

UNOFFICIAL ENGLISH TRANSLATION

THE LAW OF UKRAINE ‘ON THE NATIONAL ANTI-CORRUPTION BUREAU OF
UKRAINE’

Article 6. Director of the National Bureau

...

4. The powers of the Director of the National Bureau are terminated in connection with expiration of his/her term in office or his/her death.

The Director of the National Bureau shall be dismissed from the office in case of:

...

11) presence of the conclusion of the Commission for Conducting the External Independent Evaluation (Audit) of Effectiveness of the National Bureau’s Activity envisioned by [Article 26](#) hereof about ineffectiveness of the National Bureau’s activity and improper fulfillment of duties by its Director;

...

Article 26. Control over the National Anti-Corruption Bureau's activities and its accountability

...

7. External independent evaluation (audit) of effectiveness of activities of the National Bureau shall be held on an annual basis.

Evaluation mentioned in para. 1 hereof shall be conducted by the Commission for Conducting the External Independent Evaluation (Audit) of Effectiveness of the National Bureau’s Activity (hereinafter referred to as the Evaluation Commission) that is composed of three persons appointed by the Cabinet of Ministers of Ukraine based on suggestions of international and foreign organizations that have provided Ukraine with international technical assistance in the sphere of prevention and action against corruption pursuant to international or interstate agreements within three years before evaluation is performed.

Determination of international and foreign organizations and submission of their suggestions regarding candidates to the Evaluation Commission shall take place in line with [clause 3](#) of Article 7 hereof.

Decision on the start of formation of the Evaluation Commission shall be taken by the Cabinet of Ministers of Ukraine not later than in thirty calendar days before the end of the one-year term since adoption of the previous report on external independent evaluation (audit) of effectiveness of the National Bureau’s activity.

The Evaluation Commission shall adopt and publish criteria and methodology for evaluation of effectiveness of the National Bureau’s activity.

Members of the Evaluation Commission may be persons with at least five years of experience of working in pre-trial investigation bodies, prosecutor’s office, courts abroad or in international

organizations who have necessary knowledge and skills to conduct evaluation (audit), as well as who have immaculate business reputation.

Persons indicated in para. [1–3 of clause](#) 1 of Article 13 hereof and persons authorized to fulfill functions of the state or local self-governance in line with the [Law of Ukraine](#) “On Preventing Corruption” may not be members of the Evaluation Commission.

Members of the Evaluation Commission shall act independently and shall not fulfill anyone’s instructions, orders.

In order to conduct evaluation (audit), members of the Evaluation Commission are entitled to:

have access to materials of criminal proceedings, under which pre-trial investigation was conducted by the National Bureau and that was completed, to other information (documents) held by the National Bureau, taking into account restrictions set out by the [Law of Ukraine](#) “On the State Secret”;

hold confidential interviews with employees of the National Bureau, prosecutors of the Specialized Anti Corruption Prosecutor’s Office, employees of other public and law-enforcement bodies, as well as other persons who have information (documents) necessary to conduct evaluation (audit) while complying with requirements of the [Law of Ukraine](#) “On the State Secret”;

send requests to public bodies, any individuals or legal entities, asking to provide explanations, documents, or information necessary to conduct evaluation;

get support from assistants. Assistants shall ensure protection and non-disclosure of personal data, information with restricted access that have become known to them in connection with fulfillment of respective duties.

Members of the Evaluation Commission shall not disclose information of the pre-trial investigation and may not interfere with conduct of the pre-trial investigation.

Conclusion on external independent evaluation (audit) of effectiveness of the National Bureau’s activity shall be considered as adopted if all members of the Evaluation Commission have voted for it.

Conclusion of the external independent evaluation (audit) of effectiveness of the National Bureau’s activity shall be published at the official website of the Cabinet of Ministers of Ukraine within five days since the date of its adoption, shall be included as an annex to the written report of the National Bureau and shall be read to the Verkhovna Rada of Ukraine.

The Secretariat of the Cabinet of Ministers of Ukraine shall provide organizational and technical support of the Evaluation Commission. Activities of the Evaluation Commission and its members may be funded with engagement of international technical assistance.

{Article 26 is supplemented by part seven in accordance with Law No. [1810-IX dated 10.19.2021](#)}.}