manager

Taras Kovalchuk

**Our Donor** 

**USAID SACCI** 



# Let's Start Our Fight with the Things That Do the Most Harm

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The Public Council of International Experts showed how to interview questionable candidates.

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Those who say "all courts have to be anti-corruption" often just manipulate public opinion. The rule of law in Ukraine has turned into a political promise as opposed to an actual enforceable principle. It is true every court has to be an institution that administers objective and fair justice, and we will get there. But let's start with the things that do the most harm to the economy and the country: top-corruption.

The Anti-Corruption Court may jumpstart changes in the entire judicial system. If the court is launched successfully, and under the condition of coordinated work of the NABU and the SAPO, we will have a wonderful example of a professional judicial institution that delivers verdicts in top-corruption cases objectively and within a reasonable timescale. It will serve as an example for the entire judiciary and stimulate its reform. I hope that the HACC will finally give Ukrainian society a sense of justice and an opportunity to defend themselves if their legal rights are violated.

Without international experts' veto, many unworthy candidates could become Anti-Corruption Court judges. The Public Council of International Experts showed how to interview questionable candidates and apply the standard of reasonable doubt about their integrity. I believe the engagement of international experts and the public in judicial governance agencies may help to reboot the entire Ukranian judicial system.

It is important to act according to our strategy. I always ask myself if this or that step is consistent with our wider strategic vision and, importantly, whether it will help us achieve our goal. If it is not, we can look for an alternative path or for a different tactic. I believe in the idea that if there is a will, there is always a way.

In our project, every day is different. There are many options: we can analyze legislation or draft legislative amendments, conduct a public event with the presentation of our concept and discussion of legal aspects, analyze judges' declarations or their judicial decisions. We also advocate necessary legislative changes to key stakeholders, prepare detailed publications and articles, and organize meetings.

The most difficult thing for me, as a lawyer, is to keep a cool head and stay grounded. A significant part of our work concerns civic activity and the protection of citizens' interests from abuse by public officials. Nevertheless, it remains important to use legal methods to protect citizens' rights and interests and to build an overarching strategic vision of potential policy changes.



# Support to the Asset Recovery and Management Agency

# **Project Goal**

Assistance to the Asset Recovery and Management Agency (ARMA) in its establishment and civic monitoring of its activity.

# Why It Matters

The ARMA is a component of the anti-corruption infrastructure and has to fulfill its legal functions. The ARMA was created to provide a transparent mechanism for the recovery of stolen assets from abroad and effective management of already-seized assets. The launch of such an agency is one of the international commitments undertaken by Ukraine. The National Agency was built from scratch akin to other European asset recovery and management agencies. At this early stage of the Agency's activity, it is not only crucial to ensure its activity is transparent, but also to organize its work in line with the equivalent international standards. Equally, it is important to launch stable civic oversight mechanisms for the National Agency's activity, since they work with many "sensitive" assets that are strategically important, and operate under significant public scrutiny.

# **Achievements**

The ARMA entered the media space. Basic external communications with the media, civil society and other public institutions were established.

The public monitors the competition for job openings in the ARMA.

Comprehensive legislative changes have been developed which will enable the ARMA to perform its functions more effectively.

# ARMA entered the media space

# ARMA Reports Owners of Seized Assets Pressure It

У Нацагентстві в розшуку та управління постійний тиск та спротив від власників

Про це хоявив голово АРМА Антон Яниј

"Спротив представлений комплексом ас фізичний спротив – безпосередня прот — це медійна площини: потужний розгог інформації. Це такий собі "мінс", який заYanukovych's Apartment in Kyiv to Be Leased





## **Action We Took**

We ensured effective communication of the ARMA's activity. We developed a communications plan for the ARMA. To implement it, we provided the agency with technical support and expertise. For instance, we also conducted workshops and seminars for the ARMA staff on crisis communication. Our team organized a number of events and activities engaging experts, the public and journalists to clarify the ARMA's functions, explain specific cases and discuss any issues with the Agency's work.

We participated in the development of regulatory amendments. We analyzed the present legislation and, alongside ARMA, put forward a number of amendments to the specialized law on the Agency as well as other laws. As of early 2019, this draft law is already being reviewed by the Cabinet of Ministers of Ukraine. TI Ukraine also analyzed the current system for sale of seized assets and suggested possible improvements.

We monitored the competition for job openings in the Agency. We ensured transparency and openness during the competitive selection for vacant positions in the ARMA. TI Ukraine monitored all selection, representing the public interest in this process.

# Recognition

Partners on TI Ukraine's contribution into ARMA establishment -99

ANTON YANCHUK,

head of the Asset Recovery and Management Agency

The National Agency highly values the cooperation that has been established with Transparency International. Among other things, Transparency International has a vast knowledge of asset finding and tracing, which are reasonably important to the National Agency. In addition, as part of our cooperation, TI facilitates the Agency's access to information resources necessary to perform its professional functions.

**)** Μ

MANFREDAS LIMANTAS,

Anti-Corruption Sector Manager at the EU Delegation to Ukraine

We are proud that the EU grantee Transparency International Ukraine is day by day helping the ARMA to become an established and respected institution both in Ukraine and beyond. Hopefully, the ARMA will soon be making a real difference in criminal asset recovery and management for the benefit of Ukrainian people.

**Team** 

Andrii Borovyk

Project Manager

Kateryna Ryzhenko

Legal Advisor

Oleksii Danyliuk

Lawyer

**Our Donor** 

**European Commission** 

# Olesia Koval

Communications Manager **Oleksandra Komisarova** Communications Manager

# Kateryna Ryzhenko Legal Advisor



# On Assets That Were Supposed to Go to the National Budget but Ended Up in Certain People's Wallets

Both the citizens and the public authorities are interested in recovering and reimbursing as much stolen money as possible from corrupt officials. Assets obtained through corruption are funds that high-ranking public officials misappropriated through criminal schemes, theft, and abuse of power. These were supposed to go to the national budget but ended up in certain people's wallets instead. That is why it is essential to establish that the individual in question, whether suspected or accused, owns such assets. Another key goal is to preserve the value of seized funds until the court delivers its verdict in a criminal case. Both these mechanisms can and should bring revenue to the national budget, or, in other words, to us as citizens.

# Management of seized assets is a story of "big money."

In the so-called "Klymenko cases" alone over 40 high-end apartments in Kyiv and Odesa, over 30 parking places, 20 land plots and a number of corporate rights have been seized and transferred to the ARMA. That is why it is so important for the Asset Recovery and Management Agency to work effectively and use the available resources efficiently.

When I first entered Mezhyhiria, I expected to see unprecedented luxury. Yet I was still dumbstruck by the sheer scope of the assets used by the former president for free. Only an effective management system for corrupt assets can ensure recovery of this residence to public property.

Our colleague visited the seized heat and power plants near Lviv when they were being transferred to the temporary manager. Together with the ARMA, the NABU, the MIA, and the local authorities and representatives of the plant owners, he witnessed something quite unique – the transfer of seized heat and power plants to a temporary manager. We were un-

sure whether it would actually be successful. Considering the strategic importance of these assets and the private interests of the business and the local citizens, nobody could foresee the conclusion to this corruption story. We realized that the heating for almost 30,000 people was under threat! To understand the situation on the ground, and to see how all the parties felt, our lawyer personally went to Lviv Oblast to observe the unfolding events. Witnessing such a fraught and important event made quite an impression on him...

Every time people ask me to provide them with some figures for reporting, I give a wry smile. Support to the ARMA establishment is not only about figures, but also about qualitative change. During the past year, we prepared a number of amendments to laws, monitored the selection of ARMA staff and reinforced the Agency's communications. When you see this public agency, still described as "newly created," already boasting of many success stories and crises that they have resolved, it really motivates you to keep going.

For me, one of the main challenges in our work is speed. In Ukraine, everything changes incredibly rapidly and inconsistently. To that extent, the reaction has to be very fast, too. Given the flow of information and the rate at which various things happen in our anti-corruption system, it is sometimes hard not to lose your vision of the big picture and to prioritize what really matters.

# **Corruption**Prevention

DOZORRO
Civic Control over
Public Procurement

Development of — the ProZorro.Sale System

Encouraging Local Self-Government Transparency



# **DOZORRO** — Civic Control over Public Procurement

# **Program Goal**

Uniting the civil society for control over public procurement and ensuring equal rules for everyone in the ProZorro electronic system.

# Why It Matters

Since 2016, public agencies and enterprises have started using ProZorro for procurement of goods, works and services. This electronic system is among the most progressive worldwide and allows anyone to see how taxpayers' money is spent. However, transparency by itself has not eliminated abuses from the public procurement sector. In 2018, civil society organizations from the DOZORRO community identified violations in thousands of tenders. To overcome corruption, we have to ensure civic and public control over observance of procurement legislation, and in the future – punishment for repeated offenses. At the current stage, it is impossible without the consolidation of civil society representatives interested in honest procurement and systematic improvement of the legislation. The ProZorro system also requires the development of analysis tools and upgrade of stakeholders' professional levels.

## **Achievements**

The State Audit Service of Ukraine has started monitoring of procurement in the ProZorro system using risk indicators implemented on the basis of TI Ukraine's recommendations.



The DOZORRO community has grown and now includes 25 civil society organizations that found violations in almost 10,000 tenders in 2018.



The DOZORRO community has focused on a new domain in 7 regions of the country – it inspects the procurement of medication.

Medical Procurement BI Module has been developed to analyze medication procurement.



## **Action We Took**

**We advocated legislative change.** The DOZORRO team participated in the assessment of 33 draft laws in the public procurement sector.

We developed and improved analytical tools. We integrated additional open data-based services in the Public BI Module of ProZorro (YouControl, OpenDataBot, Clarity Project, Sud na Doloni) and added the planning stage in procurement. We developed the Medical Procurement BI Module, which enables identification of inefficient and corrupt procurement in the healthcare sector and research of the medical procurement market. We upgraded the Professional BI Module, which included the display of the State Audit Service monitoring results. We organized training on the use of the module for public authorities, state-owned enterprises, anti-corruption and supervisory agencies: the NABU, the State Audit Service, the Anti-Monopoly Committee, the National Police, the Accounting Chamber etc. We promoted analytical tools among representatives of the business, procuring entities, law enforcement agencies and researchers. We published 20 videos and 43 text guidelines on the use of our tools.

We implemented innovative technology. We made DOZORRO the first platform in the world using artificial intelligence algorithms to identify corruption risks in procurement. The DOZORRO community analyzes Al's results, which enables gradual improvement of its accuracy over time. We provided every user on the DOZORRO portal with an option to filter procurement by almost 40 risk indicators and types of feedback. Our team added profiles of procuring entities and participants to the portal, which contain aggregated information on competitors, feedback, complaints and contracts. We also created an online map with 8 oblast centers of Ukraine which reflects procurement by secondary schools and kindergartens. It provided parents with an opportunity to monitor the expenditures of educational institutions where their kids study.

We reinforced the DOZORRO community. We organized intense training for representatives of the 25 civil society organizations that make up the DOZORRO community. We introduced moderation of prepared letters of complaint by DOZORRO community members and the option to provide feedback on their work in order to help them grow professionally. We created DOZORRO profiles for governing bodies of procuring entities to increase the efficiency of procurement made by their departments. We started forming a network of regional journalists that cover procurement violations in local media and draw citizens' attention to the procurement sector. Now, the network includes seven journalists. As part of the DOZORRO Air Force project, we organized comprehensive training in Poltava for procuring entities, entrepreneurs and journalists. We conducted an awareness campaign for local citizens on controlling municipal expenses using open data and DOZORRO tools.

We researched the public procurement sector. DOZORRO analysts prepared three studies: Public Procurement Reform in Ukraine and ProZorro Results, Parental Patrol: Opaque School Procurement and Medical Procurement in ProZorro: Express Examination 2.0. In our reports, we described trends, problems and ways to resolve them in the respective sectors.

# Recognition



"Civil society organization that makes the biggest contribution into the system development"



TOP 12 projects for citizen engagement in reforms

according to Open Government Partnership

This was the title awarded to D070RR0 and TI Ukraine by the bidding platform Zakupki.Prom.ua

# **Team**

Ivan Lakhtionov

D070RR0 Coordinator

Artem Babak

DOZORRO Information Department

Coordinator

Illia Bibov

Expert on Implementation of BI Tools

Nataliia Vyniarchuk

**Donor Coordinator** 

Oleksandr Havryliuk

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Marta Hohol

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SMM Manager

Artem Davydenko

Head of the Analytics Department

# **Arina Kuts**

Analyst

Anastasiia Mazurok

M&E Expert

Viktor Nestulia

Director of the Innovation Projects

Program

Serhii Pavliuk

Project Manager

Andrii Tymofeiuk

Expert on Development of BI

Modules

**Anastasiia Ferents** 

Coordinator of Regional Competence

Centers

## **Our Donors**

Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH

Eurasia Foundation Luminate, part of the Omydiar Group European Bank for Reconstruction and Development (EBRD)

Open Contracting Partnership

UKAID

**USAID** 

**USAID SACCI** 

**Western NIS Enterprise Fund** 

International Renaissance Foundation

Transparency and Accountability in Public Administration and Services

(TAPAS)



# Development of the Prozorro. Sale System

# **Project Goal**

Prevention of corruption in the sector of public sales through supporting a transparent and efficient electronic trade system.

# Why It Matters

Until recently, sales of public and municipal property were made using opaque and often corrupt schemes. As a result, the national and municipal budgets lost funds they could have otherwise used for development of infrastructure and education. A system was needed that would enable transparent, rapid and efficient sale of public property. In 2016, therefore, Transparency International Ukraine got involved in the project development to guarantee its integrity and administer the central database. During the two years of its existence, the system's focus area extended from sales of assets owned by bankrupt banks to sales of assets of state-owned enterprises, lease rights, placement of advertising and municipal assets.

## **Achievements**

The system supported by TI Ukraine made for the national budget

The average minimum price at the auctions grew

ProZorro.Sale launched a pilot project of commercial trade, which allows private companies to auction off their assets.

The sales of lease rights for property of corporatized enterprises started through the system supported by us.



# UAH 7 billion by 21 %



Ukrzaliznytsia started leasing its cars through ProZorro.Sale.

# **Action We Took**

We facilitated extending the available types of sales. In 2018, sales of small privatization objects started through the ProZorro. Sale system – of enterprises, land lots, buildings, stocks of state-owned or municipal enterprises for amounts up to UAH 250 million. The total sales of such objects amounted to UAH 580 million. The State Service of Geology and Mineral Resources of Ukraine started selling licenses for the use of mineral resources. Distribution of assets in the mining industry is finally becoming transparent. It has also become possible to understand the real market value of the assets. Ukrzaliznytsia started selling metal scrap and leasing its cars – before, those hard-to-find cars were allocated through opaque schemes. The first sales of lease rights for agricultural land have been made. As a rule, the initial price grew by several times at the auctions. ProZorro. Sale became available for private enterprises. Now, companies can sell their property, loans and receivables through the system.

**We transferred the system to the government.** Documents were approved to formalize registration of ProZorro. Sale as a public enterprise. We facilitated the formation of the Supervisory Board to ensure efficient and transparent work of this enterprise as part of the Ministry of Economic Development and Trade.

# Recognition



# Victory in the global competition of anticorruption projects The Shield in the Cloud Innovation Challenge

Victory is awarded to projects that have a significant anti-corruption impact and can serve as an example for other countries across the world to follow.

## **Team**

## Viktor Nestulia

Director of the Innovation Projects
Program

levgen Bilyk

Project Manager

## Ivan Lakhtionov

Head of the Innovation Projects Department

## **Our Donors**

Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH European Bank for Reconstruction and Development (EBRD)

European Union Anti-Corruption Initiative (EUACI)

Expert Deployment for Governance and Economic Growth (EDGE)

Kyiv School of Economics (KSE)

The Government of Canada via Non-Governmental Union

Foundation for Support of Reforms in Ukraine

**UKAID** 

**USAID** 

Western NIS Enterprise Fund

World Bank

International Renaissance Foundation

Embassy of the Netherlands (MATRA)

Transparency and Accountability in Public Administration and Services (TAPAS)

# d of the Innovation Projects Department

The first time I encountered procurement was in Mykolaiv Education Directorate where I worked as an economist. There weren't enough people in the tender committee, so people started coming to my office asking me to sign protocols. I refused to put my signature no matter where, so I decided to learn the ropes, study the legislation. Of course, some people were quite unhappy with my curiosity.

Now, I can look at my experience with procurement through the eyes of the DO-ZORRO coordinator. Well, I have nothing to be ashamed of. When my team and I were strongly encouraged to pick a certain supplier, we did not budge and followed the law.

In the education directorate, a separate department that accounted for procurement was created back in 2012. Back then, it was revolutionary. Even now, for most tender committees, procurement is just additional workload on top of their primary job description. That's the root of many problems.

The price of a mistake in procurement is enormous. If you delay the procedure, kids in schools will go hungry. If you fail to notice that you are violating something, somebody else will notice it for you. Prosecution, for instance.

No matter what, working with procurement is not as scary as it may seem. It should just be a comprehensive, planned process. And yes, you have to live and breathe this process.

Representatives of procuring entities with whom I discussed the launch of ProZorro said one thing: "Thank God!"

Tender committees could tell their managers: now everything is open, everyone sees everything, so we have no power over who wins.

DOZORRO could be a project about fails, because that's something that public procurement has in abundance. But we are actually a project about equal rules for everyone and about the procurement sector in general with all its peculiarities. Of course, on the way towards this goal, we have to highlight fails, too. But we also have to highlight the stories of those who work honestly. Also, we have to give advice to, and help, procuring entities and business.

Any fail in public procurement starts with the procuring entity wanting to help out a supplier they know. Sometimes, it becomes absurd. Once, I called a tender participant, and the director of the procuring entity answered the call. Turns out, the director of a state-owned enterprise bought seeds from his own company.

The question over which I keep obsessing is, why don't law enforcement agencies analyze procurement through ProZorro.

Why don't they filter them? I really expected tougher control in this sector, which would dissent procuring entities from violating the law. There are few actual results of law enforcement agencies here, which makes people question the reform itself.

We can lose ProZorro if we don't defend it.

There have already been several attempts to attack the system and invalidate its impact, but we have managed to stand up for it.

In our sector, it is easy to get discouraged. Everyone wants to see the results of their work, but sometimes, you hit a wall. So many people spent almost a year working on draft law 8265 and promoting it, and members of parliament simply didn't support it. Now, we are working on a new draft law. There is no guarantee that this one will be supported. But when did that ever stop us?

Whatever happens, we stay strong.





# Transparent Cities — Encouraging Transparency of Local Self-Government

# **Program Goal**

Reducing the level of corruption in local authorities by means of increasing transparency and accountability under the oversight of the competent community and business.

# Why It Matters

Local authorities in Ukraine are not transparent and accountable enough, or sometimes they are only formally transparent. When local communities identify corruption in the work of local self-government authorities, they often lack tools of influence. However, the level of transparency and accountability of local authorities can be increased by publishing the necessary information, providing the community with said tools and public engagement in decision-making. That is why we created the Transparency Ranking of 100 Biggest Ukrainian Cities. It serves as the basis for city improvement: city councils implement TI Ukraine's recommendations and compete amongst themselves, while citizens obtain more opportunities to monitor the municipalities' activity. Honest business is also more likely to invest in cities with less corruption and more transparent business procedures. Local corruption can be overcome by disclosure of information necessary for citizens in a clear and understandable for and by providing citizens with tools of influence on, and engagement in, local decision-making.

## **Achievements**

**32** cities

improved their transparency scores during 2018 thanks to the cooperation of the Program with local activists and city councils.

The highest score in the Ranking grew from 59.7 points (2017) to 86.9 (2018). The top 10 now includes completely different cities, mostly due to the fact that cities compete for leadership in the ranking.

2017

2018

We also developed and launched the Investment Sector Transparency Ranking. Five cities (Vinnytsia, Mariupol, Cherkasy, Melitopol and Pryluky) implemented our recommendations to improve the situation. After we promoted the idea of transparency, cities started viewing it as a score of investment attractiveness.



# 334 participants 14 workshops



## **Action We Took**

We fostered an increase in local authority transparency. We established contacts and partnerships with city councils. We held workshops and presentations for their representatives (25 events total). We provided city councils with advice on implementation of recommendations to increase transparency (we maintained regular contact with 10 councils and occasionally communicated with 22 more). We organized exchanges of best practices among city councils. We regularly monitored changes happening on the ground. We updated the Transparency Ranking, taking into account the implemented change.

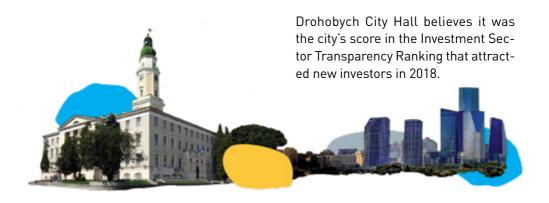
We fostered an increase in local authority accountability. Our team rapidly responded to activists' complaints on local authorities failing to comply with their commitments. For instance, after TI Ukraine's statement, Dnipro city council abandoned the idea to implement new restrictions on electronic petitions. We also provided coverage of both positive and negative examples of local authorities complying with transparency standards both on our own resources and in other media.

We inspired active citizens to advocate the change on the ground. Transparency International Ukraine organized training for communities. In 2018, we organized 14 events for 334 participants. The Program team worked with 12 subgrant recipients, whose work helped to improve the transparency scores in their cities by 19 points on average.

We helped with reducing corruption risks for business. The team developed a methodology and, subsequently, the Investment Sector Transparency Ranking of 100 Ukrainian Cities. We advocated change and managed to achieve an improvement of investment sector transparency in 5 cities (Vinnytsia, Mariupol, Cherkasy, Melitopol, Pryluky). We closely worked with Better Regulation Delivery Platform and with ProZorro.Sale to improve the situation with local transparency. During project implementation, 8 cities joined the BRDO platform. We established and maintained contact with business associations: the European Business Association, the Ukrainian Chamber of Commerce and Industry, the Norwegian-Ukrainian Chamber of Commerce, the British Ukrainian Chamber of Commerce and others.

# Recognition

The National Agency of Ukraine for Civil Service decided to include training on transparency (taking into consideration the findings of the Transparent Cities program) in its advanced course for civil servants.



Taking into account our achievements and experience, Transparency International Slovakia invited the Ukrainian team to participate in the expert group on the development of **Transparency Ranking of European Capitals.** 

Team Kateryna Tsybenko

Head of Program **Anatolii Kotov** Program Assistant Alina Kobenko

Communications Manager

**Our Donors** 

United Nations Democracy Fund (UNDEF)
United Nations Development Programme (UNDP)
USAID\_SACCI
CSO Center for Democracy and Rule of Law
Friedrich Naumann Foundation for Freedom in Ukraine

# **Cateryna Tsybenko**Head of the Transparent Cities Program



# You Can Calculate How Much Citizens Profit from Transparency

99

We would like to offer local councils an easy-touse tool that would convert transparency into funds.



The first year and a half of the Transparent Cities Program, it was the only thing I could think of. I was especially enthusiastic. It was a completely new field for me, and I really like a challenge. It is a project of incredible scope.

I realized that it was a successful project when we started getting more visitors at our events than we invited. We didn't have enough handouts. The project was covered by multiple media. We were regularly invited to presentations, and eventually, we didn't have the time for all the events to which we were invited. Our schedule was booked for months in advance. We traveled across Ukraine a lot. Two business trips a month felt like a very calm, relaxing month. But it was active communication that immediately gave Transparent Cities a boost, bringing the program to a high level.

We had all kinds of experiences with local authorities. Kharkiv was unhappy with our requests right away. We got a phone call, and they told us that they had already gotten seven other requests for this information before us, and they were tired of responding. On the other hand, there were people who were immediately willing to work and improve their situation. Mostly, they were new faces in local self-government. It was thanks to them that we were able to make a change. Of course, the first cities that come to mind are Drohobych and Mariupol.

Our ranking helped other civil society organizations to get a lot of processes moving.

We've been told that, after the Ranking was published, the authorities sometimes agreed to things that local activists had been trying to achieve for years. It brought more funds to local budgets, attracted more investors.

How do we calculate the benefits of transparency? This figure would include new investments, higher revenue from sales of property through transparent auctions. It would include even time that the employees would use otherwise instead of preparing responses to information requests since that information would already be available on the websites. We would like to offer local councils an easy-to-use tool that would convert transparency into funds.

Cities compete for their rank in the Transparency Ranking. Representatives of local authorities try to communicate with us. Some message us on Facebook, asking how to improve the score for this or that indicator. Some mayors call the director of TI Ukraine and report on the things they have done. We praise them, but we can offer some criticism as well.

The secret to staying motivated in a project is doing other things apart from this project. Though, I guess, it is easier said than done. I give 100% to my work. I don't know if Transparent Cities would be just as cool if I gave it any less.

# Citizen Engagement in Corruption Counteraction

### Work with Whistleblowers

Building Capacity of Regional Civil Society Organizations

#### Work with Whistleblowers

#### **Program Goal**

Provision of citizens who report corruption with information support and promotion of whistleblowing.

#### Why It Matters

According to Global Corruption Barometer 2016, a survey published by Transparency International, 38% of our compatriots bribed a representative of public authorities during the past year. At the same time, citizens are not active enough when it comes to defending their rights. Only 46% of people who were in a situation of that kind attempted to take action, according to the research Human Rights in Ukraine (2016). Only a third of those who did make effort succeeded. The respondents believe that the most effective ways to defend human rights in Ukraine are to approach the media, the European Court of Human Rights, and to engage the help of family and friends. The court and the police lag behind. 19% of the respondents believe that there is no effective way to defend human rights in Ukraine.

Meanwhile, individuals who succeeded in defending their rights mentioned the following options more often, relatively: taking individual action (sometimes up to and including violence) and resolving the issue with a bribe. We can thus identify the following problems:

- People do not usually defend their violated rights;
- Success with defending one's rights is rare and often connected with illegal action;
- Low credibility of official public authorities.

#### **Achievements**



**43** guidelines

for people encountering the most common corruption-related situations.

provided 42 lawyer responses

to questions pertaining to legislation.

We have enabled reporting corruption on the Decorruption website.



We processed 133 reports of potential corruption whistleblowers (in writing and by telephone).

In four cases, we alerted law enforcement agencies on behalf of whistleblowers and other individuals reporting violations of the Ukrainian legislation.

#### **Action We Took**

We educated citizens on ways to act against corruption and restore their rights violated by it. We improved and updated current anti-corruption instructions and drafted new ones. We described step-by-step algorithms for protecting and defending their rights. We visualized instructions in the form of infographics, sharing them on the Facebook page of the Decorruption platform.

We supported people who needed legal advice. People asked us various questions. Taking into account the specific situation, we explained the likelihood of the conflict of interest, the sequence of actions to take in the event of inaction of law enforcement agencies, and how to dispute acts issued by public authorities.

We provided advice to whistleblowers and other individuals. We received statements from people who described potential corrupt acts or corruption-related violations of the Ukrainian law. We provided such individuals with advice. We carefully studied the circumstances described in the statement, provided legal assessment of the situation (if the issues in the statement at all pertained to our scope of activity), explained the applicants' rights to them and recommended further course of action.

We alerted law enforcement agencies. In response to certain statements by whistleblowers and other individuals reporting potential violations of the Ukrainian legislation, we alerted law enforcement agencies, asking them to ensure rapid, full and unbiased investigation in criminal proceedings and to categorize the violation correctly. We approached law enforcement agencies in situations when the alleged perpetrators were customs officers, when an activist was attacked or an activist's property was damaged in connection with her or his activism, and when the way that the economic activity of a united territorial community was carried out was not consistent with the established procedure.

Team

Maksym Kostetskyi Project Manager Oleksandr Kalitenko Policy Analysis Expert Taras Kovalchuk

Lawyer

Our Donor USAID\_SACCI

# Kalitenko

# Whistleblowers Commonly Report "Medium Fish"

We are usually approached by people from five categories, and they are not all whistleblowers. The first category includes people who have actual facts attesting to corruption and are ready to participate in anti-corruption action. The second category includes people who have facts but are not ready to engage further personally. Others have no facts, only subjective judgments. We are also approached by people who have encountered some sort of injustice that is not related to corruption. Of course, we get reports from people who ask us to facilitate their communication with the Pope or something like that.

We have to motivate whistleblowers financially. There are two models of whistleblower motivation. In the American model, people who report corruption can expect to receive a certain percentage of the potential prevented damages. In the European model, whistleblowing is considered a legal duty, and therefore, citizens don't need to be paid. I think the American model would be more effective in the Ukrainian context.

What discourages potential whistleblowers most is lack of faith. People are convinced that it is next to impossible to make actual change. They are also discouraged because they realize the risks they would face. They are worried about their own safety and the idea of losing their job and income. Of course, some people just don't know how to act. Perhaps, another factor contributing to this is how often court verdicts are made in favor of corrupt officials – in 9% of cases. In contrast, the average figure of acquittals is just 1%.

We have had to play espionage. With some whistleblowers, we agreed on specific codes. Special phrases that meant certain facts. Codes also conveyed the intention to meet and how those meetings would be arranged.

Whistleblowers commonly report "medium fish." That is, information on quite serious potential corruption on the local level. For instance, we were once approached by a customs officer who was persecuted by his management for reporting corruption. We filed a report with the prosecutor's office and other public agencies on his behalf. Now, he is defending his rights in court. We hope that public attention will contribute to a positive resolution of the situation.

#### There is no specific law on whistleblow-

ers. Potential whistleblowers are only protected by labor legislation, laws on corruption prevention and access to public information. The first one allows them to be reinstated at work and receive compensation in the amount of their half-year salary. The second one relieves them of liability for publishing information on corruption. But all those things are theoretical. People themselves refuse to defend their own rights, and even among young people, the reluctant constitute over 50%.



# Building Capacity of Local Civil Society Organizations

#### **Project Goal**

Empowering effective local anti-corruption organizations by creating a network of TI Ukraine's partners.

#### Why It Matters

There are numerous civil society organizations that act in Ukrainian regions. However, they are not always effective, since they do not have regular institutional support and are not always able to implement their goals systematically. On the other hand, Transparency International Ukraine needs partners to implement national projects on the regional level. That is why TI Ukraine decided to move towards building a regional network that will facilitate reducing the level of local corruption. It is important not only to arm local activists with the necessary knowledge but also to help them obtain resources. It is also necessary to consolidate a network to implement the national agenda of anti-corruption organizations.

#### **Achievements**

We held **40 meetings** with regional civil society organizations in 13 cities, which was followed by selecting TI Ukraine's partner organizations, points of contact and potential partners for 2019.

We have held **7 WORKShops** on organizational development for regional civil society organizations (in Sloviansk, Dnipro, Mariupol, Zaporizhzhia, Rivne, Ivano-Frankivsk, Chernivtsi). The total number of participants was 156 people.



We have signed memoranda of cooperation with three regional civil society organizations: the Institute of Analysis and Advocacy (Poltava), Civil Control (Dnipro), Center of Civil Monitoring and Research (Lviv).



A mechanism of communications with regional civil society organizations has been developed, and a clear plan of regional meetings has been created.

#### **Action We Took**

We studied the situation with the civil society sector in the regions. We analyzed all Ukrainian oblasts on the number of civil society organizations, their interest in the anti-corruption sector and potential cooperation.

We developed mechanisms of mutually beneficial cooperation. We developed criteria for the selection of regional partners and points of contact.

We established communication with local partners. We held regional meetings with key civil society organizations. We created a unified database of contacts of regional civil society organizations, public agencies, local self-government authorities, and media.

**We organized training on key competencies.** We conducted workshops aimed at teaching local activists management and independent fundraising for their organizations.

#### Recognition

-99

#### MYROSLAV SIMKA,

Chair of the Board,
Center of Civil Monitoring
and Research

— Sylvanii Kryvoruchko, Head of CSO Bukovynskyi Maidan

We are thankful to the team of Transparency International Ukraine for trusting us. The official partnership is not only recognition of our work – what is more important, it is an opportunity to achieve better results in synergy, which will help us reform our country.

It was very interesting and informative! In the course of the workshop, we partially analyzed a project of our civil society organization. With certain participants, we decided to work together on two projects useful for the Bukovyna region overall.

#### Team

Halyna Skalska

Regional Coordinator

#### **Our Donor**

Pact, Inc.
USAID/ENGAGE

Halyna Skalska Regional Coordinator



# The Road to Empowering Local Organizations

99

Even fighting over a sandbox funded from the budget becomes anticorruption movement.



**To visit 13 cities, I traveled 13,000 kilometers.** This helps you understand how big and diverse Ukraine is. I have held 40 meetings and seen a lot of people who want to contribute to the improvement in community life.

I use the time on the road to read and sleep. At first, I tried to work, but working on a train is not the best idea.

I have found a lot of friends to whom I always want to return. Just a year ago, I barely knew any civil society activists. Now I have a lot of people I would be happy to see over coffee, to talk, and not only about work. We can chat about something that has nothing to do with work at all (concerts, vegetarian food or vacation destinations).

#### I have great respect for regional activists.

These people did not go to the capital, with its numerous opportunities and easier life. They stayed in their cities and are trying to change things for the better there. They really live and breathe it, I feel that they are genuinely driven.

**Every oblast is interested in different types of activism.** For instance, Rivne is more engaged in eco-activism, while in the East, near the frontline, young families get together to improve the environment for their children. There, even fighting over a sandbox funded from the budget becomes anti-corruption movement.

Sometimes, awkward moments happen at those workshops. Once, we were conducting a workshop on identifying corrupt tenders in the ProZorro system. The trainer used his own algorithm, found a tender with clear violations. But it turned out that the winner of this procurement had signed up for our event and was present at the workshop.

#### Regional organizations have great poten-

**tial.** They are getting more attention from donors now. We are trying to build those NGOs' organizational capacity. Future local elections may also serve as an impetus for the development of the civil society sector in the regions. There are quite a few organizations now that focus on control over local authorities.

My favorite city is Poltava. This city feels very dear to me. A lot of people from my family studied here. Poltava itself is really beautiful. When you go there, you immediately relax and restore energy.

# **Building the Leading** Anti-Corruption Organization

Institutional	
Development	

International Cooperation

Communications

Activity
of Organization
Members in the Regions

#### **Institutional Development**

#### Main Goal

Building institutional capacities of Transparency International Ukraine in order to create conditions for sustainable development and strengthen its status as the leading anti-corruption organization.

#### Why It Matters

Following the Revolution of Dignity, numerous citizens joined movements and initiatives fostering democratization and reforms. However, this public enthusiasm gradually dwindled, and it became clear that the civil society needed stable organizations that could carry out systematic work. Key issues for building such institutions are human and financial resources, organizational culture and workflow. Transparency International Ukraine focused on building this very kind of stable organization: independent of one source of funding, effective, goal-oriented and capable of supporting regular and situational coalitions.

#### **Achievements**

We created the Strategy of the Organization for years 2019 – 2021.

We developed and conducted 360-degree feedback, which was followed by Individual Development Plans for all the team members.

#### 5 workshops

Ukraine.



The team was represented at more than

#### **250** events

with the total number of participants about 6500 people.

In these events, representatives of the organization acted as speakers at 44 events.

An internal monthly newsletter with an overview of key international events and news was launched.

A system of regular analysis of individual achievements, successes, and failures has been established. Decisions are made in a balanced way, taking into account both the internal and the external context.

A unified database of representatives of regional civil society organizations, authorities and media has been created. Memoranda of cooperation were signed with three regional organizations from Dnipro, Poltava, and Lviv.

#### **Action We Took**

We organized a Monitoring & Evaluation system. We built a system for collecting information on the team members' activity. The practice has been established to coordinate operational plans with developed key performance indicators for each team. Analysis of these data has been used to achieve greater efficiency and improve decision-making.

**We developed a strategy for the next three years.** We held several stages of strategic planning sessions. We analyzed our surroundings and identified key priorities for 2019 – 2021. All team members, organization members, the Board, our partners, and external consultants participated in this process.

We formed professional project and program teams. To implement its projects, Transparency International Ukraine recruited 13 new team members. To improve the team members' qualifications, professional training was organized. The team had a chance to see itself from a different perspective thanks to the 360-degree feedback and to identify potential areas for development.

**We built communication with our partners.** We kept them informed through online and offline tools. We held planning meetings engaging various experts. We provided advice and support.

We searched for alternative funding methods. We worked on various fundraising ideas to use in the future.

#### Recognition

According to Pact's Organizational Performance Index, our result increased by 20%, from 2.8 to 3.4 on a scale from 1 to 4.

20 % 3.4

OPL score 2018

**Team** 

Andrii Borovyk
Deputy Executive Director
(during 2018)
Anastasiia Mazurok
Head of the M&E Department

Liliia Motiiets
HR Manager
Olena Tsiupak
Assistant of the M&E Department

**Our Donors** 

Pact, Inc.
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# It Is a Luxury and a Challenge to Work among 'Self-Igniting' People

In the civil society sector, results are less obvious than in business. Business goals are more measurable. In the social sector, they are rather idealized, and it takes much longer to achieve them. The results are also less dependent on project participants and much more so – on external circumstances and decision-makers. This increases the risk that team members will lose motivation. To prevent this, we break down our goals into smaller, simpler steps, and we try to harmonize project goals with strategic goals.

What are, in fact, the results of a civil society organization? This result is a positive change that manifests itself as a new way of interaction between the authorities and the society, new patterns of people's behavior, the change of perception among target groups with whom the organization works.

Change can also manifest itself as saved money or defended rights. For instance, if a college student who was in contact with the organization or its products refuses to bribe teachers, it is a result. If a public official starts feeling that he or she is accountable to society, it is also a result. Of course, recording this kind of change is much more difficult, but it is way more significant, too.

People in the third sector value freedom and self-expres**sion.** This makes it more difficult to organize the workflow than in a private company. On the other hand, we can discuss things and provide honest criticism. One of our trainers told us, "You have the luxury to work with 'self-igniting' people. These people are focused on change, they genuinely care very much about the result. But they still need help and guidance. Development, education, exchange of experience and ideas are all things that motivate us. We all also share this special culture of the third sector, from us all being on a first-name basis with each other to completely free flow of information and ideas. Daring ideas are valued and implemented. There are many people here who don't expect that somebody will do something for them, whether it is about replacing a lightbulb in the office or suggesting a reform project. It is a good feeling to be among like-minded people.

The organizational culture is also reflected in the habits of team members. Of course, it is not easy to form them, but it is possible. For instance, I managed to teach everyone to share their plans and regular reports on their activity. Now everyone fills out forms that help us understand what contribution each individual team member has made into the common goal and what they are planning to do in the near future.

Creating the Strategy was a difficult, intellectually challenging task. An incredibly interesting one, though. We developed the Strategic Plan for the next three years. We gave all team members an opportunity to be head. We analyzed how we looked, how influential the organization was, what our reputation was like, how we were perceived by key stakeholders. We analyzed the potential challenges, for example, those likely to occur during the election period. The main challenge was overcoming the uncertainty surrounding us. The document we eventually created is in line with our organizational culture. It is optimistic, realistic and pessimistic all at once. In other words, it is balanced - taking into account the results that we would like to achieve and what we can achieve realistically.

#### **International Cooperation**

#### Main Goal

Promotion of Transparency International Ukraine's anti-corruption agenda among the international community. Engaging international partners in the agenda implementation in Ukraine. Dissemination of TI Ukraine's experience in other countries.

#### Why It Matters

The Ukrainian authorities often wait on decisions that have to be made in order to get reforms moving. One common situation is when this or that reform is driven by constructive pressure, both internal, from civil society, and external, from international partners. Accumulating the effort of multiple stakeholders helps to make change faster. The decisions made by the Ukrainian authorities are often highly dependent on the stance or requirements of the international partners, such as G7 governments, the International Monetary Fund, the World Bank or the European Commission. There have been numerous examples of reforms being greenlighted precisely because their importance was advocated on the international arena.

#### **Achievements**

The International Monetary Fund included the launch of the High Anti-Corruption Court on the list of its prerequisites for further cooperation with Ukraine.

We were requested to share the experience of our programs such as Transparent Cities and DOZORRO with other countries (Chile, France, Nigeria).



TI Ukraine representatives participated in the launch of the electronic mTender system (the Moldovan version of ProZorro). Moldova is also planning to launch a civic monitoring system based on the DOZORRO concept.

We brought up attacks on Ukrainian activists on the highest diplomatic level. Statements urging the authorities to put a stop to violence and investigate the attacks that had already happened were made by Chancellor of Germany Angela Merkel, Transparency International Secretariat in Berlin, and European Commissioner for European Neighborhood Policy and Enlargement Negotiations Johannes Hahn.



TI Ukraine's assessment of Ukraine's implementation of the Istanbul Action Plan recommendations for Ukraine was included in the OECD's report.

#### **Action We Took**

We represented the organization and Ukraine as a whole at international events. In 2018, 17 representatives of TI Ukraine visited 4 continents and 26 countries presenting the organization's programs and initiatives.

We advocated TI Ukraine's priorities at the international level. We participated in over a hundred meetings with foreign diplomats, including ambassadors, representatives of the IMF, the World Bank, the EBRD, etc. TI Secretariat supported advocacy concerning attacks against regional activists.

We promoted Transparency International Ukraine's programs abroad. We spoke about our practices in other countries, helped with the implementation of new, higher standards at the international level. To do it, representatives of TI Ukraine participated in international events as speakers, shared their experience when requested by colleagues from other countries, provided commentary for foreign media outlets, nominated our projects at international competitions.

#### **Team**

#### Anastasiya Kozlovtseva

Head of the International Relations Department

#### Nataliia Vyniarchuk

Donors Coordinator of Innovative Projects Program International Relations Department

#### Olena Kifenko

International Relations Manager **Natalia Slipenko** 

Translator at the International Relations Department

# Our International Partners Genuinely Want Us to Succeed

I speak with representatives of embassies and international organizations. My task is to convey information on the anti-corruption agenda that Transparency International Ukraine considers the most urgent. I have to listen to them and understand their stance, thus building a communication strategy in which we will reinforce one another, urging the Ukrainian authorities to take action. They take our opinions into consideration because we are an accredited chapter of a global anti-corruption network. They consider us balanced enough. Diplomats generally believe that if TI Ukraine points something out, it is worthy of attention.

These meetings have an impact. While I cannot say that one meeting brings tangible results, regular communication gives you credibility, and it enables you fully to convey information on various aspects of this or that change, important for the people of Ukraine. A number of meetings with representatives of the IMF and the U.S. Embassy and other foreign diplomats contributed to the adoption of the law on the High Anti-Corruption Court in the acceptable version, while the Public Council of International Experts obtained a crucial role in the anti-corruption judge selection procedure.

Western diplomats are very interested in Ukraine's progress. I see that they genuinely want us to succeed. There are practical reasons for this. These countries invest money in the victory of reforms in Ukraine. They want to make sure that the funds of their taxpayers have been spent efficiently and to see tangible results. There are also

Western companies operating in Ukraine, which want to minimize corruption-related reputational risks.

**Ukrainian society is often viewed as exemplary.** There is less interest in public life and political processes in the EU. Perhaps, that is because the standard of living is so much higher there. The current period is sometimes referred to as a European crisis, with Brexit leading the way. People's participation in elections has decreased. In Ukraine, on the other hand, there are multiple activist communities, people strive to change the country through tools available to civil society. That is something they rather admire.

I ask our partners about their stance on various Ukrainian issues. When I communicate with people from other countries at diplomatic events, I always ask about their vision of our key challenges and decisions. Sometimes that helps to make our own vision more balanced or to see the bigger picture, to find new ideas that have proven effective abroad, to take into account additional factors and consequences.

Sometimes, it is not easy to communicate a point of view different from the official governmental one to the international community. For instance, when we talked to OECD experts in Paris about the report on Ukraine's implementation of the anti-corruption plan, we had to oppose 10 Ukrainian officials, including NACP officials, who tried to convince our partners that Ukrainian reforms were very successful. It was difficult, but we managed to achieve more balanced conclusions on most issues.



#### **Communications**

#### **Project Goal**

Formation of an auspicious media scene to implement the organization's strategic tasks.

#### Why It Matters

During the past five years, it has become clear that social change is impossible if those who implement or advocate it do not have an active information policy. Furthermore, politicians opposed to reforms have put quite a lot of effort and resources into discrediting change agents and invalidating useful ideas. Ukrainian citizens have not always sided with those officials, politicians, and activists who supported the anti-corruption reform. Oligarch-controlled media painted a negative image of the anti-corruption movement, with functional anti-corruption institutions, such as the NABU, facing smear campaigns. Attempts continue to discredit projects already implemented with the help of TI Ukraine, such as Pro-Zorro. This is why building effective communication channels with Ukrainian society and key target audiences is essential for the anti-corruption reform. Transparency International Ukraine has to provide information rapidly and objectively, reaching significant audiences.

#### **Achievements**

The communications aspect has been reinforced with the help of communications managers in charge of the ARMA, DOZORRO and Transparent Cities.

Transparency International Ukraine and its projects were mentioned in **over 1,500 publications** in Ukrainian and international media.

There were more experts speaking on behalf of TI Ukraine in the media. They participated in over **50 TV and radio programs**.

Transparency International Ukraine's official website was upgraded.



Transparency International Ukraine held a large-scale conference Decorruption of Ukraine with a significant presence of stakeholders (management representatives of the NABU, the SAPO, the ARMA, the Ministry of Justice, the MEDT, etc.).

#### **Action We Took**

**We communicated TI Ukraine's stance.** We issued and shared statements on subjects and events pertaining to our organization's agenda. For instance, they were about the course of Anti-Corruption Court establishment, protection of the ProZorro system, the activity of the SAPO and the NABU, attacks on activists.

We created original content. TI Ukraine's experts helped to prepare thematic pages for online media. We visualized information on various anti-corruption processes and phenomena with infographics. We created informative videos.

We developed our own communication channels. We created and implemented the concept of a new website of the organization, which would best illustrate our activity. We increased our following on social media (Facebook, Twitter, Instagram).

**We conducted public events.** We organized presentations and conferences where we presented our research or communicated our opinion on current subjects. We gave out handouts and souvenirs.

**We analyzed the media scene.** We monitored mentions of our organization and projects in media publications. We analyzed the communications of our partners and stakeholders.

#### **Team**

Oleksandr Argat
Head of Communications
Artem Babak
Communications Manager
Yevhen Hrytsenko
Social Media Manager
Olena Zenchenko
Designer

Alina Kobenko
Communications Manager
Olesia Koval
Communications Manager
Oleksandra Komisarova
Communications Manager
Anastasiia Krasnozhon
Communications Manager



#### Our Department

## Is a Small Creative Agency with Our Own Production

99

Balance is one of the main values of Transparency International Ukraine.

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For some people we are faultfinders, for others, we are not radical enough. Frequently we have to deal with opposing responses to the tone and content of our communication. Public authorities feel aggrieved and sometimes have very emotional responses to our statements. Partners from the public sector expect us to display strong emotions. But one of the main values of Transparency International Ukraine is "balance." On the other hand, our statements never go unnoticed. Every bullet hits the mark, so to say.

We are best known for our Corruption Perceptions Index. Two numbers – the number of points and the rank – can be used as arguments in all kinds of discussions. Someone says, "Look, they only rank 120th." Someone else responds, "We gained 7 points in 5 years!" But most people agree that this is a measure we can use in order to analyze the dynamics in Ukraine.

We are not ready to give comments on anything and everything. If our speakers go on air, it means they are experts in the subject. The statements made by Transparency speakers usually come as a result of prior discussions in our team.

I am immersed in the news. No matter how unwilling I may be to follow the news, I read everything. There are 9 main and a few dozen secondary news outlets in my RSS feed. It means thousands of news items every day; they shape the understanding of our media landscape, illustrate what information we should take into account, to what we should react.

**Show, don't tell.** My colleagues Olena, who makes fantastic designs, and Anastasiia, who creates cool videos, help me put this theory in practice. I don't know whether other organizations can boast of such visually pleasing graphic designs and videos made in-house. You can say that our department is a small creative agency with our own production.

We were too serious on social media. People are really tired of the constant flow of information. They tend to react to clear-cut positive or negative messages. We rarely hype something up. How do we reach out to our audience? How do we get a reaction without manipulations, exaggerations, distortions? A bit more humor and irony. And a bit less smugness and sophistication.

The youth is an audience a lot of people forget about. We worked with the amazing consultant Tamara Babakova, who pointed out the potential of the youth as a target audience. When we found out more about the lives and values of young Ukrainians, who are now 16 to 20 years old, it turned around our understanding of the media scene. We took that into account for our 2019-2021 Communication Strategy.

#### Local activity of

## Transparency International Ukraine **members**

#### Nataliia Zabolotna, CSO People's Protection (Zaporizhzhia)

#### **Project Goal**

Implementation of the anti-corruption reform at the local level.

#### Why It Matters

Regional and local implementation of the reform means that a number of educational, awareness-raising, regulatory, monitoring and other events have to be conducted. On the one hand, there is currently a demand to train representative of public authorities to implement anti-corruption mechanisms, on the other hand, their implementation of the anti-corruption legislation has to be monitored.

#### **Achievements**

We delivered a series of seminars for authority representatives of Dnipropetrovsk oblast (including self-government representatives from five cities, oblast state administration, regional offices of national executive authorities, law enforcement agencies).

We organized the Interregional Anti-Corruption Conference (50 participants and 30 listeners from 5 Ukrainian oblasts).

We conducted full verification of the e-declaration filed by Head of Zaporizhzhia oblast state administration Kostiantyn Bryl and identified numerous violations. After the NACP refused to report our findings to the NABU, we filed an application by ourselves, and the Bureau opened a proceeding.

Thanks to our work, the prosecution of Zaporizhzhia oblast and the local prosecutor's office No. 2 included information based on our investigation on local budget spending in the Unified State Register of Pre-Trial Investigations (the identified facts violated Articles 191, 364 and 366 of the Criminal Code), and on another investigation concerning public officials of Zaporizhzhia oblast council and TOV Primservis in connection with the Druzhba recreational camp.

#### **Action We Took**

**We worked on corruption prevention.** We conducted seminars on the conflict of interest. We identified situations with the conflict of interest, reported corruption-related violations to the NACP, went to court to force the NACP to inspect our findings. We investigated violations and forced the NACP to inspect a public official's declara-

tion. We monitored the activity of the National Agency for Corruption Prevention, and after it proved ineffective, we filed a report with the Anti-Corruption Bureau.

**We facilitated the anti-corruption activity.** We organized our own investigations and reported identified corruption-related crimes to authorized agencies.

#### Yuliia Hryha, CSO Philosophy of the Heart (Vinnytsia)

#### **Project Goal**

Engaging citizens in policy development and managerial decision-making by public authorities in the most important sectors of public life, consolidation of the effort of various civil society institutions, resolution of social problems.

#### Why It Matters

Civic oversight is one of the most effective forms of citizen engagement in the anti-corruption activity. Transparency of local authorities is the prerequisite for their accountability. It means that the community can make sure that their work is effective. After the decentralization reform, local communities obtained more financial resources, which, at the same time, led to greater corruption risks. Civic oversight over local spending is an important aspect of anti-corruption in the procurement sector.

#### **Achievements**

In 2018, about 1,000 tenders were processed in Vinnytsia oblast.

Based on the results, 250 reports were filed.

Criminal proceedings were started, and tender committee members were brought to responsibility. The most remarkable example was the price reduction for reinforced plastic windows purchased after explosions in Kalynivka to replace the destroyed ones, and dismissal of the tender committee in the Education Directorate of Vinnytsia state administration.

In 2018, Vinnytsia city council made numerous changes and would be able to move 26 ranks up in the Transparency Ranking of 100 Ukrainian cities. Vinnytsia city council published information on the communal property and communal enterprises. The city started selling assets through ProZorro.Sale. The city council website published general reports on procurement for the past three years. They also added a direct link to DOZORRO.

We held Vinnytsia School of Civic Participation: Local Budget for the Community in cooperation with the CSO Institute of Social-Economic and Political Initiatives and Vasyl Stus Donetsk National University with the support of Vinnytsia city council. The audience comprised 102 people: 27 CSO representatives, 32 college students, 40 high school students, and three teachers.

#### **Action We Took**

**We analyzed procurement.** The organization is a member of the DOZORRO community and makes use of DOZORRO BI tools.

We communicated with procuring entities, governing bodies, supervisory and law enforcement agencies. We sent letters in which we reported violations identified in procurement and recommendations on eliminating said violations.

We advocated change necessary to improve the city's rank in the Transparency Ranking of 100 Biggest Ukrainian Cities. We pointed out the gaps in published information and processes pertaining to the communal property to the city authorities.

We organized training for civil society organizations.

#### **Volodymyr and Antonina Torbych, CSO Fourth Estate** (Rivne)

#### **Project Goal**

Development of a fair society free of corruption through the dissemination of publicly significant information and mobilization of the public.

#### Why It Matters

Journalism is one aspect of the civil society designed to observe the activity of the authorities and other social institutions that affect people's lives. Journalists are observers who represent society and have to deliver important, truthful information.

#### **Achievements**

We launched a new version of our website 4vlada.com

We restored over a thousand important publications from the hacked website (particularly with the help of TI Ukraine).

We created a system of physical protection of the office.

The police registered a criminal proceeding based on Fourth Estate's investigation Oncology Business, Rivne Style and are now investigating the violated right for free healthcare in Rivne Oncology Center. It is the only criminal investigation in the oblast launched in 2018 on this count, and one of only three cases opened on this count during the past four years.

After Fourth Estate published information on members of a local council allocating land to a priest and denying the mother of a 17-year-old girl suffering from cancer, while the two had equal rights to the land, council members found a different land lot to help the girl.

#### **Action We Took**

We carried out and published journalist investigations. We published news on important subjects, including the anti-corruption activity.

We worked with civil society unions, especially for legal support of our publications and advocacy.

We restored and reinforced the capacity of the investigative staff.

#### Recognition

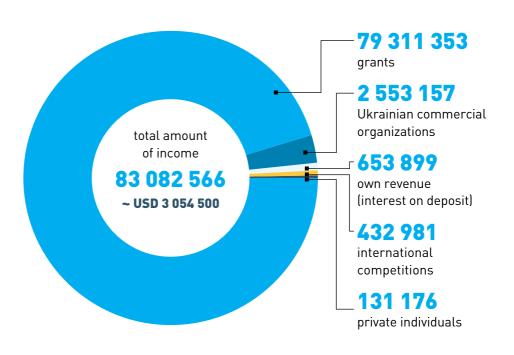
Fourth Estate was shortlisted for the award High Standards of Journalism 2018.

In January 2019, a journalist working at Fourth Estate was awarded in the nomination Best Investigation on Healthcare Reform in the nationwide competition of journalist publications Medical and Healthcare Reforms: Myths, Truth, Challenges (the investigation was published in 2018).

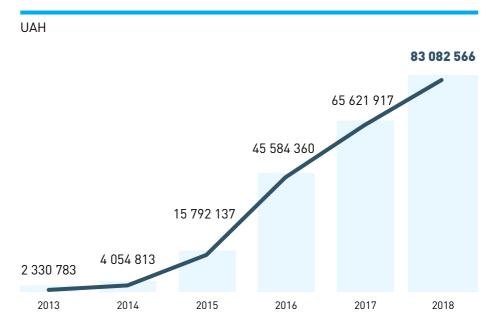
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#### Income Sources

UAH



#### Income Dynamics



#### Income Sources

	UAH	
26.0 %	21 650 825	European Bank for Reconstruction and Development
17.0 %	14 167 728	Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH
9.1 %	7 577 215	European Commission
7.7 %	6 364 512	Eurasia Foundation
7.4 %	6 109 972	Ministry of Foreign Affairs of Denmark
5.3 %	4 409 715	Transparency International, UK
4.5 %	3 769 108	Western NIS Enterprise Fund
3.6 %	2 982 675	The Construction Sector Transparency Initiative
3.4 %	2 <mark>818 024</mark>	Management Systems International
3.2 %	2 6 <mark>41 925</mark>	Pact, Inc.
3.1 %	2 5 <mark>53 157</mark>	Ukrainian commercial organizations
2.4 %	1 98 <mark>6 653</mark>	Chemonics International Inc.
1.6 %	1 347 165	The United Nations Democracy Fund
0.9 %	793 814	Fund for the City of New York (Open Contracting Partnership)
0.9 %	747 874	United Nations in Ukraine
0.8 %	677 756	Renaissance, IF
0.8 %	653 899	Own revenue (interest on deposit)
0.7 %	599 200	Embassy of the Netherlands
0.5 %	432 981	International competitions
0.4 %	374 264	Pasos
0.2 %	211 683	Transparency International e.V. (Secretariat)
0.2 %	131 176	Private individuals
0.1 %	40 800	Center for Democracy and Rule of Law, CSO
0.04 %	32 519	Norwegian School of Economics
0.01 %	7 926	Transparency International, EU
Percentage of the to amount of income	tal <b>83 082 566</b>	Total amount of income

Expenditures		
UAH		
Electronic trade system ProZorro.Sale	17 206 893 •	_
Transparency and accountability in public administration and services	14 625 215 •	
Civic control over public procurement, incl. DOZORRO	14 442 092 -	
ProZorro system of public procurement	13 104 464	
Anti-corruption in the defense sector	4 368 037 •	_
Building transparency in Ukrainian cities	3 121 326 -	
Transparency in construction	2 899 988 -	
Support to anti-corruption champion institutions	2 459 857 -	_
TI Ukraine's organizational development	2 323 762 -	_
Control over selection and assessment of judges	1 986 653 -	_
Anti-corruption communications	736 611 ←	_
Statutory activity	664 471 ←	_
Partners in Empowerment	333 256 -	_
Anti-corruption education	259 545 •	_

76 151 •

Opening the GPA office in UA

78 608 321	Total expenditures	~ USD 2 890 000
4 759 370 3 058 191	Ministry of Foreign Affairs of Denm European Bank for Reconstruction Ukrainian commercial organization Deutsche Gesellschaft für Internation	and Development s
• 599 204 • 322 268	Embassy of the Netherlands Western NIS Enterprise Fund International competitions	ate Zusammenarbeit (OIZ) Ombri
	European Commission Deutsche Gesellschaft für Internation	ale Zusammenarbeit (GIZ) GmbH
• 5 163 724 • 2 295 900 • 1 064 583	Eurasia Foundation (TAPAS) Omidyar Network Fund, Inc. Western NIS Enterprise Fund Renaissance, IF Fund for the City of New York (Oper	n Contracting Partnership)
• 1 278 220	European Bank for Reconstruction Western NIS Enterprise Fund Deutsche Gesellschaft für Internation	
	Transparency International, UK	
• 568 870	The United Nations Democracy Fun United Nations in Ukraine Center for Democracy and Rule of L	
	The Construction Sector Transpare Management Systems Internationa	=
• 2 459 857	Management Systems Internationa	l (SACCI)
	Pact, Inc. (ENGAGE) Transparency International, EU	
1 986 653	Chemonics International Inc. (New	Justice Program)
736 611	Pact, Inc. (ENGAGE)	
124 760	Own revenue (interest on deposit) Private individuals International competitions	
• 333 256	Pasos	
	Transparency International e.V. (Se Norwegian School of Economics	cretariat)
• 76 151	Deutsche Gesellschaft für Internation	ale Zusammenarbeit (GIZ) GmbH



# We Have Created a Transparent Financial System in the Organization, Trusted by Partners and Donors

99

During the past three years, we have built the entire financial system of the organization.



#### I have sixteen years of experience with finance in the non-profit sector, since 2000.

I started out as a financial manager of a small project and ended up becoming the CFO of a chapter of a global organization. So, when I was recruited by Transparency, I was sure I would handle it. And still, I was impressed by the number of projects and grants that needed financial administration. During the past three years, we have built the entire financial system of the organization. Now, it is structured in a way that best reflects our needs and is fully transparent. We regularly report to our donors, and they value our high standards.

#### My best supporters are my accounting

**team.** They are wonderful, professional ladies on whom I can fully count. It is thanks to them that our reports are of the highest quality and always filed in time. Despite stereotypes, the relationship between the accounting team and everyone else in TI Ukraine is great. Our colleagues mostly meet the deadlines that we set. I guess everyone has a good sense of responsibility.

I have had to work with payments worth millions. Mostly, these are payments for IT services. For instance, development and setting up of the electronic trade system ProZorro.Sale cost UAH 2 million.

#### Non-profit organizations are allowed to earn money for financial independence.

This activity is allowed by the Ukrainian legislation and does not lead to withdrawal of the non-profit status. Transparency International Ukraine does it, too. We provide consulting services. For instance, we carried out the expert review of the Charter of Lviv Territorial Community. We also provide advice on procurement. The point is that we spend the funds that we earned on our statutory activity and implementation of projects.

#### Civil society organizations have to give people an opportunity to support them.

People want to support organizations whose activity they like. It may be human rights or animal rights. Fundraising from private individuals is a normal practice that leads to financial independence of civil society institutions. We have a special button on our website to achieve this.

To relax and get away from finance, I regularly participate in orienteering and hike in the mountains. During the past five years, I have only been to the Carpathians, but before, I used to love Crimea, too. I also like kayaking and, in winter, skiing.

#### **Donors And Partners**



Implemented by:

























Friedrich Naumann STIFTUNG FÜR DIE FREIHEIT























































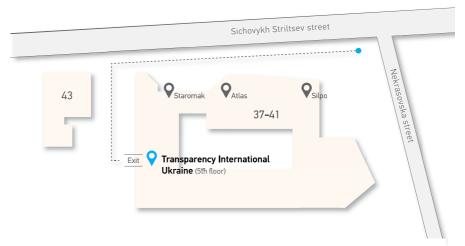






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#### **Donate**





Transparency	International	Ukraine, Annual	Report 2018

#### Transparency International Ukraine. Annual Report 2018

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Every effort has been made to verify the accuracy of the information contained in this report. All information was believed to be correct as of 31 December 2018. Nevertheless, Transparency International Ukraine cannot accept responsibility for the consequences of its use for other purposes or in other contexts.

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