

To: Group of States Against Corruption, GRECO
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From: member of the civic movement
"Ukrainian Direction"
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To whom it may concern,

"**Ukrainian Direction**" (UNAP) is an independent civic movement operating as an open public platform. Our goal is not to create conflicts, but to improve existing mechanisms and propose practical solutions where they are lacking.

I kindly ask you to review and support **the proposal on the introduction of private anti-corruption detectives in Ukraine**, developed by the civic movement "Ukrainian Direction." We hope for your support, as this is a new and potentially effective path in **overcoming corruption in Ukraine**, which in turn will lead to the strengthening of the country's economy and defense capabilities, and will reinforce our state's position on the international stage.

Upon reviewing the proposal on the introduction of private anti-corruption detectives in Ukraine, please provide your feedback at: office.ukrdirection@ukr.net

Please note that the provided information will be published on the official website of the civic movement "Ukrainian Direction" at UNAP.ORG.UA due to our full transparency policy and will serve as material for further discussions by members of the civic organization.

Sincerely,
Member of the civic movement
"Ukrainian Direction"
12.03.2026



Andriy SIDELNIKOV

Proposal on the Introduction of Private Anti-Corruption Detectives in Ukraine

Purpose: to create a legislative framework for the operation of Private Anti-Corruption Detectives (hereinafter – PAD) in order to strengthen the fight against corruption without attracting additional budget funds or creating additional government structures.

Justification of the Proposal: Fighting corruption in Ukraine is one of the most important tasks. All citizens of Ukraine can historically be divided into the following categories in terms of their relationship to corruption:

1. Those who have access to corrupt enrichment and use it on a regular basis. In the future, it is recommended that these individuals be divided at the legislative level into categories according to the level of material assets to which they potentially have access;
2. Those who seek access to corrupt enrichment – potential future corruptors;
3. Those who use corrupt schemes from time to time – entrepreneurs, businesspeople, and private individuals who use corruption as a possible way to resolve their own situational interests;
4. Those whose professional activity consists of fighting corruption and who hold positions in government bodies at public expense;
5. Those who believe that corruption is evil and express their dissatisfaction but take no active steps – yet may provide information about corrupt activities;
6. Those who wish to obtain a legal opportunity to participate in the fight against corruption in the form of private entrepreneurial activity.

In practice, corruption is a separate type of business in Ukraine, it develops according to market laws and can leave the market in accordance with market laws of competition and minimum profitability levels.

Providing the opportunity to officially engage in the detection of corrupt schemes as a legitimate business for profit is a new additional means of overcoming this problem without drawing on additional budget funds.

Since law enforcement agencies are vertically integrated into the central authorities, there is public concern that the fight against corruption is being conducted selectively and may be a tool of influence against certain individuals or groups for the purpose of redistributing financial flows in which the anti-corruption fighters themselves participate. In addition, the number of law enforcement personnel is determined by relevant regulations and is not self-regulating in accordance with market laws and the balance of supply and demand.

The corruption situation in Ukraine is quite unique, because no country with a high level of social and economic development has such a high level of access to corrupt opportunities. At the same time, society perceives corruption as part of a national characteristic. Therefore, the means of combating it must also be unique.

Every corrupt individual is an educated, bold, risk-taking, public, legally savvy person with the material resources for personal protection. That is, every corrupt official complies with market laws at this stage of the phenomenon's development. Perhaps one of the means of overcoming this problem is also the application of market mechanisms?

Hunting for corrupt assets must become a sufficiently profitable business. In the long term, most of these assets will be identified, and the emergence of new assets will decrease. Therefore, from the moment corruption becomes a risky and low-profit activity, and given the sharp increase in the cost of protecting corrupt schemes (i.e., payments to government structures and an indefinite circle of private entities that will also want to receive their legal share of identified corrupt assets), its level will decline in accordance with market laws as well.

Legal Basis. In Ukraine, citizens can only act as individuals who report corrupt events to the relevant law enforcement agencies and passively await results and rewards. However, the citizen-complainant has no involvement in any subsequent decisions (investigation, case management in court, sale of assets at auction, etc.). There is a clear understanding that from the moment a corrupt act is reported, the relevant law enforcement officer (and later the court) becomes the owner of that information and may begin negotiations with the corrupt official to receive funds for "resolving the issue." Therefore, if the following issues are resolved legislatively, a new influence on corrupt schemes is possible during the active phase of the fight against corruption.

Legislatively regulate the right to private anti-corruption activity within the framework of the law on private detective activity in Ukraine by placing such activity in a separate section. This Law exists as a draft bill but can be quickly finalized and adopted. In addition, adopting the Law and creating a separate section on private anti-corruption activity will be an additional step toward fulfilling relevant requirements of the United States and other partners on these matters, without drawing on budget funds.

A historical example is the activity of "bounty hunters in the USA" – private individuals who performed police functions in searching for and apprehending certain criminals based on a state permit.

Grant broader powers for detecting corrupt schemes, namely:

1. Mandatory provision of information upon request by a PAD by all legal entities and individuals, permission for covert surveillance of a subject, requests for information from banks based on a relevant court decision. That is, a PAD may apply to a court with the appropriate application, justify it, and obtain permission to receive information from a bank. This will not limit citizens' rights, but in practice the PAD will have 25–30% of the powers of law enforcement agencies, which will provide additional capabilities. Most of these powers have already been granted to lawyers within criminal proceedings, and some were planned to be granted to private detectives. That is, the scope of powers that need to be granted is not entirely new or controversial from the standpoint of privacy rights violations, etc.

2. Allow a PAD to actively participate in criminal and administrative proceedings based on facts identified by them, as a representative of the victim – since the victim of corrupt activity is the people of Ukraine, on whose behalf and in whose interests the PAD acts. This will provide very broad opportunities in accordance with existing criminal procedural legislation and will practically eliminate any "issue resolution" with the prosecutor's office and the relevant government body. Since the PAD is interested in receiving a 30–50% reward, and this is their sole income – income that can only be received after a court judgment enters into legal force and assets are actually recovered to the state. The need to resolve this issue is due to the following: in all cases of the category "the people of Ukraine vs. a criminal" (bribe, theft of state property, corrupt offenses), the sole representative of the people of Ukraine is the prosecutor, who receives a salary regardless of results and is sometimes inclined toward a formalized approach. Therefore, when proceedings are prolonged – when after 2–3 years public attention to the case is lost – most cases quietly die. The presence of a party that has a legally grounded financial interest in the outcome of proceedings will make "issue resolution" impossible. Even if an agreement is reached with a particular PAD, another PAD may take up the case – meaning the owner of the corrupt asset will be deprived of material assets on legal grounds until a decision is made in accordance with the law.

3. Increase the PAD's reward to 30–50% of identified corrupt assets and compensate the PAD for all expenses incurred in identifying and accompanying a corruption case at the expense of the guilty party. Depending on the duration of court proceedings – for example, over 2 years the amount may increase significantly, since the PAD may engage a lawyer, etc. In this case, the state has the opportunity to pay the person who is effectively fulfilling a government order to

find and eliminate corruption at the expense of the corrupt asset owner – that is, without any budget expenditure.

4. Allow PADs to own firearms as a factor of additional personal protection. Amend the Criminal Code of Ukraine regarding the list of persons under additional protection, such as lawyers, judges, and law enforcement officers.

5. Develop a complex mechanism for revoking a PAD's license, as this will be the only means of influencing this link in the fight against corruption. A two-stage approach is proposed: the final decision should be made by a commission of 9 people, of whom 3 are representatives of foreign bodies engaged on appropriate terms. That is, to completely exclude the possibility of any authority structure taking control of a PAD. At present, each anti-corruption body is headed by a specific individual who personally influences every case. PADs will have no single supervisory body and will be guided by the law and their own lawful financial interest.

6. **Extraterritoriality** – PADs may operate throughout the entire territory of Ukraine. For example, a PAD from Poltava has no personal stake in the head of the Lviv customs office, and a PAD from Ternopil will without hesitation investigate the case of the Dnipro regional prosecutor.

7. The availability of a sufficient number of war veterans and combat participants who have relevant experience and their own deeply negative view of corrupt officials will also be a significant personnel reserve for PADs, who will be quite difficult to influence.

8. **Public access to this activity.** The license should be quite expensive – as an option, no less than \$20,000 USD per year – as a stimulating factor for active work.

9. **Restrictions:** during the first year of the project's introduction, limit PAD activity to the regional level. This approach will provide an opportunity to study results and make appropriate adjustments. In addition, the first year of operation will determine the very rationale for the project's existence. Then expand PAD activity, for example, to the level of deputy ministers and heads of central government institutions. The third stage will be the removal of all restrictions on PAD activity.

10. **Taxation.** Income received by PADs will be taxed at rates applicable to self-employed individuals (notaries, private enforcement officers), which will provide additional revenue to the budget.

11. The existence of a structure that has the ability to earn significant funds through the identification of corrupt assets will greatly complicate the financial rationale of the corrupt process itself, since "resolving issues" will now require payments to law enforcement agencies, the court, and the PAD – who is legally entitled to significant funds. Moreover, if a case is not officially closed by a court decision, the next PAD may also investigate the same event – and so on, until the corrupt official runs out of funds. That is, the risk of being investigated in succession by all PADs in Ukraine – who will also exchange information among themselves – will be significant. In this way, a market for information about corrupt officials will emerge: law enforcement officers will themselves begin to trade this information in order to receive legal funds through PADs, and then take this information into their official work. Law enforcement employees will have a legal alternative for receiving additional remuneration for their lawful and legitimate actions, which will also significantly reduce the profitability of corrupt activity.

12. If the level of corruption in Ukraine begins to temporarily decline, the number of PADs will decrease accordingly, as the most active and successful participants will remain in the market.

13. Foreign companies should be admitted to this market, as this is effectively a services market.

14. It is necessary to develop a mechanism for recording and registering the start of a PAD's work on specific information, with the definition of a final deadline (with the possibility of extension through a specific procedure) and a maximum number of cases that one PAD may have in progress before transfer to law enforcement agencies – in order to increase their effectiveness and focus on specific cases.

Implementation of this legislative initiative will allow:

- obtaining additional revenues to the state budget;
- significantly reducing the profitability of corrupt operations with the future prospect of making more than 70% of corrupt schemes unprofitable;
- expanding the circle of persons who have the opportunity to legally participate in the fight against corruption in the form of profitable business;
- introducing a new anti-corruption instrument and thereby strengthening Ukraine's position on these matters in negotiations with EU partners, without drawing on additional budget funds.

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