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Ukraine

TRANSITIONAL OR HYBRID REGIME

40
/100

Democracy Percentage	40.48 /100
Democracy Score	3.43 /7

LAST YEAR'S DEMOCRACY PERCENTAGE & STATUS

39 /100 Transitional or Hybrid Regime

The ratings are based on a scale of 1 to 7, with 7 representing the highest level of democratic progress and 1 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year. The Democracy Percentage, introduced in 2020, is a translation of the Democracy Score to the 0-100 scale, where 0 equals least democratic and 100 equals most democratic. See the methodology.



Author

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Score changes in 2024

- Judicial Framework and Independence improved from 2.25 to 2.50 due to the implementation of legislation that allows the government to fill vacant positions in the Constitutional Court, as well as the formation of two judicial institutions—the High Council of Justice and the High Qualification Commission of Judges—that unblocked the process of vetting and appointing judges.
- Corruption improved from 2.25 to 2.50 due to the success of anticorruption institutions in addressing systemic corruption in military procurement and the mobilization of military personnel.
- As a result, Ukraine's Democracy Score improved from 3.36 to 3.43.

Executive Summary

In 2023, Ukraine continued to defend its territory and people against a full-scale Russian invasion that brought more damage and atrocities. According to UN figures, as of November there have been 28,500 civilian casualties in Ukraine since the war began, with 10,000 killed and 18,500 injured. ¹ These figures likely underestimate the number of casualties since they do not include data from the Ukrainian territories under Russian control. For instance, in Russian-controlled Mariupol city, Ukrainian authorities said that as of April there had been more than 20,000 casualties. ² As of September, the war had caused more than \$150 billion in damage to Ukrainian infrastructure. ³ More than a third of the damage affected the housing sector. In March, the World Bank estimated that Ukraine would need \$411 billion for recovery and reconstruction. ⁴ Since the Russian invasion, 3,790 educational and 1,661 medical facilities have been damaged or destroyed. ⁵ ⁶ In the middle of 2023, Ukraine was more affected by landmines than any other country, with landmines endangering an area larger than Florida.

⁷ In June, the occupiers blew up the Kakhovka Dam, causing hundreds of casualties and the largest environmental disaster in the Black Sea area in decades.

⁸ ⁹ ¹⁰ In December, a cyberattack disrupted service for customers of the country's largest mobile operator, Kyivstar, which served 24 million subscribers.

¹¹ The cyberattack was likely orchestrated by the Russian Main Intelligence Directorate (GRU) and was the most impactful cyberattack on the Ukrainian

network since the war began. **12** ' **13** It took more than a week for Kyivstar to fully restore service. **14** At the end of December, Russia launched its largest air attack yet on Ukraine, targeting 120 cities and villages and killing 39 people. **15** ' **16**

At the end of the year, public statements by the Commander-in-Chief Valery Zaluzhny and President Volodymyr Zelensky highlighted their conflicting assessments of the war and the situation at the frontline. While the former emphasized that the war was at a stalemate due to the parity of both sides' military technologies, the latter disagreed with this assessment. **17** ' **18** The subsequent exchange led to speculation about disagreements between the political and military leadership. **19** ' **20** Some observers speculated that the tensions between Zelensky and Zaluzhny were due to the modest achievements of the Ukrainian counteroffensive operation and Zaluzhny's higher approval ratings than Zelensky's. **21** ' **22** Zaluzhny's popularity could make him Zelensky's main opponent during the next election.

Despite the challenging conditions, the government maintained control over the country and continued to function. Moreover, at the end of the year, the European Council decided to initiate negotiations with Ukraine to join the EU. **23** The government took many steps to fulfill the council's requirements after Ukraine was selected as an EU candidate country in 2022. **24** While the process was not always smooth and provoked heated debates among representatives of the EU, the Ukrainian government, and civil society, EU leaders consistently recognized Ukraine's progress in making the required reforms. **25**

The government postponed the parliamentary elections scheduled for the fall of 2023 and the presidential election scheduled for the spring of 2024 due to the martial law regime that remained in place, safety concerns, personnel challenges, strained administrative and financial capacity, and public opinion against holding the elections. The debate over the expediency of holding the elections on schedule evolved into a discussion on the conditions needed to efficiently conduct the first postwar elections. The Central Election Commission, alongside international and domestic experts, developed a legal framework for conducting postwar elections.

Similar to 2022, civil society remained vibrant and actively engaged in the war effort by volunteering for the army, documenting war crimes, and running social

projects in support of internally displaced people, among other actions. Also, expert civil society organizations contributed their professional expertise, advocacy efforts, and monitoring services to support the necessary reforms for Ukraine's European integration. Volunteering and fundraising for the army became more institutionalized and professional. In 2023, activists again organized public protests after a break in demonstrations since the war began. Several waves of local protests swept across the country. Some citizens called on local authorities to prioritize military spending over infrastructure projects, while others protested in support of demobilizing servicemen who had served since the beginning of the war.

The media landscape changed little from the previous year. The national telethon, produced and broadcast by the largest television networks, persisted despite increasing criticism. On one hand, the telethon limited competition among participant-channels; on the other hand, its funding from the state budget rendered it vulnerable to government influence and intervention. Meanwhile, at the local level, the war presented challenges for the media, including a shortage of personnel and financial resources due to the shrinking ads market.

Since the Russian invasion, budgets have supported local self-government, primarily because the personal income tax (PIT) of servicemen remained within the communities where the military units were stationed. Local authorities spent much of this revenue on the military, but also used some of it to fund infrastructure projects. This sparked a wave of protests throughout Ukraine, with locals demanding that authorities prioritize military spending. After heated debates, the central government deprived local governments of the military PIT, transferring the tax revenues to the state budget, which used them exclusively for military expenses. Local governments criticized the decision as an attack on their financial sustainability. In the long run, redistributive decisions of this kind may seriously undermine financial decentralization, one of the pillars of the broader decentralization reform, and substantially weaken local government.

Despite the public's strong distrust of the judiciary, international and domestic experts praised a series of personnel appointments and institutional changes. For instance, when the government allowed the High Council of Justice to resume its work and then established the High Qualification Commission of Judges, officials were able to begin the process of filling more than 2,500 vacant judgeships. The

adoption of the new procedure to appoint Constitutional Court judges was another long-awaited achievement. The arrest of the head of the Supreme Court for accepting a bribe highlighted the fragility of the judiciary and its vulnerability to external influences, but also underscored the government's efforts to uncover and prosecute high-level corruption within the judiciary.

Since the EU prioritized anticorruption efforts as a prerequisite to initiate Ukraine's accession process, the government implemented a series of institutional and personnel decisions to meet the EU's anticorruption requirements. These included the appointments of the head of the National Anti-Corruption Bureau (NABU) and the head of the Higher Anti-Corruption Court, reinstating requirements that politicians provide electronic declarations of their assets, and the adoption of the Anti-Corruption Program. The Program stressed on eliminating corruption risks in state policies in fifteen areas where Ukrainian citizens encountered corruption most frequently. The Program stressed on eliminating corruption risks in state policies in fifteen areas where Ukrainian citizens encountered corruption most frequently. ²⁶ Nevertheless, corruption has remained endemic in Ukraine and it metastasized within the army in 2023, especially in military procurement and mobilization. In response, the government conducted audits and opened investigations at both the top and bottom levels of the Ministry of Defense. These efforts to combat corruption put the government in an ambivalent situation, as more light was shed on the scale of corruption with each case it uncovered. It is too early to credit the government for successfully fighting corruption, but it should be acknowledged for taking some substantive steps to combat the problem, even at the potential expense of public support.

In 2023, the government's efforts to meet the criteria for initiating accession negotiations with the EU was the primary driver of democratization and reform. The most significant progress with the positive and measurable outcomes was reached in the fields of combating corruption and reforming the judiciary.

At a Glance

Despite the government's significant progress in implementing the reforms needed to start accession negotiations with the EU, citizens' trust in government institutions decreased in 2023. Although the parliamentary elections were postponed due to the war, key stakeholders developed the legal framework for

holding the first postwar elections. Civil society remained vibrant and effectively addressed the challenges of wartime, while organizing protests for the first time since the war began to influence local and central authorities. The government continued to financially support the national telethon, while local media experienced difficulties, including a lack of resources. Judicial institutions filled many empty judgeships, but the judiciary remained prone to corruption. The government revealed corruption’s frightening scale by opening major investigations into graft at all levels of the military.

National Democratic Governance 1.00-7.00 pts

Considers the democratic character of the governmental system; and the independence, effectiveness, and accountability of the legislative and executive branches.	2.50 /7.00
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- In 2023, the government maintained control over the country and its institutions functioned, despite the challenges of the war. The president, parliament, and cabinet fulfilled their respective responsibilities, avoided open conflicts, and acted decisively. As in 2022, many high-level personnel left the government at both the national and local levels. The president replaced five ministers during the year, including Oleksiy Reznikov as the minister of defense with Rustem Umerov. ²⁷ ²⁸ ²⁹ ³⁰ ³¹ Additionally, President Zelensky dismissed the heads of 11 regional (oblast) administrations.
- Since 2020, political parties have not been required to submit quarterly financial reports due to the COVID-19 pandemic and then the Russian invasion. Domestic experts and international partners called for the reinstatement of these financial reporting requirements. ³² In August, the parliament voted to restore mandatory financial reporting for political parties. ³³ According to the law, parties eligible for state financing must provide all previously unsubmitted financial reports since 2020 within 90 days of the law’s implementation in December. The 2024 budget allocates 840 million hryvnia (\$22.6 million) for the public financing of political parties. ³⁴
- At the beginning of 2023, the Eighth Appellate Administrative Court banned the “Party of Regions” and ordered all of its assets transferred to the government due to the party’s active support for Russia and public

justification of the Russian occupation in eastern Ukraine. **35** In March, a group of deputies in the parliament proposed a draft law that would forbid individuals associated with banned political parties from running for office for 10 years after the end of martial law. **36** According to estimates, more than 3,000 deputies in local councils from pro-Russia parties could be barred from holding office if the law passes. **37** In an October opinion on the legislation, the Venice Commission said the proposed ban was too broad and could strip political rights from people who pose no threat to stability or democracy. **38** The commission recommended that the bill's drafters narrow the scope of the ban so it would affect only core members of banned parties who actively threatened Ukraine's democracy, rather than all individuals who have any affiliation with a banned party and may be unaware of the party's policies and activities. **39**

- In 2023, surveys indicated that the public's trust in the government declined. According to one survey, trust in the president decreased from 84 percent to 62 percent, trust in the cabinet dropped from 52 percent to 26 percent, and trust in the parliament declined from 35 percent to 15 percent. **40** The number of Ukrainians who believed that there were conflicts between the political leadership and army command increased from 14 percent in 2022 to 32 percent in 2023. **41**

Electoral Process 1.00-7.00 pts

Examines national executive and legislative elections, the electoral framework, the functioning of multiparty systems, and popular participation in the political process.

4.50
/7.00

- The most recent presidential and parliamentary elections took place in 2019. According to the Constitution, the parliamentary elections should have occurred in October and the presidential election should be held in March 2024. However, Ukrainian law prohibits conducting national elections until after the martial law regime ends and both elections were postponed indefinitely. **42** Addressing calls for Ukraine to hold wartime elections from some international allies, **43** **44** **45** President Zelensky said the country could carefully proceed with the elections, even while at war. **46** However, he underscored the critical importance of meticulously evaluating safety risks, **47** the legal nuances, **48** and financial considerations **49** before

reaching any decisions. The Central Election Commission estimated that holding the presidential election would cost nearly 5.5 billion hryvnia (\$148 million). ⁵⁰ However, the 2024 budget did not allocate any funds for the election. ⁵¹ A strong public consensus has emerged that conducting elections during the war is not feasible. According to one survey, 62 percent of Ukrainians wanted elections to occur after the war rather than during it.

⁵² ⁵³ ⁵⁴ In November, the parties in the parliament signed an agreement stating that no elections should be conducted until the end of the war and the termination martial law. ⁵⁵ The discourse then focused on the challenges that Ukraine must overcome to successfully conduct the first postwar elections. Ensuring that millions of refugees and internally displaced persons can vote, providing military personnel with access to ballot boxes, updating the national register of voters, and rebuilding the election administration infrastructure are just a few of the significant challenges that the government must address. ⁵⁶

- By the end of 2023, there were only 401 members of parliament in office, leaving 49 of the 450 seats in the parliament unfilled. ⁵⁷ There were three reasons for this shortage. First, in 2019, there were no elections in single-seat districts (SSD) in Crimea and some parts of the Luhansk and Donetsk oblasts due to the Russian occupation. Second, the SSDs that lost their deputies over the last five years due to resignation, ⁵⁸ ⁵⁹ loss of Ukrainian citizenship, ⁶⁰ or death ⁶¹ ⁶² remained vacant because by-elections were prohibited under martial law. Six deputies in SSDs left office and their seats were left unfilled in 2023. Finally, seven deputies from the banned Opposition Platform – For Life (OPZH) party were dismissed from the parliament in 2023 and their seats went unfilled. ⁶³ ⁶⁴ ⁶⁵ ⁶⁶
- In September, Russia conducted local elections in the occupied territories of Donetsk, Luhansk, Kherson, and Zaporizhzhia, as well as by-elections to the State Duma in a district of the occupied city of Simferopol, Crimea. By organizing these illegal elections, Russia aimed to further integrate the occupied territories into its political system. The Central Election Commission of Ukraine adopted a resolution recognizing the elections “as a continuation of Russia’s cynical encroachment on the state sovereignty and territorial integrity of Ukraine, its constitutional system, as enshrined in the Constitution of Ukraine.” ⁶⁷ Corresponding statements were issued by the Ukrainian Parliament ⁶⁸ and the Ministry of Foreign Affairs. ⁶⁹ The

European Union **70**’ **71** and the United States **72** also condemned these sham elections.

Civil Society 1.00-7.00 pts

Assesses the organizational capacity and financial sustainability of the civic sector; the legal and political environment in which it operates; the functioning of trade unions; interest group participation in the policy process; and the threat posed by antidemocratic extremist groups.

5.25
/ 7.00

- In 2023, Ukrainians organized protests for the first time since the war began. Two waves of protests occurred during the year. The first protests were held to demand the government to establish set terms for military service and rotations in the military, as well as the adoption of a law allowing soldiers to demobilize after 18 months of service. **73**’ **74** The families of active-duty soldiers largely organized these demonstrations, which attracted between 30 and 100 participants, depending on the city. **75**’ **76** During the second wave of protests, citizens urged local governments to prioritize military expenses over infrastructure projects. **77**’ **78**’ **79**’ **80**’ **81** The number of participants at these meetings ranged from 20 to 1,000. **82** The government did not interfere with these events despite the martial law regime in place. Moreover, it considered some of the protesters’ demands and took steps to fulfill them. **83**
- Since February 2022, volunteerism has become much more structured and professional. Volunteer groups now compete for resources, media attention, and qualified volunteers. **84** From January until October, the three largest volunteer groups—United24, Come Back Alive, and the Serhiy Prytula Charity Foundation—generated 12.5 billion hryvnia (\$335 million) in donations. **85** According to surveys, Come Back Alive and the Serhiy Prytula Charity Foundation are among the most trusted volunteer organizations in Ukraine, with 43 percent and 42 percent of respondents ready to donate to them, respectively. **86** Ukrainians trust volunteer groups at a much higher rate than other social institutions. In 2023, surveys showed that at least 80 percent of respondents trusted volunteer groups, a rate 20 percent higher than trust in other civil society organizations (CSOs). **87**’ **88** At the

beginning of 2023, 61 percent of Ukrainians volunteered in support of the military or their fellow citizens. **89**

- In January, President Zelensky issued a decree that imposed economic sanctions on the top clergy of the Ukrainian Orthodox Church (UOC), previously known as the Ukrainian Orthodox Church of the Moscow Patriarchate (UOC-MP). **90’ 91** And in April, the Security Service of Ukraine (SSU) charged UOC leader Metropolitan Pavlo with “justification, recognition as lawful, denial of the armed aggression of the Russian Federation against Ukraine, glorification of its participants.” **92** The SSU reported that since the beginning of the Russian invasion it had criminally charged 68 representatives the UOC, including 14 metropolitans of the church, over their alleged support for Russia’s invasion. **93** In 2023, several local councils banned the UOC-MP from operating in their communities. **94’ 95’ 96’ 97** In October, a bill that would ban religious organizations associated with the Russian Orthodox Church passed a first reading in the parliament. **98** The percentage of Ukrainians supporting a complete ban of the UOC-MP in Ukraine increased from 54 percent in 2022 to 66 percent in 2023. **99**
- In July, the Law On National Minorities, which the parliament passed at the end of 2022, was enacted. **100** However, a June Venice Commission opinion criticized the law for restricting the use of the languages of the national minorities, including Russian, in media, schooling, and publishing. **101’ 102’ 103** In response, the government revised the law and considered some of the commission’s recommendations. **104** Nevertheless, the commission issued a follow-up opinion that said a number of key recommendations had either not been implemented or were partially implemented. **105** The government then further revised the law, but faced sharp criticism from Ukrainian activists who argued that the proposed revisions could enable the “extensive Russification” of television, radio broadcasting, audio and video advertising, book publishing, and other industries after a five-year transitional period. **106’ 107** In response, the government further revised the law to exclude “Russification norms.” **108** In December, the parliament passed the revised law and President Zelensky signed it into law, which the European Commission positively accessed. **109’ 110**
- On multiple occasions in 2023, representatives of the Territorial Supply Centers (TSC), the institutions responsible for military mobilization, illegally

detained draft-age men on the streets of Ukrainian cities. ^{111'} ^{112'} ^{113'} ^{114'} ^{115'} ^{116'} ^{117'} ¹¹⁸ These actions revealed the challenges Ukraine faces with mobilization, but TSC management and law enforcement reacted appropriately. In some cases, the State Bureau of Investigation (SBI) opens criminal cases for instances of military personnel exceeding official powers, while in others, TSCs conduct official checks themselves. ^{119'} ¹²⁰

Independent Media 1.00-7.00 pts

Examines the current state of press freedom, including libel laws, harassment of journalists, and editorial independence; the operation of a financially viable and independent private press; and the functioning of the public media.

3.25
/7.00

- In March, a controversial media law adopted at the end of 2022 came into force. Its implementation was one of the EU's requirements for Ukraine to become an EU candidate country. The National Union of Journalists of Ukraine, the Independent Media Trade Union of Ukraine, and the International and European Federations of Journalists warned that the law unduly expands the powers of the state media regulator, the National Television and Radio Broadcasting Council, which lacks independence because the president appoints half of its members and the parliament appoints the other half. ¹²¹ The law enabled the regulator to fine media outlets, revoke their licenses, and temporarily block certain publications without a court decision. ¹²² On the other hand, Reporters Without Borders praised the law for harmonizing Ukrainian legislation with European law and making it easier to identify the real owners of media outlets. ¹²³ The Council of Europe said the law generally met its standards. ¹²⁴
- In 2023, the united telethon broadcast by the largest television networks since 2022 remained a significant source of news and information. Four out of five Ukrainians were aware of the "united news" at the telethon, and one in three watched the news at least once a week. ¹²⁵ However, the share of daily viewers of the telethon decreased by 10 percent in 2023, ^{126'} ¹²⁷ and the level of trust in the telethon dropped from 69 percent to 43 percent. ¹²⁸ Monitors said that the telethon programs disproportionately aired positive coverage of President Zelensky's Servant of the People party. ^{129'} ^{130'} ¹³¹ By the end of the year, 43 percent of Ukrainians agreed that the telethon had

lost its relevance, while only 21 percent said it remained relevant. ¹³² In 2024, the government will spend 1.7 billion hryvnia (\$46 million) on the telethon.

¹³³

- In 2023, regional media encountered substantial wartime challenges, mainly due to the loss of personnel resulting from emigration and military service. ¹³⁴ While editorial teams adapted to wartime conditions, they faced safety risks, financial difficulties, a shrinking advertising market, and mental health challenges from the stress of reporting on the war. The financial sustainability of regional media outlets was closely tied to their fundraising capabilities, especially their ability to craft competitive grant proposals.
- By November, Russia had killed 25 journalists in Ukraine, including two who died while working. ¹³⁵ ¹³⁶ Four journalists were injured while working on the frontline. ¹³⁷ ¹³⁸ ¹³⁹ In 2023, monitors reported 150 freedom of speech violations, with 45 percent attributed to Russia and 55 percent to Ukrainian citizens. ¹⁴⁰
- In November, two respected media organizations, the Institute of Mass Media (IMI) and Detector Media (DM), reported on an organized campaign to discredit both organizations using fake news spread on anonymous Telegram channels. ¹⁴¹ The campaign was initiated by a Telegram channel that IMI and DM had previously monitored. ¹⁴² The Telegram posts alleged that IMI and DM were “paying with rubles” to the analytical services allowing gathering and the analysis of statistics on Telegram channels that were developed by Russians, and therefore “sponsoring the war.” Another Telegram channel under monitoring then conducted a survey that asked followers to choose the type of punishment IMI and DM should endure. The attack on these organizations was condemned by the EU office in Ukraine.

¹⁴³ ¹⁴⁴

Local Democratic Governance 1.00-7.00 pts

Considers the decentralization of power; the responsibilities, election, and capacity of local governmental bodies; and the transparency and accountability of local authorities.

3.50
/ 7.00

- As of September, 2,804 settlements in 144 territorial communities remained under Russian occupation, while 687 settlements in 87 communities had been liberated. ¹⁴⁵ To reintegrate these liberated communities, officials

must address a number of issues including transitional justice, lustration (dealing with collaborators and Russian associates in temporarily occupied territories), restoring public administration and social services, demining, and environmental issues. **146’ 147’ 148**

- In 2023, the president established military administrations (MAs) in 49 territorial units. The government created 16 MAs in cities and towns and 33 in villages. Most of the MAs were set up in the frontline oblasts: Luhansk (3), Zaporizhzhia (19), Donetsk (9), Kherson (4), and Kharkiv (1). **149** The MAs are temporary governing institutions that either replaced or worked in parallel with the self-governing bodies. The MAs will remain until martial law ends. MAs are tasked with helping to govern territories that lack the capacity to govern themselves. The president appoints the heads of the MAs and they are directly accountable to Zelensky. This arrangement could threaten local autonomy by establishing central control over local governance. **150** Analysts have recommended that local self-government be restored as soon as possible if conditions allow for it. **151**
- In November, the parliament passed and President Zelensky signed a military bill that affected local self-governance. **152’ 153** The law transfers income tax revenues allocated for the military from local budgets to the governmental budget. According to expert estimates, during the first half of 2023, the “military” income tax contributed 50 billion hryvnias (\$1.3 billion) to local budgets, accounting for 15 percent of all local budget revenues. **154** Under the new law, from October 1 until the end of 2023, revenues from the military income tax were equally distributed to the State Special Communications and Information Protection Service for drones and the Ministry of Defense for the purchase of artillery systems. **155** In 2024, the military tax will be allocated to ammunition and military units. **156** The law sparked heated debates. Proponents argued that local authorities had spent money that should have gone to the military on urban projects. **157** Opponents contended that local authorities had addressed many military needs in their territories. These changes undermine the financial capacity of local self-governance by reducing localities’ finances by 25 percent. **158** The financial sustainability of local self-governance in Ukraine has been a crucial aspect of decentralization reform, which was widely regarded as one of Ukraine’s most successful reforms.

- In 2023, the mayors of the oblast centers of Poltava, **159** Chernihiv, **160** Rivne, **161** and Sumy **162** were convicted of corruption and removed from office. The mayors of Poltava and Sumy were convicted of misusing budget funds and accepting a bribe, respectively, and the mayors of Chernihiv and Rivne were convicted of corruption-related administrative offenses. While council secretaries replaced the mayors of Poltava and Rivne, President Zelensky established MAs in Chernihiv and Sumy and appointed their heads. **163** **164** Despite the court decisions, some interest groups, including the Association of Cities of Ukraine, thought the mayors' dismissals were politically motivated and undermined local self-government. **165** **166** **167**
- In 2023, Ukrainians' trust in local self-government decreased slightly. In March, 56 percent of respondents trusted their local councils and 62 percent trusted their mayors. By October, these figures had decreased to 49 percent and 54 percent, respectively. **168** **169**

Judicial Framework and Independence 1.00-7.00 pts

Assesses constitutional and human rights protections, judicial independence, the status of ethnic minority rights, guarantees of equality before the law, treatment of suspects and prisoners, and compliance with judicial decisions.

2.50
/7.00

- In January, the Congress of Judges elected eight members of the High Council of Justice (HCJ), granting it authorized status. **170** The HCJ has the power to appoint and dismiss judges. **171** The reformed HCJ re-established the High Qualification Commission of Judges (HQC), which then vetted and appointed 2,500 judges to fill longstanding vacancies. **172** **173** The reboot of the HCJ and HQC was a top priority for the judiciary and allowed Ukraine to initiate negotiations to enter the EU. **174**
- At the end of 2022, the parliament approved and the president signed a controversial law on the selection of judges for the Constitutional Court of Ukraine (CCU). Passing and implementing the law was a key factor for Ukraine to initiate negotiations to join the EU. Among others, it would enable the filling of five vacant positions for judges in the current composition of the CCU. The law envisaged the creation of a special body, the Advisory Group of Experts (AGE), to check the backgrounds of the candidates for the CCU, but the Venice Commission declined to nominate its

representative to the Group unless the law was revised. After several rounds of negotiations, the new version of the law incorporated the commission's technical recommendation, which made it impossible to further consider candidates for the CCU identified by the AGE as "not suitable." However, a significant commission recommendation to increase the size of the AGE from six to seven members by adding one more representative from international organizations, in an effort to avoid deadlocks in decision-making, was not implemented. Nevertheless, the law specified that the AGE's international members would cast a tie-breaking vote. In November, the government determined the AGE's composition. The president, the parliament, and the Council of Judges each delegated one AGE member, while the cabinet approved three more members that international organizations proposed. Despite Ukrainian experts' recommendation that the international quota include at least one Ukrainian expert, all three selections were foreigners. The AGE then held its inaugural meeting and began formulating the methodology to select candidates. Simultaneously, the parliament and the Council of Judges submitted their lists of candidates to the CCU for the AGE's review. **175**

- In August, CSO representatives formed the third composition of the Public Integrity Council (PIC). The PIC plays a crucial role in helping the HQC to ensure the integrity of the judiciary. **176** The PIC collects information and draws conclusions on judges' professional ethics and integrity. **177** However, in November, a bill that would significantly restrict the powers of the PIC passed the first reading in the parliament. The bill would limit civil society involvement in evaluating current judges and selecting new ones. It would also empower the HQC to terminate the mandates of PIC members, prohibit PIC members from giving a public assessment of judges, and establish tight timeframes for assessments that may compromise their quality. **178' 179**
- In May, authorities arrested the head of the Supreme Court of Ukraine (SCU), Vsevolod Knyazev, for receiving a bribe of \$3 million in exchange for a court decision favoring the corporate interests of one of the Ukrainian oligarchs. **180** Simultaneously, authorities searched the homes of 18 other SCU judges who heard the mentioned case. **181** The plenum of the SCU described the event as a "black day in the history of the Court," the director of the National Anti-Corruption Bureau (NABU) said it was the most resonant case in the bureau's history, and experts concluded that efforts to

reform the SCU had “miserably failed.” ^{182’ 183’ 184} The plenum subsequently held a vote of no confidence in Knyazev and stripped him of his powers. ¹⁸⁵

- In 2023, the courts were among the least trusted institutions in Ukraine. The trend throughout the year was consistently negative. According to surveys, between February and September, public trust in the courts fell from 25 percent to 18 percent, while distrust rose from 59 percent to 70 percent. ^{186’ 187} The proportion of individuals expressing “no trust at all” surged from 20 percent to 32 percent.

Corruption 1.00-7.00 pts

Looks at public perceptions of corruption, the business interests of top policymakers, laws on financial disclosure and conflict of interest, and the efficacy of anticorruption initiatives.

2.50
/ 7.00

- In March, the Cabinet of Ministers adopted the Anti-Corruption Program that was a key instrument for the Anti-Corruption Strategy 2021-2025. ¹⁸⁸ The EU had urged Ukraine to adopt the law. The National Agency on Corruption Prevention (NAZK) had warned that internal resistance to the Anti-Corruption Program from the most corrupt institutions could threaten the law’s passage. ¹⁸⁹
- After the Russian invasion, NAZK suspended the asset declaration requirements for politicians and high-ranking civil servants until the end of the martial law regime. ¹⁹⁰ However, in January, Oleksiy Grytsenko, politician and activist, started an online petition to reinstate asset declarations. ¹⁹¹ Within a few days, the petition gathered the necessary 25,000 signatures, prompting an official response from President Zelensky, who voiced his support for it. ¹⁹² Additionally, the IMF said it would withhold further financial support until the government brought back asset declarations, a stance that the EU and G7 backed. ^{193’ 194’ 195} Following attempts to undermine the bill to restore asset declarations in the parliament, deputies eventually supported a version that would require officials to submit their assets one year from the bill’s implementation. ¹⁹⁶ Pressure from the Ukrainian public and the international community compelled the president to veto the law with a call to require asset declarations by the end of September. ^{197’ 198’ 199’ 200} In September, the parliament supported the

revision and President Zelensky signed a revised law in October that restored electronic declarations and made them public immediately. **201**

- In March, the cabinet appointed Semen Kryvonos as the head of NABU. **202** After his appointment, investigative journalists revealed corruption allegations against Kryvonos, stemming from his time as the head of the registration service in the local department of justice. **203**
- In June, the Venice Commission issued an opinion on a law meant to control Ukraine's powerful oligarchs, whose implementation was one of the conditions for Ukraine to become an EU candidate country. **204'** **205** The commission concluded that the law emphasized a "personal" approach ("identifying the persons who are considered to wield negative influence on the state through specific criteria, such as wealth, media ownership, etc.") rather than a "systematic" strategy ("adoption and strengthening of legal tools in many fields of law ... with a view to preventing the destructive influence of oligarchy in a comprehensive and coordinated manner") to fight the corrupt influence of many oligarchs. **206** The chosen approach may threaten the rights guaranteed by the European Convention on Human Rights for those investigated under the law. Moreover, it may empower the National Security and Defense Council (NSDC) to make arbitrary decisions on who is an oligarch to benefit the president, who heads the NSDC. The commission also acknowledged that the war had diminished the oligarchs' power and reduced their political influence. **207** As a result, the Venice Commission suggested postponing the law's implementation until the end of the war. The register of oligarchs, which should include individuals meeting certain criteria, was scheduled to be launched within three months of the commission's opinion. **208** However, given the commission's negative conclusion on the law, the government postponed the launch of the register until the end of the martial law regime. **209**
- In early 2023, investigative journalist Yuriy Nikolov publicized a 13.16 billion hryvnia (\$353 million) Ministry of Defense contract for food that inflated the prices for the most popular products by two to three times. **210'** **211** The Ministry of Defense accused the journalist of manipulation and asked the SSU to investigate the published material. **212** However, anticorruption institutions confirmed that they had opened investigations into the contract before the article's publication. **213** Officials then dismissed the deputy minister of defense who oversaw military logistics and the Ministry of

Defense's procurement director. **214'** **215** Shortly afterward, authorities arrested both officials for corruption, executing contracts for military products at inflated prices, and procuring low-quality military equipment. **216'** **217** The contracts for military food procurement were then revised with reduced prices. **218** An audit conducted by the Accounting Chamber of Ukraine confirmed the inflated prices. **219** This case of high-level corruption in the Ministry of Defense was not isolated.. Other cases of corruption in the ministry have cost millions **220'** **221** and billions of hryvnia. **222'** **223'** **224** These cases did not appear to involve US aid. **225'** **226**

- Multiple reports of draft evasion pointed to systemic corruption within the Territorial Supply Centers (TSC) and Military Medical Commissions (MMC). One of the most prevalent corruption schemes involved officials from the MMCs accepting bribes from conscription-age individuals to fabricate documents stating that the individuals were unfit for service due to a medical condition. This led to their removal from military registration at the TSC. **227'** **228'** **229** MMC officials received between \$1,000 and \$15,000 for the false reports, allowing thousands of conscripts to flee the country. **230** The investigations demonstrated that TSC heads who were responsible for mobilizing conscripts bought property in Ukraine and abroad that cost millions of dollars. **231'** **232'** **233'** **234** Many similar cases of corruption were uncovered across Ukraine. **235'** **236'** **237'** **238'** **239'** **240'** **241'** **242'** **243'** **244** The scale of the phenomenon and its public resonance led to the dismissals and arrests of some officials accused of egregious corruption. **245'** **246** Anticorruption bodies conducted audits that scrutinized the lifestyles of military commissars **247** and functioning of military institutions. **248'** **249'** **250** The results of the audits brought numerous abuses of power to light. **251'** **252** All oblast-level military commissars were dismissed as a result of the audits. **253**
- Ukrainians considered the parliament the most corrupt institution, while they viewed the presidency and anticorruption NGOs as the least corrupt institutions. **254** In general, Ukrainians believed that the government performed poorly in fighting corruption. **255** More than half of Ukrainians considered corrupt government officials as the country's major internal enemy. **256** And almost four out of five citizens believed that the president was directly accountable for the corruption in government and the military. **257** While accountability was not synonymous with involvement, public

opinion sends a strong signal that Ukrainians expect the president to show strength in fighting corruption. **258**

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Footnotes

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Country Facts

Population

38,000,000

Global Freedom Score

49/100 **Partly Free**

Internet Freedom Score

59/100 **Partly Free**

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