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**EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW**  
**(VENICE COMMISSION)**

**LAW**  
**ON THE PUBLIC PROSECUTOR'S OFFICE**  
**OF UKRAINE**

**Text adopted by the Verkhovna Rada on 14 October 2014  
subsequent to Venice Commission Opinion No 735/2012  
(see [CDL-AD\(2013\)025](#) and [CDL-REF\(2013\)041](#))**

**(Unofficial translation)**

**The Law of Ukraine**  
**On the Public Prosecutor's Office**  
**(Unofficial translation)**

**Adopted on 14 October, 2014**

This Law sets forth the legal framework of organization and operations of the Public Prosecutor's Office of Ukraine, principles of prosecutorial self-governance, the status of public prosecutors, the public prosecution system, procedures and the system of the Public Prosecutor's Office of Ukraine.

**Section 1. Principles of Organization and Operations of Public Prosecutor's Offices**

**Article 1. Public Prosecution Service**

1. The Public Prosecution Service of Ukraine constitutes a unified system that shall, in line with the procedures set hereby, perform functions established by the Constitution of Ukraine with the aim of protecting human rights and freedoms, common interests of the society and the state.

**Article 2. Functions of the Public Prosecution Service**

1. The Public Prosecution Service shall perform the following functions:

- 1) supporting the prosecution in court on behalf of the state;
- 2) representation of interests of an individual or the state in court in the cases stipulated by this Law;
- 3) supervision over observance of laws by the authorities carrying out detective operations, inquiries and pre-trial investigation;
- 4) supervision over observance of laws in the enforcement of court judgments delivered in criminal cases, as well as in application of other coercive measures related to restraint of individual personal liberty.

2. For the purpose of performing its functions, the Public Prosecutor's Office shall carry out international cooperation.

3. The Public Prosecution Service shall not be charged with functions that are not established in the Constitution of Ukraine.

**Article 3. Principles of Operation of the Public Prosecutor's Office**

1. The Public Prosecution Service shall work by the following principles of:

- 1) the rule of law and recognition of an individual, his/her life and health, honor and dignity, inviolability and security as the highest social value;
- 2) legality, justice, impartiality, and objectivity;
- 3) territoriality;
- 4) presumption of innocence;
- 5) independence of public prosecutors, which implies existence of safeguards against illegal political, financial or other influence on a public prosecutor in connection with his/her decision-making when performing official duties;
- 6) political neutrality of the Public Prosecutor's Office;
- 7) inadmissibility of illegal interference of the Public Prosecutor's Office in the functions of the legislative, executive, and judicial authorities;
- 8) respect for independence of judges, which shall imply prohibition of public expression of doubt regarding legality of court judgments beyond the procedure of appealing them in the manner prescribed by the procedural law;
- 9) transparency of operations of the Public Prosecution Service which shall be guaranteed with an open and competitive appointment to the position of a public prosecutor, free access to

reference information, provision of information upon request, unless the law sets limitations on its disclosure; and

10) strict compliance with professional ethics and conduct.

#### **Article 4. Legislation on the Public Prosecution Service and the Status of Public Prosecutors**

1. Organization and operations of the Public Prosecution Service of Ukraine and status of the public prosecutors shall be established by the Constitution of Ukraine, this law and other laws of Ukraine, valid international treaties, the binding nature of which is stipulated by the Verkhovna Rada of Ukraine.

#### **Article 5. Execution of Functions of the Public Prosecution Service Exclusively by Public Prosecutors**

1. Functions of the Public Prosecutor's Office of Ukraine shall be executed exclusively by public prosecutors. Delegation of functions of the Public Prosecution Service as well as appropriation of these functions by other authorities or officials shall be prohibited.

#### **Article 6. Information about Operations of the Public Prosecution Service**

1. The public prosecutor's offices of Ukraine shall inform not less than twice a year the public about their operations by means of publications in the media.

2. The Prosecutor General of Ukraine shall personally report to the Verkhovna Rada of Ukraine at a plenary session about operations of the Public Prosecution Service no less frequently than once a year in a format of generalized statistical and analytical data.

3. During an open plenary session of respective council attended by representatives of mass media, heads of regional and local public prosecutor's offices shall, at least twice a year, inform the public in a respective administrative area about their performance in the area by giving generalized statistical and analytical data.

4. Information about operations of the public prosecutor's offices shall be published in national and local printed media and on the official websites of the public prosecutor's offices of Ukraine.

5. The public prosecutor's offices of Ukraine publish their internal regulatory acts on organization and operations of the Public Prosecution Service of Ukraine in accordance with the procedure established by law.

### **Section 2. Organizational Principles of the Public Prosecution Service**

#### **Article 7. The System of the Public Prosecution Service of Ukraine**

1. The system of the Public Prosecution Service of Ukraine shall include:

- 1) the Prosecutor General's Office of Ukraine;
- 2) regional public prosecutor's offices;
- 3) local public prosecutor's offices; and
- 4) military public prosecutor's office

2. Military public prosecutor's offices shall include the Chief Military Public Prosecutor's Office (acting as a structural unit of the Prosecutor General's Office of Ukraine), military public prosecutor's offices in regions (acting in a status of regional public prosecutor's offices), military public prosecutor's offices in military reservations and other military public prosecutor's offices (acting in a status of local public prosecutor's offices).

If in exceptional circumstances public prosecutor's offices providing supervision in certain administrative-territorial areas of Ukraine fail to perform their functions because, military public prosecutor's offices may perform these functions by decision of the Prosecutor General of Ukraine.

The Prosecutor General of Ukraine shall be responsible for establishment, reorganization, liquidation, determination of the status, competence, structure and staff of military public prosecutor's offices.

2. The Prosecutor General's Office of Ukraine shall be the highest public prosecution authority in respect to regional and local public prosecutor's offices, while the regional public prosecutor's office shall be a senior prosecutor's office in respect of the local public prosecutor's offices located within an administrative area subject to territorial jurisdiction of the regional public prosecutor's office.

4. Unity of the system of the Public Prosecutor's Office of Ukraine shall be guaranteed by:

- 1) unified principles of organization and operations of the Public Prosecution Service;
- 2) the unified status of Public Prosecutors;
- 3) the unified procedures of organizational support for public prosecutors' operations;
- 4) funding of the Public Prosecution Service exclusively by the State Budget of Ukraine; and
- 5) resolution of the Public Prosecutor's Office's internal issues by prosecutorial self-governance authorities.

5. The system of public prosecution may have specialization of public prosecutors.

#### **Article 8. The Prosecutor General's Office of Ukraine**

1. The Prosecutor General's Office of Ukraine shall organize and coordinate operations of all public prosecutor's offices in order to ensure efficient performance of the Public Prosecution Service.

2. The Prosecutor General's Office of Ukraine shall be headed by the Prosecutor General of Ukraine who shall have his/her First Deputy and four Deputies as well as the Deputy Prosecutor General who is the Chief Military Public Prosecutor.

3. In the structure of the Prosecutor General's Office of Ukraine, the following divisions shall be established: departments and units.

4. The Prosecutor General's Office of Ukraine shall establish the Chief Military Public Prosecutor's Office (acting as its structural unit) headed by the Deputy Prosecutor General who is the Chief Military Public Prosecutor. The Chief Military Public Prosecutor may perform other responsibilities as prescribed by an order of the Prosecutor General of Ukraine.

#### **Article 9. Powers of the Prosecutor General of Ukraine**

1. The Prosecutor General of Ukraine shall:

- 1) represent the Public Prosecutor's Office in relations with state authorities, other state bodies, local government authorities, individuals, institutions and organizations as well as with prosecution services of other states and international organizations;
- 2) organize operations of the public prosecutor's offices of Ukraine, including the establishment of the scope of authority of the Prosecutor General's Office of Ukraine, regional and local public prosecutor's offices within the performance of constitutional functions;
- 3) appoint public prosecutors to administrative positions and dismiss them from administrative positions in compliance with the procedures established hereby;
- 4) according to procedures established by this Law and following a decision of the Qualifications and Disciplinary Commission of Public Prosecutors of Ukraine decide on a disciplinary sanction or a ban to hold the position to be imposed on a public prosecutor of a regional or local public prosecutor's office or the Prosecutor General's Office of Ukraine;
- 5) appoint and dismiss public prosecutors of the Prosecutor General's Office of Ukraine, including heads and deputy heads of divisions of the Prosecutor General's Office as prescribed by this Law;
- 6) notify the Qualifications and Disciplinary Commission of Public Prosecutors of Ukraine within the ten-day period of vacancies or temporary vacancies available in the Prosecutor General's Office of Ukraine;
- 7) approve acts on organization of the activity of the public prosecutor's offices;
- 8) support compliance with requirements for professional training of public prosecutors of the Prosecutor General's Office of Ukraine;
- 9) approve general methodological guidelines for public prosecutors to promote equal application of legal provisions in Ukraine in the process of prosecutor's work; and
- 10) exercise other powers established hereby and in other laws of Ukraine.

2. Acting within his/her mandate, the Prosecutor General of Ukraine shall issue orders on matters falling within the scope of his/her powers, on the basis and in execution of the Constitution and laws of Ukraine.

Orders of regulatory-legal nature, issued by the Prosecutor General of Ukraine are subject to the state registration by the Ministry of Justice of Ukraine and shall be included in the Uniform Register of Regulatory Acts of Ukraine.

After inclusion in the Uniform Register of Regulatory Acts of Ukraine, all regulatory orders of the Prosecutor General of Ukraine shall be published in the state language in the official printed editions.

After inclusion in the Uniform Register of Regulatory Acts of Ukraine, all regulatory orders of the Prosecutor General of Ukraine shall be published in the state language on the official website of the Prosecutor General's Office of Ukraine subject to secrecy requirements.

After the state registration, regulatory orders of the Prosecutor General of Ukraine shall take effect on the day of the official publication unless otherwise provided for by the orders, but not earlier than the publication date.

Orders of the Prosecutor General of Ukraine or parts thereof may be challenged in an administrative court by individuals or legal entities according to procedures established by law.

3. In the absence of the Prosecutor General of Ukraine, his/her powers shall be performed by the First Deputy Prosecutor General of Ukraine or by a Deputy Prosecutor General of Ukraine if the First Deputy is absent.

#### **Article 10. Regional Public Prosecutor's Offices**

1. Regional public prosecutor's offices shall operate within the Public Prosecution Service of Ukraine comprising public prosecutor's offices of the regions, the Autonomous Republic of Crimea, and the cities of Kyiv and Sevastopol.

2. A regional public prosecutor's office shall be headed by the Head of the regional public prosecutor's office, i.e. the Public Prosecutor of the region, the Autonomous Republic of Crimea, and the cities of Kyiv or Sevastopol. The Head shall have his/her First Deputy and four Deputies.

3. The structure of a regional public prosecutor's offices of Ukraine shall include divisions: departments and units.

#### **Article 11. Powers of the Head of the Regional Public Prosecutor's Office**

1. The Head of a regional public prosecutor's office shall:

1) represent the regional public prosecutor's office in relations with central and local government authorities, other public institutions, individuals, institutions and organizations;

2) organize operations of the regional public prosecutor's office;

3) appoint and dismiss public prosecutors of regional public prosecutor's offices as prescribed hereby;

4) approve acts on issues related to organization of the operation of the regional public prosecutor's office;

5) notify the Qualifications and Disciplinary Commission of Public Prosecutors within the ten-day period of vacancies or temporary vacancies available in the regional public prosecutor's office;

6) ensure that requirements are met in regard to upgrade of qualifications of public prosecutors;

7) appoint and dismiss heads and deputy heads of structural units of the regional public prosecutor's office and, if units are set up in the local offices, appoint and dismiss heads and deputy heads of the units of the local public prosecutor's offices;

8) following a decision of the Qualifications and Disciplinary Commission of Public Prosecutors of Ukraine and according to procedures established by this Law, decide on a disciplinary sanction or a ban to hold the position to be imposed on a public prosecutor of a local public prosecutor's office;

9) control administration and analysis of statistical data, organize studies and generalization of application of laws and information analysis for public prosecutors to improve performance of their functions; and

- 10) exercise other powers established by this Law and other legislation of Ukraine.
2. The head of the regional public prosecutor's office shall issue orders on matters falling within the scope of his/her administrative powers.
3. In the absence of the head of the regional public prosecutor's office, his/her duties shall be performed by the first deputy head or a deputy head of the regional public prosecutor's office if the first deputy is absent.

#### **Article 12. Local Public Prosecutor's Offices**

1. Local public prosecutor's offices shall operate within the system of the prosecution service of Ukraine. A list and territorial jurisdiction of the local public prosecutor's offices are in Appendix 1 hereto.
2. A local public prosecutor's office shall be headed by the head of the local public prosecutor's office, having his/her first deputy and three deputies.
3. Units shall be set up in the structure of the local public prosecutor's.

#### **Article 13. Powers of the Head of a Local Public Prosecutor's Office**

1. The head of a local public prosecutor's office shall:
  - 1) represent the local public prosecutor's office in relations with state authorities, other state bodies, local government authorities, individuals, institutions and organizations;
  - 2) organize operation of the local public prosecutor's office;
  - 3) notify the Qualifications and Disciplinary Commission of Public Prosecutors within the ten-day period of vacancies or temporary vacancies available in the local public prosecutor's office;
  - 4) support compliance with requirements for professional training of public prosecutors of the local public prosecutor's office;
  - 5) exercise other powers established by this and other laws of Ukraine.
2. The head of a local public prosecutor's office shall issue orders on matters within the scope of his/her administrative powers.
3. In the absence of the head of the local public prosecutor's office, his/her administrative duties shall be performed by the first deputy head or a deputy head of if the first deputy is absent.

#### **Article 14. Headcount and Structure of Public Prosecutor's Offices**

1. The number of public prosecutors and other employees of the Public Prosecution Service as well as the structure of the Prosecutor General's Office of Ukraine, regional and local public prosecutor's offices, and the National Academy of Public Prosecutors of Ukraine shall be established by law and approved by an order of the Prosecutor General of Ukraine following approval by the Council of Public Prosecutors of Ukraine in view of the amount of work for the Public Prosecutor's Office and within the expenditures allocated in the State Budget of Ukraine for functions of public prosecutor's offices.
2. In the structure of the public prosecutor's offices, positions of civil servants and other employees shall be introduced. Their operations shall be governed by this Law and other legislative acts of Ukraine.

### **Section 3. The Status of Public Prosecutors**

#### **Article 15. The Status of a Public Prosecutor**

1. Public prosecutors include:
  - 1) Prosecutor General of Ukraine;
  - 2) First Deputy Prosecutor General of Ukraine;
  - 3) a Deputy Prosecutor General of Ukraine;
  - 4) Deputy Prosecutor General of Ukraine who is the Chief Military Public Prosecutor;
  - 5) Head of a unit at the Prosecutor General's Office of Ukraine;
  - 6) Deputy Head of a unit at the Prosecutor General's Office;
  - 7) s public prosecutor at the Prosecutor General's Office;
  - 8) head of a regional public prosecutor's office;

- 9) first deputy head of a regional public prosecutor's office;
  - 10) a deputy head of a regional public prosecutor's office;
  - 11) head of a unit at a regional public prosecutor's office;
  - 12) deputy head of a unit at a regional public prosecutor's office;
  - 13) a public prosecutor of the regional public prosecutor's office;
  - 14) head of a local public prosecutor's office;
  - 15) first deputy head of a local public prosecutor's office;
  - 16) a deputy head of a local public prosecutor's office;
  - 17) head of a unit of the local public prosecutor's office;
  - 18) deputy head of the unit of the local public prosecutor's office;
  - 19) a public prosecutor of the local public prosecutor's office.
2. Public prosecutors in Ukraine shall have a uniform status regardless of a level of the public prosecutor's office in the structure of the prosecution service of Ukraine or the administrative position of the public prosecutor at the public prosecutor's office.

#### **Article 16. Guarantees of the Independence of a Public Prosecutor**

1. Independence of a public prosecutor shall be guaranteed by:
  - 1) special procedures for his/her appointment to, and dismissal from, the position, and disciplinary sanctions;
  - 2) procedures of exercise of powers stipulated in the procedural and other laws;
  - 3) prohibition of illegal influence, pressure and interference with the exercise of the Public Prosecutor's powers;
  - 4) statutory procedures for financing and organizational support for the Public Prosecutors' offices;
  - 5) established financial, social and pension support for public prosecutors;
  - 6) functioning of the prosecutorial self-governance institutions;
  - 7) statutory personal security arrangements for public prosecutors, members of their families, their property, as well as other legal safeguards.
2. When performing prosecutorial functions, a public prosecutor shall be independent of any illegitimate influence, pressure, interference, and shall be guided in their operation exclusively by the Constitution and the laws of Ukraine.
3. A public prosecutor is appointed to a permanent position and can be removed from office; his/her powers may be suspended only on the grounds and according to the procedure established by this Law.
4. The Prosecutor General of Ukraine shall be immediately notified about initiation of criminal proceedings against a public prosecutor.
5. Central and local government authorities, other public institutions, their officials and officers, as well as individuals and legal entities and their associations shall be obliged to respect independence of the public prosecutor and refrain from exercising influence of any form on a public prosecutor in order to prevent the execution of his duties or taking illegal decision. The scope of fair criticism of operations of a public prosecutor shall be established according to the European Convention on Human Rights and Fundamental Freedoms and the case law of the European Court of Human Rights.
6. A public prosecutor may submit a statement about a threat to his/her independence to the Council of Public Prosecutors of Ukraine which shall be obliged to immediately check and consider such statement with his/her participation and within its authority, established by this Law take the necessary measures to eliminate the threat.

#### **Article 17. Subordination of Public Prosecutors and Execution of Orders and Instructions**

1. Public prosecutors shall exercise their powers within the limits established by law and shall be subordinated to their superiors only in respect to implementation of written administrative orders related to organizational aspects of public prosecutor's work and operations of public prosecutor's offices.

Administrative subordination of public prosecutors shall not be a ground for limiting or infringing their independence in the exercise of their prosecutorial powers.

2. The Prosecutor General of Ukraine shall be entitled to issue written administrative orders binding upon all public prosecutors.

The head of a regional public prosecutor's office shall be entitled to issue written administrative orders binding upon the first deputy, deputies, heads and deputy heads of structural units public prosecutors of the respective regional public prosecutor's office and heads of local public prosecutor's offices located within the administrative area subject to territorial jurisdiction of the regional public prosecutor's office.

The head of a local public prosecutor's office shall be entitled to issue administrative orders binding upon his/her first deputy, deputies, heads and deputy heads of the units, and public prosecutors of the respective local public prosecutor's office.

First deputies and deputy heads of public prosecutor's offices shall, in accordance with the distribution of duties, be entitled to issue written administrative orders binding upon subordinated public prosecutors of the respective public prosecutor's office.

3. When exercising powers associated with performance of prosecutorial functions, public prosecutors shall be independent and independently make decisions on the procedure of exercising such powers in compliance with the laws and shall execute only those instructions of higher public prosecutor which are in compliance with this Article.

Higher public prosecutors shall be entitled to instruct public prosecutors of a lower level, coordinate their certain decisions and carry out other actions directly related to this public prosecutor's implementation of prosecutorial functions exclusively within the limits and in compliance with the procedure set by law. The Prosecutor General of Ukraine may issue instructions to any public prosecutor.

Higher public prosecutor shall be interpreted as follows:

1) for public prosecutors, heads and deputy heads of structural units of a local public prosecutor's office — the head of the local public prosecutor's office or his/her first deputy or deputy in accordance with the distribution of duties;

2) for public prosecutors, heads and deputy heads of units at a regional public prosecutor's offices — the head of the regional public prosecutor's office or his/her first deputy and deputy in accordance with the distribution of duties;

3) for the head of a local public prosecutor's office and his/her first deputy and deputies — the head of the respective regional public prosecutor's office or his/her first deputy or deputy in accordance with the distribution of duties;

4) for the head of a regional public prosecutor's office and his/her first deputy or deputies, the head and deputy head of a unit of the Prosecutor General's Office of Ukraine, a public prosecutor of the Prosecutor General's Office of Ukraine — the Prosecutor General of Ukraine or his/her First Deputy or Deputy in accordance with the distribution of duties; and

5) for the First Deputy and a Deputy Prosecutor General of Ukraine — the Prosecutor General of Ukraine.

4. Administrative orders and also instructions directly relating to the public prosecutor's exercise of prosecutorial functions and issued (provided) within the respective authority, defined by law, shall be binding upon a respective public prosecutor.

A public prosecutor who was ordered or instructed orally shall be entitled to receive a written confirmation of such an order or instruction upon his/her request.

5. A public prosecutor is not obliged to follow higher public prosecutor's orders and instructions which raise doubts as to their legality unless the public prosecutor receives them in writing as well as obviously criminal orders or instructions. A public prosecutor shall be entitled to apply to the Council of Public Prosecutors of Ukraine reporting on a threat to his/her independence due to an order or instruction issued by a higher public prosecutor.

6. The Issuance or execution of an illegal order as well as issuance or execution of obviously criminal order or instruction shall give rise to the liability established by law.



### **Article 18. Incompatibility Requirements**

1. A public prosecutor may not hold his/her office while holding offices at any state authority, other state body, local government authority or having a representative mandate in public elective positions.

Incompatibility requirements shall not apply to public prosecutors participating in activities of elective bodies of religious or non-governmental organizations.

2. A public prosecutor shall comply with the restrictions regarding multiple employments and performance of other forms of activity as stipulated in the Law of Ukraine *On the Principles of Preventing and Combating Corruption*.

3. A public prosecutor shall not be a member of a political party or take part in political actions, rallies or strikes.

4. Upon his/her request, a public prosecutor shall have the right to be seconded to the Qualifications and Disciplinary Commission of Public Prosecutors, the National Academy of Public Prosecutors of Ukraine or other institutions as prescribed by law.

### **Article 19. General Rights and Duties of a Public Prosecutor**

1. A public prosecutor shall have the right to take part in prosecutorial self-governance to resolve internal operational issues of the Public Prosecutor's Office in compliance with the procedure established by law. Public prosecutors may be members of trade unions, establish non-governmental organizations and to be involved in them for the purpose of defending their rights and interests, and improving their professional level.

2. A public prosecutor shall be obliged to improve his/her professional level and upgrade his/her qualifications for that purpose.

A public prosecutor shall regularly take training courses at the National Academy of Public Prosecutors of Ukraine. Such training shall include the rules of the prosecutorial ethics.

3. A public prosecutor shall strictly adhere to the public prosecutor's oath. He/she shall be held liable for a breach of oath as established by law.

4. A public prosecutor shall:

1) show respect for individuals in the process of executing his/her powers;

2) not disclose information that is confidential under the law;

3) abide by the provisions of the anti-corruption law;

4) abide by the rules of the prosecutorial ethics, in particular, not behave in a way that may compromise him/her as a public prosecutor or damage the reputation of the prosecution service.

5. A public prosecutor shall take a secret integrity test on an annual basis.

Internal security units shall carry out the secret integrity test of public prosecutors of the Prosecutor General's Office, regional and local public prosecutor's offices of Ukraine according to the procedure, approved by the Prosecutor General of Ukraine.

### **Article 20. Liability of a Public Prosecutor**

1. Damage inflicted with illegitimate decisions, actions or inactivity of a public prosecutor shall, regardless of his/her fault, be reimbursed by the state according to the procedures stipulated by law.

2. Upon reimbursing the damage, the state shall have the right to demand recourse from the public prosecutor at fault to the amount of the paid reimbursement provided that actions of the public prosecutor constituted a criminal offense as confirmed with a court's judgment of guilt against him/her that has come into effect.

### **Article 21. The Public Prosecutor's ID Card**

1. Public prosecutors shall have a service ID card. The Regulations on the service ID card and its sample shall be approved by the Prosecutor General of Ukraine.

2. The service ID card shall be handed over by the Prosecutor General of Ukraine or another prosecutor on his/her behalf.

## **Section 4. Exercise of Public Prosecutor's Powers**

### **Article 22. Public Prosecution in the Court**

1. A public prosecutor shall prosecute criminal offenses in the court, enjoying the rights and fulfilling the duties as established by the Criminal Procedure Code of of Ukraine.

### **Article 23. Representation of Interests of a Citizen or the State in the Court**

1. The public prosecutor's representation of interests of a citizen or the state shall take the form of procedural and other actions aimed at protection of interests of a citizen or the state in the court in cases and according to procedures prescribed by law.

2. The public prosecutor shall exercise representation of interests of a citizen ( a citizen of Ukraine, foreigner or stateless person) in the court in the cases when such a person is incapable of independently protecting his/her infringed or contested rights or of exercising the procedural competences because of his/her minor age, incapacity or limited capacity, and the legal representatives or agencies which are legally entitled to protect the rights, freedoms and interests of such persons do not perform or improperly perform such protection.

Existence of such circumstances shall be justified by the public prosecutor according to procedures established by Part Four of this Article.

3. The public prosecutor shall exercise representation of legal interests of the state in the court in case of violations or a threat of violation of state interests, unless the protection of these rights is carried out or duly carried out by a central government authority, local government authority or another authority the competence of which includes the respective powers, as well as in case of absence of such an authority.

Existence of such circumstances shall be justified by the prosecutor according to procedures established by Part Four of this Article.

The exercise of representation of state's interests in the court by public prosecutor shall not be allowed if the state is represented by a state company or in legal relations concerning the electoral process, conducting of referendums, activities of the Verkhovna Rada and President of Ukraine, the establishment and activities of the media as well as political parties, religious organizations, organizations engaged in professional self-government and other civil associations. A public prosecutor of the Prosecutor General's Office of Ukraine or a regional public prosecutor's office shall represent interests of the state represented by the Cabinet of Ministers of Ukraine and the National Bank of Ukraine exclusively upon a written instruction or order of the Prosecutor General of Ukraine or his/her First Deputy or a Deputy with the respective competence.

4. A public prosecutor shall justify grounds for representation in court.

A public prosecutor shall represent interests of a citizen or the state in the court only after the court approves grounds for representation.

A public prosecutor shall notify on this a citizen, his/her legal representative or a respective public authority in advance, before referring to a court. If the court confirms existence of grounds for representation, the public prosecutor shall exercise procedural powers of the respective party to proceedings. The citizen, his/her legal representative or public authority may challenge existence of grounds for representation.

5. Exclusively with the aim of establishing grounds for representation of interests of the state in a court and if legitimate interests of the state are not protected or are unduly protected by the public authority with the respective competence, a public prosecutor under whose competences are respective powers, shall be entitled to receive information, which lawfully belongs to such an entity, request and receive materials and their copies from the entity.

If there is no public authority empowered to protect legitimate interests of the state as well as when a public prosecutor represents interests of a citizen, only with the view to establish grounds for representation a public prosecutor shall be entitled to:

1) upon a written request demand, familiarise and receive free of charge copies of documents and materials of the central and local government authorities, military units, government-owned and municipal companies, institutions and organizations, agencies of the Pension Fund and

compulsory state social insurance funds that are held by these entities in accordance with the procedures established by law;

2) receive oral or written explanations from officials and officers of the central and local government authorities, military units, government-owned and municipal companies, institutions and organizations, agencies of the Pension Fund of Ukraine and compulsory state social insurance funds. Obtaining of explanations from other individuals shall be exclusively subject to their consent.

5. To take pre-trial settlement measures and restore a possibly infringed right of a citizen or legitimate interest of the state, a public prosecutor may, after the grounds for representation are confirmed by the court, file requests for pre-trial settlement of a dispute with the central and local government authorities, military units, government-owned and community-owned companies, agencies of the Pension Fund and compulsory state social insurance funds whose decisions, actions or inactivity pose a threat or possibly violate legitimate interests of a citizen or the state with indication of circumstances and requirements as prescribed by procedural law..

Within fifteen days from the date of receipt of the request of a public prosecutor, the relevant entity shall be entitled to take the measures suggested by the public prosecutor leading to the pre-trial dispute settlement.

If the dispute is not settled with pre-trial settlement mechanisms, a public prosecutor shall file a lawsuit (application, submission) to the court within one month of receipt of his/her request by the entity.

6. While representing interests of a citizen or the state in court, the public prosecutor may, according to procedures established by procedural laws and the law governing the enforcement proceedings:

1) file lawsuit/claim (application, submission) to the court;

2) enter proceedings initiated upon a lawsuit/claim (application, submission) of other persons at any stage of proceedings;

3) initiate review of court decisions, including in cases initiated upon claims (applications, submissions) of other persons;

4) participate in trials;

5) file a civil lawsuit in criminal proceedings in cases and according to procedures established by the criminal procedure law;

6) participate in proceedings for enforcement of judgments in a case where the public prosecutor represented the interests of a citizen or the state in the court;

7) upon court permission, get familiarised with case files and enforcement materials, make excerpts from them, receive copies free of charge of documents from case files or enforcement materials.

7. Should elements of an administrative or criminal offense be found, the public prosecutor shall be obliged to undertake actions established by law to initiate respective proceedings.

#### **Article 24. Specific Features of Particular Forms of Representation of the Interests of a Citizen or the State in the Court**

1. The right to file a lawsuit/claim (application, submission) within the civil, administrative, or economic proceedings shall belong to the Prosecutor General of Ukraine, his/her First Deputy and Deputies, heads of regional and local public prosecutor's offices, their first deputies and deputies.

2. The right to file a civil claim within the criminal proceedings shall belong to the public prosecutor who takes part in it.

3. The right to file an appeal or cassation complaint against a judgment in civil, administrative or economic proceedings shall belong to the public prosecutor who took part in the court proceedings as well as, regardless of his/her participation in consideration of the case, to a higher public prosecutor: the Prosecutor General of Ukraine, his/her First Deputy and Deputies, heads of regional and local public prosecutor's offices, first deputy and deputy heads of regional public prosecutor's offices.

In this case, the public prosecutor shall file with the court a written consent to representation given by the legal representative or agency authorized by law to defend interest, rights and

freedoms of a respective person or consent of a central or local government authority or other public authority.

4. The right to file a claim for revision of a court judgment under new circumstances in civil, administrative, and economic proceedings shall belong to the Prosecutor General of Ukraine, his/her First Deputy and Deputies, and heads of regional public prosecutor's offices.

5. The right to file an appeal, a cassation complaint, an application for revision of a court judgment under new circumstances, applications for revision of a judgment by the Supreme Court of Ukraine against judgments passed in criminal proceedings shall belong to the public prosecutor who took part in the court proceedings and, regardless of his/her participation in the case, to a higher public prosecutor: the Prosecutor General of Ukraine, his/her First Deputy and Deputies, heads of regional public prosecutor's offices, their first deputies and deputies.

6. The right to amend, recall or give up a claim (application, lawsuit), an appeal, a cassation complaint, an application for revision of a judgment under new circumstances, or an application for revision of a judgment by the Supreme Court of Ukraine shall belong to the public prosecutor who filed them or a higher public prosecutor.

7. Public prosecutors' powers outlined in this Article shall be exercised within the scope and on the grounds established by procedural laws.

#### **Article 25. Supervision of Observance of Laws by the Agencies Conducting Detective Operations, Inquiries, and Pre-Trial Investigations**

1. A public prosecutor shall supervise observance of laws by the agencies conducting detective operations, inquiries and pre-trial investigation enjoying the rights and fulfilling the duties as stipulated in the Law of Ukraine *On Detective Operations* and the Criminal Procedure Code of Ukraine.

Written instructions by the public prosecutor issued within his/her powers to the agencies carrying out detective operations, inquiries and pre-trial investigations shall be binding upon these agencies and immediately executed.

A public prosecutor who gives instructions beyond his/her powers shall be held liable under the law.

2. The Prosecutor General of Ukraine, heads of the regional and local public prosecutor's offices, their first deputies and deputies shall, in accordance with the distribution of duties and while exercising supervision over observance of laws by the agencies conducting detective operations, inquiries and pre-trial investigations, coordinate actions of law-enforcement agencies of the respective level in the field of combating crime. Public prosecutors shall exercise the coordination powers by holding joint meetings, establishing multi-agency working groups, holding coordinated measures, and carrying out analytical activities. Procedures for organization of the work to coordinate activities of law enforcement agencies and cooperation of public prosecutor's offices and agencies combating crime shall be established by the Regulations approved by a joint order of the Prosecutor General of Ukraine and heads of other law enforcement agencies, the order to be registered in the Ministry of Justice of Ukraine.

#### **Article 26. Supervision of Observance of Laws in the Enforcement of Judgments Delivered in Criminal Cases, as well as in Application of Other Coercive Measures Related to Restriction of Personal Liberty**

1. In the process of supervision of observance of laws in the enforcement of court judgments delivered in criminal cases as well as in application of other coercive measures related to restraint of individuals' personal liberty, a public prosecutor shall be entitled to:

1) at any time, by producing the ID card confirming his/her position, attend a place of detention of individuals detained, a pre-trial detention facility, an institution in which convicted persons serve their sentences, institutions where those individuals subjected to coercive medical or corrective measures are held as well as any other facilities where individuals are forcibly held following a judicial judgment or a decision of an administrative authority;

2) interview individuals held in the facilities indicated in paragraph 1 of this Part, with a purpose of obtaining information about the conditions of detention and treatment of those persons, see

the documents which serve as a ground for keeping these individuals in such facilities, convicting or applying coercive measures to such individuals;

3) check legality of orders, directives, and other acts of the respective authorities and institutions, and, should they run counter to the law, demand that the officials or officers cancel them and eliminate the resulting violations of law as well as cancel illegitimate individual acts;

4) request that officials or officers provide explanations regarding the violations committed as well as request that the violations, causes and conditions that contributed into them be eliminated and those guilty be held liable as prescribed by law;

5) see documents of enforcement proceedings regarding enforcement of court judgments in criminal cases, take notes, make copies and, according to the procedures established by law, appeal against decisions, actions or inactivity of public enforcement officers;

6) request that managers of higher authorities conduct inspections of their subordinated and controlled agencies and pre-trial detention facilities, penitentiary institutions, facilities for application of coercive measures and inspection of other facilities where individuals are forcibly kept according to a judicial judgment or a decision by an administrative authority; and

7) file claims (lawsuits) to the court in cases prescribed by law.

2. A public prosecutor shall supervise compliance with laws in the process of enforcement of court judgments delivered in criminal cases and in application of other coercive measures related to restraint of personal liberty through regular inspections as well as by responding properly to information about possible violations of the law contained in complaints, applications, or any other sources.

3. A public prosecutor shall be obliged to immediately release a person illegally kept (in the absence of a judicial judgment, a decision by an administrative authority or other document foreseen in the law, or after the termination of the period stipulated in the law or in such decision) in custody, pre-trial detention centers, facilities restricting liberty or penitentiary facilities, institutions for enforcement of coercive measures as well as other facilities where individuals are forcibly kept according to a court judgment or a decision by an administrative authority.

4. The public prosecutor's written instructions on compliance with the procedures and conditions established by legislation for detention of individuals in the facilities specified in paragraph 1 of Part One of this Article as well as public prosecutor's written instructions passed to other bodies enforcing judicial judgments in criminal proceedings shall be binding and subject to immediate execution.

## **Section 5. Procedures for Taking Public Prosecutor's Office and Procedures For Dismissing a Public Prosecutor From an Administrative Position**

### **Article 27. Requirements to Candidate Public Prosecutors**

1. A candidate for appointment to a public prosecutor's position at a local public prosecutor's office shall be a citizen of Ukraine having the higher legal education degree, at least two-year work experience in the field of law and a good command of the national language.

For the purposes hereof:

1) higher legal education degree is a degree obtained in Ukraine (or in the former USSR before December 1, 1991) at the education qualification level of the Specialist or Master, as well as higher education degree in the field of law at the respective education qualification level obtained abroad and recognized in Ukraine in the manner prescribed by law;

2) work experience in the field of law is work experience in the field after obtaining a Specialist's or Master's degree in Law.

2. A candidate for appointment to a public prosecutor's position at a regional public prosecutor's office shall be a citizen of Ukraine with at least three years of work experience at the position of a public prosecutor.

3. A candidate for appointment to a public prosecutor's position at the Prosecutor General's Office of Ukraine shall be a citizen of Ukraine with at least five years of work experience at the position of a public prosecutor.

4. A citizen who is a military officer being on active duty or a reservist and has a university degree in law may be appointed a military public prosecutor.

Procedures for taking an office by a public prosecutor shall be established by Regulations on the military service in military public prosecutor's offices.

In particular cases, non-military persons who meet requirements specified in Parts One and Five hereof may be appointed public prosecutors and investigators in military public prosecutor's offices by an order of the Prosecutor General of Ukraine.

Servicemen in military public prosecutor's offices shall act according to the Law of Ukraine *On the Public Prosecutor's Office* and serve on active duty according to the Law of Ukraine *On the Military Service Obligation and Military Service* and other regulatory acts of Ukraine which establish legal and social guarantees, pension, health maintenance and other welfare support provided for by the legislation for officers of the Armed Forces of Ukraine.

Senior officer ranks shall be awarded to servicemen in military public prosecutor's offices by the President of Ukraine, other military ranks shall be awarded according to the military service procedures established by law.

Positions of military public prosecutors and their respective military ranks shall be included into the lists of military positions.

Military ranks of officers in military public prosecutor's offices shall correspond to class ranks of officers in public prosecutor's offices. In case of dismissal of an officer of a military public prosecutor's office (up to and including a colonel) from military service and appointment to public prosecutor positions in regional or specialized public prosecutor's offices, they are awarded class ranks corresponding to their military ranks. In case of enlistment of public prosecutors and investigators with class ranks (up to and including a Senior Counsellor of Justice) for military service in military public prosecutor's offices, they are awarded respective military ranks according to the laws.

5. An individual may not be appointed to the position of a public prosecutor if he/she:

- 1) is recognized by court as having limited capacity or incapable;
- 2) suffers diseases that prevent him/her from performance of official duties as a public prosecutor; and
- 3) has an unexpunged or outstanding conviction, or has been charged with an administrative penalty for committing a corruption offense.

#### **Article 28. Selection of Candidate Public Prosecutors of a Local Public Prosecutor's Office**

1. A candidate public prosecutor shall be selected on a competitive basis from among those individuals who meet the requirements established by Parts One and Four of Article 27 of this Law, following results of a proficiency test conducted in accordance with the requirements hereof.

2. Anyone who meets the requirements set for candidate public prosecutors shall be entitled to file their application for participation in selection of candidate public prosecutors to the Qualifications and Disciplinary Commission of Public Prosecutors.

#### **Article 29. Selection Procedures for Candidate Public Prosecutors and Appointment to the Position of a Public Prosecutor of a Local Public Prosecutor's Office**

1. Selection of candidate public prosecutors and their appointment to the position of public prosecutor shall be carried out in line with the procedure established hereby and shall include:

1) the decision of the Qualifications and Disciplinary Commission of Public Prosecutors on selection of candidates for the position of public prosecutor shall be published in the official website of the Qualifications and Disciplinary Commission of Public Prosecutors and must contain the list of requirements, prescribed by this Law, that candidate public prosecutor must meet as well as the list of documents to be submitted to the Qualifications and Disciplinary Commission of Public Prosecutors, and the deadline for submitting them;

2) submission by the individuals who have expressed their desire to become public prosecutors of the respective application and documents to the Qualifications and Disciplinary Commission of Public Prosecutors as determined hereby;

- 3) performance by the Qualifications and Disciplinary Commission of Public Prosecutors of a check of compliance with requirements imposed on candidate public prosecutors based on the documents filed by the candidate public prosecutors;
- 4) passing of a proficiency test by individuals meeting the requirements established for candidate public prosecutors;
- 5) publication of the list of the candidates who successfully passed the test by the Qualifications and Disciplinary Commission of Public Prosecutors on its official website;
- 6) organization by the Qualifications and Disciplinary Commission of Public Prosecutors of a vetting of the candidates who successfully passed the test;
- 7) drafting by the Qualifications and Disciplinary Commission of Public Prosecutors of the rating lists of the candidate public prosecutors from among the individuals who successfully passed the proficiency test and were vetted as well as their inclusion into the succession pool to fill in vacant positions of public prosecutors.
- 8) special training taken by the candidate public prosecutors in the National Academy of Public Prosecutors of Ukraine;
- 9) announcement by the Qualifications and Disciplinary Commission of Public Prosecutors of a competition for filling vacant positions of public prosecutors among the candidates who are included into the succession pool and have undertaken special training, in case of appearance of such vacancies;
- 10) holding of the competition for filling in vacant positions of public prosecutors based of the ratings of the candidates by the Qualifications and Disciplinary Commission of Prosecutors;
- 11) a recommendation submitted by the Qualifications and Disciplinary Commission of Prosecutors to the head of a local public prosecutor's office regarding appointment of a candidate to the position of public prosecutor;
- 12) appointment of the candidate to the position of public prosecutor;
- 13) taking the public prosecutor's oath by the candidate.

**Article 30. Procedures for Candidate Public Prosecutors Applying to the Qualifications and Disciplinary Commission of Public Prosecutors**

1. An individual wishing to participate in the selection process for the position of public prosecutor shall submit the following information:

- 1) written application for participation in the selection process for the position of public prosecutor;
- 2) copy of the passport confirming Ukrainian citizenship;
- 3) application form for the position of prosecutor containing information about the candidate and his/her autobiography;
- 4) copies of documents confirming the level of education, scientific or academic degree;
- 5) copy of the employment record;
- 6) health certificate approved by the central executive body ensuring the public policy in the sphere of healthcare;
- 7) copy of the military ID (for military personnel or reservists);
- 8) information on the clearance level (if any);
- 9) written consent to the collection, storage and use of personal information to assess candidate's fitness to work as public prosecutor and to vet him/her;
- 10) declaration of assets, income, expenses and financial liabilities over the previous year in the format established by the Law of Ukraine *On the Principles of Preventing and Combating Corruption*.

The format and the content of the application form for participation in the selection of candidate public prosecutors shall be approved by the Qualifications and Disciplinary Commission of Public Prosecutors and posted on its official website.

It is prohibited to request that the candidate public prosecutor provide information other than covered in this Article.

2. Receipt of documents shall be completed by the deadline specified in the candidate selection notice.

3. Only the individuals who submitted all the required documents and meet the requirements established for a candidate public prosecutor shall be allowed to participate in the selection process. The Qualifications and Disciplinary Commission of Public Prosecutors shall provide a justified explanation in case of refusal to admit a candidate to the proficiency test.

### **Article 31. Proficiency Test**

1. The proficiency test is administered to verify the level of theoretical knowledge in the field of law, European standards of human rights, proficiency in the state language, analytical and practical skills of candidates and consists of anonymous tests and practical exercises.
2. The Qualifications and Disciplinary Commission of Public Prosecutors shall inform candidate public prosecutors admitted to the proficiency test about the date, time and place of the test not later than seven days before the specified date.
3. The Qualifications and Disciplinary Commission of Public Prosecutors shall administer proficiency test in a specially allocated room. The proficiency test process is recorded with technical means of video and sound recording.
4. After the proficiency test the Qualifications and Disciplinary Commission of Public Prosecutors shall arrange verification of test results and count the number of points received by the candidate public prosecutors.
5. The Qualifications and Disciplinary Commission of Public Prosecutors shall determine the passing score, which may not be less than 60 percent of the maximum possible score.
6. Regulations on the proficiency test procedure and evaluation methodology shall be approved by the Qualifications and Disciplinary Commission of Public Prosecutors.
7. The results of the proficiency test shall be valid for three years.
8. A candidate failing the proficiency test may be allowed to take the test again not earlier than in one year.
9. The Qualifications and Disciplinary Commission of Public Prosecutors shall rank candidate public prosecutors according to their score based on the results of the proficiency test.
10. The information on the results of the proficiency test and candidate's ranking is public and posted on the official website of the Qualifications and Disciplinary Commission of Public Prosecutors.

### **Article 32. Vetting of Candidate Public Prosecutors**

1. The Qualifications and Disciplinary Commission of Public Prosecutors shall organize vetting of the candidate public prosecutors who have successfully passed the proficiency test. The details on the person subject to vetting and vetting procedures are established by the Law of Ukraine *On the Principles of Preventing and Combating Corruption*.
2. When vetting reveals that a candidate public prosecutor has submitted false information or falsified documents, the Qualifications and Disciplinary Commission of Public Prosecutors shall make a decision to deny the candidate's admission to the succession pool for the position of prosecutor.  
The decision to deny the candidate's admission to the succession pool may be appealed by the candidate in court.
3. The Qualifications and Disciplinary Commission of Public Prosecutors shall admit candidates who successfully passed the test and whose positive vetting allowed such admission to the succession pool.
4. Candidates admitted to the succession pool shall be instructed by the Qualifications and Disciplinary Commission of Public Prosecutors to take special training courses at the National Academy of Public Prosecutors of Ukraine.
5. NGOs and individuals may file information about integrity of candidate public prosecutors to the Qualifications and Disciplinary Commission of Public Prosecutors within one month of the official publication of the list of candidates who passed the proficiency test.
6. If information about dishonesty of a candidate is received, the Qualifications and Disciplinary Commission of Public Prosecutors shall examine such information during its meeting attended by the candidate. The candidate may get familiar with the information, give explanations, rebut



or deny it. Following the examination, the Qualifications and Disciplinary Commission of Public Prosecutors may decide not to admit the candidate to a special training.

### **Article 33. Special Training for Candidate Public Prosecutors**

1. Candidate public prosecutors shall take training at the National Academy of Public Prosecutors of Ukraine for **one year** to obtain knowledge and practical skills of a public prosecutor as well as study legal drafting and the rules of prosecutorial ethics.

At the end of the special training, a candidate public prosecutor shall take an examination consisting of an anonymous testing and practical assignment.

2. The candidate public prosecutor shall receive a monthly stipend for the period of candidate's special training to the amount of at least two-thirds of the basic wage of a public prosecutor in a local public prosecutor's office.

3. The curriculum, procedure of candidate's public prosecutor special training and methods of its assessment shall be approved by the Qualifications and Disciplinary Commission of Public Prosecutors.

4. Upon the results of the special training completion by the candidate public prosecutor, the National Academy of Public Prosecutors of Ukraine shall adopt a reasoned decision on the successful or unsuccessful completion, a copy of which shall be handed to the candidate public prosecutor.

A candidate public prosecutor shall be deemed to complete the special training course successfully if he/she gets more than 50% of the maximum score at the examination.

5. The candidate public prosecutor in respect to whom a decision on unsuccessful special training has been adopted may appeal this decision to the Qualifications and Disciplinary Commission of Public Prosecutors within fifteen days from the receipt of a copy of such decision. Upon reviewing it the Qualifications and Disciplinary Commission of Public Prosecutors shall dismiss or satisfy the complaint and adopt the decision on the successful special training completion by the candidate public prosecutor.

6. The National Academy of Public Prosecutors of Ukraine shall inform the Qualifications and Disciplinary Commission of Public Prosecutors about the results of candidates' public prosecutors special training completion.

7. A candidate public prosecutor who has failed to complete the special training course successfully, after termination of the term for appeal against the decision of the National Academy of Public Prosecutors of Ukraine (in case the complaint has not been filed), or after the dismissal of the complaint shall be excluded by the Qualifications and Disciplinary Commission of Public Prosecutors from the succession pool for the positions of public prosecutors.

### **Article 34. Competition for the Position of a Public Prosecutor**

1. With the purpose of administering competition for the position of a public prosecutor (except for the position of the Prosecutor General of Ukraine), the Qualifications and Disciplinary Commission of Public Prosecutors shall post relevant information on its official website no later than ten days before the competition.

2. The competition announcement shall mention a public prosecutor's office featuring a public prosecutor vacancy, the number of such vacancies and the application period.

3. Candidate public prosecutors who are registered in the succession pool and have completed the special training course successfully may file a written application prior to the deadline set by the Qualifications and Disciplinary Commission of Public Prosecutors. The application shall indicate a public prosecutor's office where the candidate wishes to fill the vacant position.

4. The Qualifications and Disciplinary Commission of Public Prosecutors shall administer the competition for the position of public prosecutor on the basis of candidates' ranking. When several candidates have an equal score, the preference shall be given to the candidate who has temporarily held a public prosecutor's position or has more experience in the field of law.

5. Following the competition results, the Qualifications and Disciplinary Commission of Public Prosecutors shall file a statement to the head of the respective public prosecutor's office

requesting to appoint the candidate public prosecutor to the public prosecutor's office he/she has applied for.

### **Article 35. Appointment to the Position of a Public Prosecutor**

1. The head of the public prosecutor's office shall issue an order appointing the candidate public prosecutor to office not later than 30 days following the receipt of the appointment statement from the Qualifications and Disciplinary Commission of Public Prosecutors.

### **Article 36. The Oath of Public Prosecutor**

1. The person appointed to the post of public prosecutor shall assume the prosecutor's duties after taking the Oath of Public Prosecutor as follows:

*"I, (full name), entering the service in the office of public prosecutor, dedicate my work to serving the Ukrainian people and Ukraine and solemnly swear that I will*

*Strictly abide by the Constitution and laws of Ukraine;*

*Promote the assertion of the rule of law, legality and order through faithful performance of my duties;*

*Protect the rights and freedoms of man and citizen, the interests of the society and the state;*

*Continuously develop my professional skills, adhere to fundamental principles, be honest, perform my duties faithfully and impartially, and hold the high rank of public prosecutor with dignity."*

2. The text of the Oath shall be signed by the public prosecutor and stored in his personal file. The Oath Procedure shall be established by the Prosecutor General of Ukraine. A note shall be made in the employment record confirming that the oath has been taken.

### **Article 37. The Procedure for Appointing a Public Prosecutor to a Temporary Vacancy**

1. In case of available short-term vacancy in a public prosecutor's office (due to prolonged temporary disability, 3-year maternity leave, secondment to work in other agencies on a regular basis, etc.), the Qualifications and Disciplinary Commission of Public Prosecutors shall announce a competition among those who are in the succession pool to fill the position of a public prosecutor and have taken special training. The competition is administered in accordance with Article 34 of this Law subject to conditions laid down in this Article.

2. The competition notice shall state that the public prosecutor position offered for the competition is temporarily vacant with indication of the period during which the person will stay in this position, if possible.

3. When a public prosecutor holding the relevant position on a permanent basis returns to work, the prosecutor who is temporarily working in this position shall be dismissed and registered with the public prosecutors' succession pool for appointment to temporary vacancies. The period of temporary employment shall not be included in the period of validity of the proficiency test results.

### **Article 38. Procedures for Transferring a Prosecutor to another Public Prosecutor's Office**

1. A public prosecutor may be transferred to another public prosecutor's office, including a higher level public prosecutor's office, a vacant or temporarily vacant post. Such transfer shall be based on the competition results. The competition procedures shall be established by the Qualifications and Disciplinary Commission of Public Prosecutors. The competition shall include an assessment of professional skills, experience, moral and professional qualities of the public prosecutor and verification of his/her readiness for the exercise of powers in another public prosecutor's office, including higher level public prosecutor's office.

To participate in the competition, the public prosecutor shall file a transfer application and have a relevant work experience as a public prosecutor envisaged in Parts Two and Three of Article 27 of this Law. The competition shall be carried out by the Qualifications and Disciplinary Commission of Public Prosecutors.

### **Article 39. Procedures for Appointing a Public Prosecutor to Administrative Office**

1. The following are administrative positions in public prosecutor's offices:

- 1) Prosecutor General of Ukraine;
- 2) First Deputy Prosecutor General;
- 3) a Deputy Prosecutor General;
- 4) Deputy Prosecutor General who is the Chief Military Prosecutor General;
- 5) head of a unit at the Prosecutor General's Office;
- 6) deputy head of a unit at the Prosecutor General's Office;
- 7) head of a regional public prosecutor's office;
- 8) first deputy head of a regional public prosecutor's office;
- 9) deputy head of a regional public prosecutor's office;
- 10) head of a unit at a regional public prosecutor's office;
- 11) deputy head of a unit at a regional public prosecutor's office;
- 12) head of a local public prosecutor's office;
- 13) first deputy head of a local public prosecutor's office;
- 14) deputy head of a local public prosecutor's office;
- 15) head of a unit at a local public prosecutor's office; and
- 16) deputy head of a unit at a local public prosecutor's office.

2. The term of office of a public prosecutor in an administrative position specified in paragraphs 2,3, 6-8, 11-13, Part One of this Article shall be five years. The appointment shall be made by the Prosecutor General of Ukraine upon the recommendation of the Council of Public Prosecutors of Ukraine. Appointment to positions indicated in paragraphs 4 and 5 above shall be made by the Prosecutor General of Ukraine.

Appointment to positions indicated in paragraphs 9 and 10 above shall be made by the head of a respective regional public prosecutor's office.

Appointment to positions indicated in paragraphs 14 and 15 above shall be made by the head of a respective local public prosecutor's office.

3. When deciding upon the issue whether to grant recommendations for appointment to the administrative post, the Council of Public Prosecutors of Ukraine shall consider the professional and moral qualities of the candidate, as well as his/her management and organizational skills and work experience.

4. Refusal of the Prosecutor General of Ukraine to appoint the public prosecutor recommended by the Council of Public Prosecutors of Ukraine to an administrative positions shall be motivated in writing. A copy of the relevant decision of the Prosecutor General of Ukraine shall be sent to the Council of Public Prosecutors of Ukraine and to the public prosecutor who was refused for appointment to administrative position. A public prosecutor who was denied the appointment to an administrative position by the Prosecutor General of Ukraine may challenge the refusal in the Qualifications and Disciplinary Commission of Public Prosecutors.

5. The public prosecutor, whose term at the administrative position has terminated, may be repeatedly recommended by the Council of Public Prosecutors of Ukraine, for appointment to an administrative position in the case of absence of circumstances indicating the public prosecutor's nonconformity with the requirements established in Part Three of this Article.

6. The work of a public prosecutor in an administrative position in a public prosecutor's office does not exempt him/her from exercising his/her powers of public prosecutor in the public prosecutor's office under this Law.

### **Article 40. Appointment of the Prosecutor General of Ukraine**

1. The Prosecutor General of Ukraine shall be appointed by the President of Ukraine with the consent of the Verkhovna Rada of Ukraine.

2. The term of office of the Prosecutor General of Ukraine shall be five years. A person may not be re-appointed the Prosecutor General of Ukraine for the second term.

3. A citizen of Ukraine fulfilling the following requirements is eligible for appointment to the post of the Prosecutor General of Ukraine:

- 1) Degree in law;
- 2) Experience in the field of law for at least ten years;

- 3) Proficiency in the state language;
- 4) Lacking circumstances specified in Part Four of Article 27 of this Law; and
- 5) High moral, professional and organizational qualities.
6. The President of Ukraine shall file a written motion to the Verkhovna Rada of Ukraine for consent to appointment of the Prosecutor General of Ukraine.
7. The Rules of the Verkhovna Rada of Ukraine shall establish procedures for granting consent to appointment of the Prosecutor General of Ukraine.
8. A decision of the Verkhovna Rada of Ukraine to deny consent to the appointment is a ground for the President of Ukraine to file a written motion for consent to appointment of another candidate.

**Article 41. Procedures of Dismissal of a Public Prosecutor from the Administrative Office and Termination of His/Her Administrative Powers**

1. Public prosecutor's dismissal from an administrative position established in paragraphs 2, 3, 6-8, 11-13, Part One, Article 39 of this Law shall be carried out by the Prosecutor General of Ukraine upon the recommendation of the Council of Public Prosecutors for the following reasons:

- 1) Application for early termination of powers in the administrative post at one's own will;
- 2) Transfer to a position in another public prosecutor's office;
- 3) Improper performance of duties prescribed for the relevant administrative office by the public prosecutor who holds the administrative position.

A public prosecutor shall be dismissed from the administrative office specified in paragraphs 2, 3, 6-13, Part One, Article 39 hereof by the Prosecutor General of Ukraine and the head of the regional public prosecutor's office within the powers established by this Law. A public prosecutor shall be dismissed from the administrative office specified in paragraphs 14 and 15, Part One, Article 39 hereof by the head of the local public prosecutor's office for reasons specified in paragraph 1, Part One of this Article.

2. Administrative powers of a public prosecutor shall be terminated if:

- 1) his/her term of administrative office is terminated;
- 2) he/she is dismissed or his/her prosecutorial powers are terminated.

3. Availability of grounds set forth in paragraph 3, Part One of this Article shall be established by the Council of Public Prosecutors of Ukraine in compliance with the following personal guarantees referred to in Article 47 of this Law: receiving notices, obtaining copies of documents that were the basis for the inquiry, participation in the meeting and engaging a representative, providing explanations, issuing objection statements, petitions and challenges, receiving copies of relevant decisions.

4. Dismissal of a public prosecutor from the administrative office or termination of his/her administrative powers shall not terminate his prosecutorial powers except as provided for in paragraph 2, Part Two of this Article.

5. After public prosecutor's dismissal from the administrative office or termination of his/her administrative powers, he/she shall within one month be appointed to one of the vacant position in the same public prosecutor's office, or in the absence of vacant positions he/she shall be transferred to the position at another public prosecutor's office of the same or lower level upon his written consent. In such cases, the decision on the appointment shall be made by the head of the relevant public prosecutor's office.

In case the public prosecutor refuses to be appointed to the vacant position in the relevant public prosecutor's office or transferred to the position at another public prosecutor's office within a prescribed period, he/she shall be dismissed from the office.

Prior to the decision on public prosecutor's appointment to the prosecutor's office, transfer to the position at another public prosecutor's office or dismissal, the public prosecutor's powers shall be suspended with the maintenance of guarantees of material, social and welfare support provided by the legislation for public prosecutors.

**Article 42. The Grounds for Dismissal of the Prosecutor General of Ukraine from an Administrative Office and Termination of His/Her Powers in the Position**

1. The Prosecutor General of Ukraine shall be dismissed from the administrative position by the President of Ukraine following approval of the Verkhovna Rada of Ukraine:

- 1) on the basis of his/her application for early termination of powers in the administrative position;
- 2) on the basis of a motion of the Qualifications and Disciplinary Commission of Public Prosecutors.

2. The powers of the Prosecutor General of Ukraine in the administrative position shall be terminated in case of:

- 1) No confidence vote against the Prosecutor General by the Parliament of Ukraine resulting in his/her resignation from the administrative position; and
- 2) Termination of the term of office of the Prosecutor General.

3. Dismissal of the Prosecutor General of Ukraine from the administrative office or termination of his/her administrative powers shall not terminate his prosecutorial powers. 4. If the Prosecutor General is dismissed from the administration position by the President of Ukraine or his/her powers are terminated following the no-confidence vote against the him/her by the Verkhovna Rada of Ukraine, the President or Verkhovna Rada of Ukraine respectively shall receive an opinion of the Qualifications and Disciplinary Commission of Public Prosecutors on performance of professional duties by the Prosecutor General of Ukraine.

**Section 6. Disciplinary Liability of a Public Prosecutor**

**Article 43. The Grounds for Imposing a Disciplinary Action on a Public Prosecutor**

1. A public prosecutor may be subject to disciplinary action in accordance with disciplinary proceeding for the following reasons:

- 1) a failure to perform or improper performance of official duties;
- 2) an unreasonable delay in consideration of an application;
- 3) a disclosure of secrets protected by law which became known to the prosecutor while exercising his powers;
- 4) a violation of the legal procedures for submission of the declaration of assets, income, expenses and financial liabilities;
- 5) actions which discredit the public prosecutor and may raise doubts on his/her objectivity, impartiality and independence and on integrity and incorruptibility of public prosecutor's offices.
- 6) a regular (two or more times within one year) or one-off gross violation of prosecutorial ethics;
- 7) a violation of internal service regulations;
- 8) an intervention or any other influence of a public prosecutor in cases or the manner other than established by the law related to the work of another prosecutor, staff members, officials or judges, including through public statements about their decisions, actions or inaction in the absence of signs of an administrative or criminal offense; and
- 9) a public statement violating the presumption of innocence.

2. Bringing public prosecutor to a disciplinary action does not preclude from bringing him/her to an administrative or criminal liability in cases prescribed by law.

3. The acquittal of a person or closure of criminal proceedings by the court regarding him/her shall not serve as a ground for bringing to disciplinary actions the public prosecutor who has provided procedural guidance in a pre-trial investigation and/or prosecuted on behalf of the State in court in these proceedings, except for the willful breach of legislation or improper performance of duties.

4. During the disciplinary proceedings against the public prosecutor, if necessary, his/her attestation may be conducted. A reasoned decision on the necessity for attestation shall be made by the Qualifications and Disciplinary Commission of Public Prosecutors.

**Article 44. An Agency Conducting Disciplinary Proceedings**

1. Disciplinary proceedings shall be conducted by the Qualifications and Disciplinary Commission of Public Prosecutors.

**Article 45. Disciplinary Proceedings against a Public Prosecutor**

1. Disciplinary proceedings are a procedure of review by the Qualifications and Disciplinary Commission of Public Prosecutors of complaints (applications) containing information about a disciplinary offense committed by a public prosecutor.

2. The right to address the Qualifications and Disciplinary Commission of Public Prosecutors with a complaint (application) about a disciplinary violation by a public prosecutor is an obligation for anyone who is aware of such cases. The Qualifications and Disciplinary Commission of Public Prosecutors shall post a recommended sample complaint (application) on its website.

3. If the complaint (application) about a disciplinary offence by a public prosecutor is filed by a member of the Qualifications and Disciplinary Commission of Public Prosecutors, such member shall have no right to decide on opening of disciplinary proceedings, perform checks, and vote when deciding upon the results of the review about the presence of the public prosecutor's misconduct.

4. The name of a public prosecutor who is the subject of the received complaint shall not be disclosed before a decision on the case is made.

**Article 46. Initiation of Disciplinary Proceedings and Review of Complaints (Applications)**

1. The secretariat of the Qualifications and Disciplinary Commission of Public Prosecutors shall register the complaint (application) on the day of receipt. Using an automated system, it shall designate a member of the Qualifications and Disciplinary Commission of Public Prosecutors who is to decide on initiation of disciplinary proceedings.

2. A member of the Qualifications and Disciplinary Commission of Public Prosecutors shall make a reasoned decision to refuse to initiate disciplinary proceedings when:

1) the complaint (application) does not contain specific facts of an alleged misconduct of a public prosecutor;

2) the complaint (application) is anonymous;

3) the complaint (application) was filed on grounds not specified in Article 43 of this Law

4) the public prosecutor who is a subject of a complaint (application) has been dismissed or had his/her powers terminated; and

5) the disciplinary offence indicated in the complaint (application) has already been investigated and decided upon by the Qualifications and Disciplinary Commission of Public Prosecutors and the decision has not been revoked in the manner prescribed by law.

3. In the absence of the grounds stipulated by Part Two of this Article, a member of the Qualifications and Disciplinary Commission of Public Prosecutors shall decide to initiate disciplinary proceedings against a public prosecutor.

An application including results of the integrity test of the public prosecutor where the test found a disciplinary offence shall be a mandatory ground for initiation of disciplinary proceedings.

4. After the initiation of disciplinary proceedings, the member of the Qualifications and Disciplinary Commission of Public Prosecutors shall perform an inquiry of the circumstances reported in the complaint (application). If the inquiry uncovers other circumstances that may become grounds for bringing the public prosecutor to disciplinary actions, this information shall be included in the opinion of the member of the Qualifications and Disciplinary Commission of Public Prosecutors based on the inquiry results.

5. The member of the Qualifications and Disciplinary Commission of Public Prosecutors shall be entitled to refer to the Qualifications and Disciplinary Commission of Public Prosecutors with a motion for suspension of the public prosecutor from office until disciplinary proceedings are completed.

A motion for the public prosecutor's suspension from office shall be considered at the next meeting of the Qualifications and Disciplinary Commission of Public Prosecutors in compliance

with the public prosecutor's guarantees to be notified, to participate in the meetings, to involve a representative, to submit objections, petitions and challenges as stipulated in Article 47 of this Law.

In case the Qualifications and Disciplinary Commission of Public Prosecutors adopts a decision about the existence of the grounds for public prosecutor's removal from office, the copy of this decision shall be sent to the head of the public prosecutor's office, where the public prosecutor in question works. If the Qualifications and Disciplinary Commission of Public Prosecutors adopts a decision about the existence of the grounds for removal from office of the public prosecutor holding an administrative position, a copy of this decision shall be sent to the Prosecutor General of Ukraine.

The head of the public prosecutor's office, where the public prosecutor works, the Prosecutor General of Ukraine shall immediately consider the decision about the existence of the grounds for public prosecutor's removal from office; upon reviewing the decision an order on the public prosecutor's removal from office until the completion of disciplinary proceedings may be issued. A copy of the order shall be immediately handed to the public prosecutor, removed from office.

7. During the inquiry, the member of the Qualifications and Disciplinary Commission of Public Prosecutors shall be entitled to review the documents relating to the subject matter of the inquiry, receive copies of the documents, interview prosecutors and persons familiar with the circumstances of the offense that has the elements of misconduct. Upon a written request, he/she shall be entitled to receive all the required information from the central and local government agencies, officials hereto, heads of enterprises, institutions and organizations regardless of ownership and subordination, citizens and citizens' associations. A public prosecutor who is the subject of disciplinary proceedings shall have the right to provide or refuse to provide explanations concerning himself/herself.

8. The central government and local self-government agencies, their officials, senior managers of government-owned companies, institutions and organizations who received a request from a member of the Qualifications and Disciplinary Commission of Public Prosecutors shall respond and provide information available to them within ten days from the date of receipt of the request. If necessary, the response period can be extended to thirty days. This shall be communicated by the member of the Qualifications and Disciplinary Commission of Public Prosecutors to the agency/person who sent the extension request.

9. If the central government and local self-government agencies, their officials, managers of government companies, institutions and organizations fail to provide requested information to the member of Qualifications and Disciplinary Commission of Public Prosecutors, the member may take a legal action according to procedures established by law.

10. A verification of information about availability of grounds for bringing a public prosecutor to disciplinary liability shall be made within two months of the date of registration of the complaint (application). If the verification cannot be completed within this period, it may be extended by the Qualifications and Disciplinary Commission of Public Prosecutors but not more than for one month.

During disciplinary proceedings the public prosecutor may not be dismissed from office on the basis of his/her letter of resignation. 11. A member of the Qualifications and Disciplinary Commission of Public Prosecutors shall draft an opinion based on the results of the inquiry. The opinion should include the information on presence or absence of the offense by the prosecutor and a description of circumstances confirming this. If following the inquiry the member of the Qualifications and Disciplinary Commission of Public Prosecutors established the presence of the violation, the opinion shall further state the nature of the offense, its consequences, information about the identity of the prosecutor, the degree of his guilt and other circumstances relevant to the decision to impose a disciplinary sanction. It should also include proposals of the member of the Qualifications and Disciplinary Commission of Public Prosecutors for a specific disciplinary sanction.

12. The opinion and materials collected during the inquiry shall be submitted to the Qualifications and Disciplinary Commission of Public Prosecutors and received by its members no later than five days before the meeting at which the opinion is discussed.

**Article 47. Review of the Opinion on the Presence or Absence of a Public Prosecutor's Disciplinary Offense**

1. Consideration of the opinion on the presence or absence of public prosecutor's misconduct shall take place at a meeting of the Qualifications and Disciplinary Commission of Public Prosecutors. The following participants shall be invited to the meeting: the person who filed the complaint (application), the public prosecutor who is the subject of disciplinary proceedings, their representatives, and other persons where appropriate. The notice of the time and place of the meeting of the Qualifications and Disciplinary Commission of Public Prosecutors shall be sent no later than ten days before the meeting.

2. The notice of the time and place of the meeting of the Qualifications and Disciplinary Commission of Public Prosecutors to be sent to the prosecutor shall be supplemented with a copy of the complaint (application) and the opinion on the presence or absence of the prosecutor's misconduct.

3. The opinion on the presence or absence of the prosecutor's misconduct shall be reviewed in his/her presence and may be reviewed without him/her only when the public prosecutor is properly notified, such as when:

1) the public prosecutor has informed about his/her consent to review the opinion in his/her absence;

2) the public prosecutor did not attend the meeting and did not disclose the reasons for absence; and

3) the public prosecutor did not attend the meeting repeatedly.

The Qualifications and Disciplinary Commission of Public Prosecutors shall decide upon the possibility to review the opinion in the absence of the respective public prosecutor.

4. The prosecutor who will not participate in the meeting of the Qualifications and Disciplinary Commission of Public Prosecutors may submit a written comment about the opinion on presence or absence of the offense. The comment shall be read at the meeting of the Qualifications and Disciplinary Commission of Public Prosecutors.

5. The review of the opinion of presence or absence of the public prosecutor's offense is adversarial. A meeting of the Qualifications and Disciplinary Commission of Public Prosecutors shall hear explanations of the member of the Qualifications and Disciplinary Commission of Public Prosecutors who carried out the inquiry, comments of the prosecutor who is the subject of disciplinary proceedings and/or his representative and, where appropriate, explanations of other persons.

6. The public prosecutor who is the subject of disciplinary proceedings and/or his/her representative shall have the right to provide comments or to refuse providing any comments, to ask questions to the participants of the proceedings, to submit objections, petitions as well as challenge the member of the Qualifications and Disciplinary Commission of Public Prosecutors him/her when there is any doubt about his/her impartiality and objectivity.

While the Qualifications and Disciplinary Commission of Public Prosecutors decides upon the challenge of its member, the challenged member shall not be entitled to vote and be present during the voting.

**Article 48. The Decision of the Qualifications and Disciplinary Commission of Public Prosecutors in Disciplinary Proceedings against a Public Prosecutor**

1. The Qualifications and Disciplinary Commission of Public Prosecutors shall adopt a decision in disciplinary proceedings by a majority of votes of its members. Before deciding, the Qualifications and Disciplinary Commission of Public Prosecutors shall discuss the results of the opinion on presence or absence of the public prosecutor's offense in the absence of the prosecutor who is the subject to the proceedings and the invited persons.

2. The member of the Qualifications and Disciplinary Commission of Public Prosecutors who has performed an inquiry and prepared the opinion on presence or absence of prosecutor's misconduct shall not be entitled to vote on the decision upon reviewing the results of the mentioned opinion and be present during the voting.



3. A decision in disciplinary proceedings shall take into account the nature of the offense, its consequences, the personality of the public prosecutor, the degree of his/her guilt, and the circumstances affecting the choice of the type of the disciplinary action.
4. The decision to apply disciplinary actions against a public prosecutor or a decision of the impossibility of his further tenure in the prosecutor's position may be taken no later than one year from the date when the offense was committed regardless of the time of prosecutor's temporary disability or vacation.
5. In the absence of grounds for disciplinary actions against a public prosecutor, the Qualifications and Disciplinary Commission of Public Prosecutors shall decide to close the proceedings.
6. The decision of the Qualifications and Disciplinary Commission of Public Prosecutors shall be in writing and signed by the Chairman and the members of the Qualifications and Disciplinary Commission of Public Prosecutors that took part in the review of the opinion on the presence or absence of an offense and shall be announced at the meeting of this agency. The decision that follows the disciplinary procedure shall include:
  - 1) the full name and position of the prosecutor brought to disciplinary responsibility;
  - 2) the circumstances established in the course of proceedings;
  - 3) the grounds upon which the Qualifications and Disciplinary Commission of Public Prosecutors has made the decision;
  - 4) the summary of the decision pointing to the type of disciplinary sanctions in the event of its imposition; and
  - 5) procedures and terms of appeal.
7. If there is a dissenting opinion of a member of the Qualifications and Disciplinary Commission of Public Prosecutors, it shall be in writing and attached to the file, which fact shall be announced by the Chairman at the meeting. The content of the dissenting opinion shall not be disclosed at the meeting. A copy of the dissenting opinion shall be handed over to the public prosecutor against whom the disciplinary proceedings are instituted.
8. A copy of the decision made by the Qualifications and Disciplinary Commission of Public Prosecutors shall be handed to the prosecutor in question, or it shall be sent to the prosecutor by registered mail with a return receipt within seven days. At the same time, a copy of the decision shall be sent to the head of the prosecutor's office where the public prosecutor in question is employed.
9. The decision of the Qualifications and Disciplinary Commission of Public Prosecutors taken after the review of disciplinary proceedings shall be published on its website within a seven-day period.

#### **Article 49. The Types of Disciplinary Sanctions**

1. The following disciplinary sanctions may be applied against a public prosecutor:
  - 1) a reprimand;
  - 2) a ban for up to one year on a transfer to a higher public prosecutor's office or on appointment to a higher position in the public prosecutor's office where he/she holds the office (except for the Prosecutor General of Ukraine);
  - 3) dismissal from office.
2. During one year from the date of imposition of a disciplinary sanction, the public prosecutor is deemed to have the history of disciplinary sanctions, except as provided by Part Three of this Article.
3. A public prosecutor, who has avoided the violation of the laws and has conscientiously and professionally carried out the duties, may be deemed having no history of disciplinary sanctions before the end of one year only subject to a decision of Qualifications and Disciplinary Commission of Public Prosecutors upon request of the head of the relevant public prosecutor's office, but no earlier than:
  - 1) six months after the imposition of a disciplinary sanction provided for in clause 1, Part One of this Article; and

2) after the expiration of a half of the period specified by the Qualifications and Disciplinary Commission of Public Prosecutors – in case of disciplinary sanctions under clause 2, Part One of this Article.

4. As a result of disciplinary proceedings, the Qualifications and Disciplinary Commission of Public Prosecutors may decide that the public prosecutor (except for the Prosecutor General of Ukraine) can no longer hold the office if:

- 1) the disciplinary offense committed by the prosecutor has the nature of a gross violation; and
- 2) the public prosecutor committed a disciplinary offense acting in the capacity of a public prosecutor while having a record of disciplinary liability.

5. If the Qualifications and Disciplinary Commission of Public Prosecutors reviews the results of disciplinary proceedings against a public prosecutor and establishes circumstances confirming a breach of prosecutor's compatibility requirements stipulated in Article 18 of this Law, it shall initiate a review of the issue before the High Council of Justice.

6. If the Qualifications and Disciplinary Commission of Public Prosecutors reviews the results of disciplinary proceedings against a public prosecutor, who holds an administrative position, and establishes the fact of improper performance of duties prescribed for the relevant administrative positions, it shall initiate a discussion at the Prosecutors' Council of Ukraine to recommend dismissal of the public prosecutor from the administrative position.

#### **Article 50. Appealing the Decision Taken as a Result of Disciplinary Proceedings**

1. A public prosecutor may appeal the decision taken as a result of disciplinary proceedings before the administrative court or the High Council of Justice within one month of the date when the decision was handed to him/her or receipt of a copy of the decision by mail.

2. Review of administrative lawsuits appealing a decision made by the Qualifications and Disciplinary Commission of Public Prosecutors shall be conducted in the manner specified by the procedural law.

3. An administrative lawsuit filed to the court against the decision of the Qualifications and Disciplinary Commission of Public Prosecutors to bring the public prosecutor to disciplinary liability or on the impossibility of prosecutor's further stay in office shall **not** suspend the effect of such a decision. With the view to secure the administrative lawsuit, the court may suspend the effect of the decision of the Qualifications and Disciplinary Commission of Public Prosecutors to impose a disciplinary sanction on the public prosecutor or a ban from holding the office.

### **Section 7. Dismissal of Public Prosecutors, Suspension and Termination of Their Powers**

#### **Article 51. The General Terms of Public Prosecutor's Dismissal and Termination of Public Prosecutor's Powers**

1. The prosecutor shall be dismissed in the following cases:

- 1) inability to perform his/her duties for health reasons;
- 2) violation of the compatibility requirements, stipulated in Article 18 of this Law;
- 3) entry into force of the judgment bringing the public prosecutor to administrative liability for corruption offenses related to violation of the restrictions established in the Law of Ukraine *On the Principles of Preventing and Combating Corruption*;
- 4) inability to transfer to another position or lack of consent thereto due to direct subordination to a close person;
- 5) entry into force of a court judgment of guilt against him/her;
- 6) termination of the citizenship of Ukraine or assuming the citizenship of another state;
- 7) submission of a voluntary resignation application;
- 8) impossibility of further holding a temporary position; and
- 9) liquidation or reorganization of the public prosecutor's office employing the prosecutor or in case of public prosecutors' layoff hereto.

Servicemen in military public prosecutor's offices may be dismissed from service according to the laws regulating the military service as well as because of a transfer to other positions in public prosecutor's offices or resign at their own request..

2. The persons who are eligible for deciding on the dismissal of a public prosecutor from office according to this Law are the following:

1) the Prosecutor General of Ukraine may dismiss public prosecutors at the Prosecutor's General Office of Ukraine and heads of regional public prosecutor's offices;

2) the head of a regional public prosecutor's office may dismiss the prosecutors at the regional public prosecutor's office and heads of local public prosecutor's offices located within the administrative areas under the territorial jurisdiction of the respective regional public prosecutor's office;

3) the head of a local public prosecutor's office may dismiss public prosecutors of the local public prosecutor's office.

2. The powers of public prosecutor shall be terminated due to the following:

1) reaching the age of sixty-five;

2) death;

3) recognition as missing or dead; and

4) a decision of the Qualifications and Disciplinary Commission of Public Prosecutors on the impossibility of further stay in the public prosecutor's position.

3. The Prosecutor General of Ukraine shall be dismissed from office by the President of Ukraine on the grounds specified in clauses 1-3, 5-7, Part One of this Article.

#### **Article 52. Dismissal of a Public Prosecutor due to his/her Inability to Perform Duties for Health Reasons**

1. A public prosecutor may be dismissed if he/she cannot exercise his/her powers for health reasons and has a medical opinion submitted by a medical commission that is established by the central executive healthcare agency or by a valid court order recognizing the public prosecutor partially or fully incapable.

2. Having recognized that a public prosecutor's health does not allow performing his/her duties for a long time or permanently, the Qualifications and Disciplinary Commission of Public Prosecutors shall submit a motion to dismiss the prosecutor from office to the person authorized by this Law to decide on prosecutor's dismissal.

#### **Article 53. Dismissal of a Public Prosecutor due to Violation of the Compatibility Requirements**

1. A public prosecutor shall be dismissed for violation of the requirements of compatibility upon the motion of the High Council of Justice that shall be sent to the person authorized by this Law to decide on prosecutor's dismissal.

2. The motion to dismiss the Prosecutor General of Ukraine from office due to violation of compatibility requirements shall be submitted to the President of Ukraine by the High Council of Justice.

#### **Article 54. Dismissal of a Public Prosecutor in the Case of Entry into Force of the Judgment Bringing the Prosecutor to Administrative Liability for Corruption Offenses**

1. The court that issued the judgment finding the prosecutor guilty of administrative corruption offenses, concerning the violation of the restrictions established in the Law of Ukraine *On the Principles of Preventing and Combating Corruption*, shall appropriately inform the person authorized by this Law to decide on prosecutor's dismissal after entry into force of the judgment. This person shall dismiss the prosecutor from office within three days of receipt of a copy of a judgment that has entered into force.

2. The court that issued the judgment recognizing the Prosecutor General of Ukraine guilty of administrative corruption offenses, concerning the violation of the restrictions established in the Law of Ukraine *On the Principles of Preventing and Combating Corruption* shall appropriately inform the Qualifications and Disciplinary Commission of Public Prosecutors after judgment's

entry into force. The Commission shall submit a motion to the President of Ukraine to dismiss the Prosecutor General of Ukraine from office.

3. The prosecutor cannot continue performing his/her duties if the judgment recognizing him guilty of administrative corruption offenses related to the violation of the restrictions established in the Law of Ukraine *On the Principles of Preventing and Combating Corruption* takes effect.

**Article 55. Dismissal of a Public Prosecutor in the Case of Inability to Transfer to Another Position or Lack of Consent Hereto due to Direct Subordination to a Close Person**

1. A public prosecutor demonstrating circumstances of direct subordination to someone with close standing shall be dismissed from office by the person authorized by this Law to decide on prosecutor's dismissal upon the motion of the Qualifications and Disciplinary Commission of Public Prosecutors under the following conditions:

- 1) a public prosecutor or a person close to him/her fail to voluntarily address the circumstances of direct subordination within fifteen days from the date of appearance of such circumstances;
- 2) a public prosecutor or persons close to him/her were not transferred in due course to another position according to established procedures within 30 days from the date of appearance of such circumstances to eliminate direct subordination or did not provide consent to such transfer.

*Note:* The terms of "direct subordination" and "a close person" shall have the meaning specified in the Law of Ukraine *On the Principles of Preventing and Combating Corruption*.

**Article 56. Dismissal of Public Prosecutor in the case of Entry into Force of a Guilty Verdict against Him/Her**

1. The court that issued the guilty verdict against the prosecutor shall appropriately inform the person authorized by this Law to decide on prosecutor's dismissal after entry into force of the verdict. This person shall dismiss the prosecutor from office.

2. The court that issued the guilty verdict against the Prosecutor General of Ukraine shall appropriately inform the Qualifications and Disciplinary Commission of Public Prosecutors after entry into force of the verdict. The Commission shall submit a motion to the President of Ukraine to dismiss the Prosecutor General of Ukraine from office.

3. The public prosecutor cannot continue performing his/her duties if the court's guilty verdict has taken effect.

**Article 57. Dismissal of a Public Prosecutor in the Case of Termination of the Citizenship or Assuming Citizenship of other State**

1. In case of termination of his/her citizenship or assuming citizenship of other state, a public prosecutor shall be dismissed by the person authorized by this Law to decide on prosecutor's dismissal upon the motion of the Qualifications and Disciplinary Commission of Public Prosecutors.

2. In case of termination of his/her citizenship of Ukraine or assuming citizenship of another state, the Prosecutor General of Ukraine shall be dismissed by the President of Ukraine or upon the motion of the Qualifications and Disciplinary Commission of Public Prosecutors.

3. A public prosecutor cannot continue to exercise his/her powers upon termination of his/her citizenship or establishment of the fact of assuming citizenship of another state in the motion of the Qualifications and Disciplinary Commission of Public Prosecutors.

**Article 58. Dismissal of a Public Prosecutor Following His/Her Voluntary Resignation**

1. Regardless of motives, a public prosecutor may apply for resignation at his/her own request at any time of his/her tenure.

2. The statement of resignation shall be submitted to the person authorized by this Law to decide on prosecutor's dismissal.

The letter of resignation of the Prosecutor General of Ukraine shall be submitted to the President of Ukraine.

3. The public prosecutor continues to exercise his/her powers until the decision to dismiss him/her has made.

**Article 59. Dismissal of a Public Prosecutor from an Office in Case of Impossibility of Further Holding a Temporary Vacancy**

1. A public prosecutor holding a temporary vacancy shall be dismissed from office by the person authorized by this Law to decide on prosecutor's dismissal upon the motion of the Qualifications and Disciplinary Commission of Public Prosecutors if the public prosecutor holding this post on a permanent basis returns to work and if:

- 1) the prosecutor failed to file an application for his/her transfer to another prosecutor's office within fifteen days;
- 2) the public prosecutor's offices have no vacant positions to complete the transfer; and
- 3) the public prosecutor failed in the competition for transfer to a higher level public prosecutor's office.

**Article 60. Dismissal of a Public Prosecutor in the Case of Liquidation or Reorganization of the Prosecutor's Office Employing the Prosecutor or in Case of Public Prosecutors' Layoff in the Public Prosecutor's Office**

1. A public prosecutor shall be dismissed by the person authorized by this Law to decide on prosecutor's dismissal from an office upon the motion of the Qualifications and Disciplinary Commission of Public Prosecutors in the case of liquidation or reorganization of the prosecutor's office or in the case of public prosecutors' layoff in the public prosecutor's office if:

- 1) the prosecutor failed to file an application for his/her transfer to another prosecution authority within fifteen days;
- 2) public prosecutor's offices have no vacant positions to complete the transfer; and
- 3) the public prosecutor failed in the competition for transfer to a higher level public prosecutor's office.

**Article 61. Termination of Powers of a Public Prosecutor**

1. The powers of a public prosecutor shall cease:

- 1) on the following day after he/she reaches the age of sixty-five; and
- 2) on the day of his/her death.

2. Except for the Prosecutor General of Ukraine, the powers of a public prosecutor shall cease due to the decision of the Qualifications and Disciplinary Commission of Public Prosecutors on the impossibility of his/her further stay in the public prosecutor's position:

- 1) on the day following the deadline for appeal against this decision and if the decision has not been appealed; and
- 2) on the day following the day when the judgment made by the authority receiving appeal against the decision of the Qualifications and Disciplinary Commission of Public Prosecutors became final – if the decision was appealed but the appeal was rejected.

3. Head or deputy head of the public prosecutor's office employing the prosecutor whose powers have been terminated shall notify the Qualifications and Disciplinary Commission of Public Prosecutors of the same.

**Article 62. A Motion of Dismissal from the Post of a Public Prosecutor**

1. The motion of dismissal from the post of a public prosecutor shall be introduced by the High Council of Justice or the Qualifications and Disciplinary Commission of Public Prosecutors in cases established by law.

2. The motion of the Qualifications and Disciplinary Commission of Public Prosecutors or the High Council of Justice to dismiss a public prosecutor shall contain:

- 1) a date of filing;
- 2) a full name of the public prosecutor;
- 3) a date of birth of the public prosecutor;
- 4) information about his tenure as a public prosecutor;
- 5) factual circumstances confirming the reason for a dismissal of a prosecutor.

3. The decision to dismiss the prosecutor shall be made by the person authorized by this Law to decide on prosecutor's dismissal solely on the basis and within the motion of the Qualifications and Disciplinary Commission of Public Prosecutors or the High Council of Justice.

### **Article 63. The Procedure of Dismissal of the Prosecutor General of Ukraine from the Public Prosecutor's Position**

1. The President of Ukraine shall issue a decree on dismissal of the Prosecutor General of Ukraine from office on the basis and within the scope of the dismissal motion of the Qualifications and Disciplinary Commission of Public Prosecutors or the High Council of Justice.

2. Procedures for considering and adopting a resolution of no confidence in the Prosecutor General of Ukraine by the Verkhovna Rada of Ukraine shall be established by Part Four, Article 42 hereof and the Rules of the Verkhovna Rada of Ukraine.

Powers of the Prosecutor General of Ukraine shall terminate on the day when the resolution of the Verkhovna Rada of Ukraine takes effect,

### **Article 64. Suspension of Public Prosecutor's Powers**

1. The powers of a prosecutor shall be suspended in the case of:

1) his/her secondment to the High Council of Justice, the Qualifications and Disciplinary Commission of Public Prosecutors, the National Academy of Public Prosecutors of Public Prosecutors of Ukraine or other authorities to work on a full-time basis – until returning from the secondment;

2) his/her dismissal from the administrative position – until the decision on the his/her appointment to another position in the public prosecutor's office, where he held an administrative position, transfer to the position at another public prosecutor's office or dismissal from public prosecutor's position, is made;

3) removal from office during the disciplinary proceedings against him/her – until the dismissal from public prosecutor's position, the cancellation of the decision to remove him/her from office during the disciplinary proceedings, the closure of the disciplinary proceedings or the imposition of a disciplinary sanction;

4) suspension from performing official duties in the manner established by the Law of Ukraine *On the Principles of Preventing and Combating Corruption* – until the completion of adjudication of the administrative corruption offense; and

5) removal from office in the manner prescribed by Articles 154-158 of the Criminal Procedure Code of Ukraine – until cancelation of criminal proceedings' security means in the form of removal from office or cancelation of a respective ruling or termination of validity of the ruling.

2. During the period of suspension from office or suspension from performing official duties, the public prosecutor shall maintain his/her salary, and in the case defined in clause 3 of Part One of this Article, he/she may receive tasks which do not affect the objectivity of the inquiry.

## **Section 8. Prosecutorial Self-Governance and Bodies Supporting the Prosecution Service**

### **Chapter 1. The General Principles of Prosecutorial Self-Governance**

#### **Article 65. The Objectives of Prosecutorial Self-Governance**

1. Prosecutorial self-governance shall mean that prosecutors decide independently and collectively on internal matters of the prosecution service to:

1) ensure a consistent organizational approach to functions of prosecutor's offices and improve the quality of prosecution services;

2) strengthen the independence of public prosecutors and protection from interference with their activities;

- 3) be engaged in identifying needs in human resources, financial, logistical and other support to prosecutors and overseeing the compliance with standards of such support; and
  - 4) elect or appoint prosecutors to be members of other authorities as prescribed by law.
2. The internal matters of the Public Prosecution Service include organizational support to public prosecutor's offices and prosecutors, social protection of public prosecutors and their families and issues not related directly to prosecution functions.

#### **Article 66. Organizational Forms of Prosecutorial Self-Governance**

1. The prosecutorial self-governance is exercised through the All-Ukrainian Conference of Public Prosecution Employees and the Council of Public Prosecutors of Ukraine.
2. The procedures of prosecutorial self-governance shall be governed by this Law, other laws, rules and regulations adopted by prosecutorial self-governance bodies under this Law.

### **Chapter 2. The Prosecutorial Self-Governance Bodies**

#### **Article 67. The All-Ukrainian Conference of Public Prosecution Employees**

1. The All-Ukrainian Conference of Public Prosecution Employees is the highest body of prosecutorial self-governance.
2. The Conference shall:
  - 1) hear the reports of the Council of Public Prosecutors of Ukraine on implementation of objectives of the prosecutorial self-governance and on the state of financial and organizational support to public prosecutor's offices;
  - 2) appoint the members of the High Council of Justice and decide on termination of their office pursuant to the Constitution and laws of Ukraine;
  - 3) appoint the members of the Council of Public Prosecutors of Ukraine and the Qualifications and Disciplinary Commission of Public Prosecutors;
  - 4) approve the Code of Professional Ethics and Conduct of Public Prosecutors and Regulations on the Council of Public Prosecutors of Ukraine;
  - 5) adopt Regulations on Proceedings of the Qualifications and Disciplinary Commission of Public Prosecutors;
  - 6) submit proposals to central government authorities and their officials to address issues of operation of public prosecutor's offices; and
  - 7) address other issues of prosecutorial self-governance and exercise other powers under the laws.
3. The Conference shall make decisions binding upon the Council of Public Prosecutors of Ukraine and all prosecutors on matters within its competence.

#### **Article 68. The Procedure for Convening the All-Ukrainian Conference of Public Prosecution Employees**

1. The Council of Public Prosecutors of Ukraine shall convene a regular session of the All-Ukrainian Conference of Public Prosecution Employees biennially. An extraordinary session of the Conference can be convened by a decision of the Council of Public Prosecutors of Ukraine.
2. Delegates of the Conference and invited persons shall be notified of the date and issues to be discussed at the Conference at least thirty days prior to the Conference.

#### **Article 69. Election of Delegates to the All-Ukrainian Conference of Public Prosecution Employees**

1. The delegates of the Conference shall be elected at:
  - 1) the meetings of public prosecutors of the Prosecutor General's Office – six public prosecutors of the Prosecutor General's Office;
  - 2) the meetings of regional public prosecutors – three public prosecutors representing every regional public prosecutor's office;
  - 3) the meetings of representatives of local public prosecutor's offices – two public prosecutors representing each local public prosecutor's office.

2. The delegates of the Conference shall be elected by secret ballot from among freely nominated alternative candidates.
3. Public prosecutors' meeting shall be convened by the head of a respective public prosecutor's office and be valid if attended by more than 50 percent of public prosecutors of such public prosecutor's office. Decisions shall be adopted by a majority vote of all prosecutors of the public prosecutor's office.

#### **Article 70. Proceedings at the All-Ukrainian Conference of Public Prosecution Employees**

1. The Conference shall be valid if attended by at least two-thirds of all delegates elected.
2. The Conference shall be launched by the Chairman of the Council of Public Prosecutors of Ukraine, or by the Vice Chairman or Secretary of the Council if the Chairman is absent.
3. The Conference shall elect the presidium by secret ballot, the size of the presidium to be established by the Conference. The presidium shall organize proceedings at the Conference.
4. The Conference shall discuss and approve its agenda and rules of procedure, elect a counting commission, a secretariat and other working bodies of the Conference.
5. Minutes shall be done for the Conference proceedings.
6. Decisions shall be adopted by a majority vote of all delegates. Decisions on the issue indicated in clauses 2 and 3, Part Two, Article 67 of this Law shall be adopted by the Conference by secret ballot.
7. Other issues related to proceedings at the Conference shall be regulated by the rules of procedures adopted by the Conference.

#### **Article 71. The Council of Public Prosecutors of Ukraine**

1. The Council of Public Prosecutors of Ukraine is the highest body of prosecutorial self-governance in the period between All-Ukrainian Conferences of Public Prosecution Employees.
2. The Council shall consist of thirteen members including:
  - 1) two representatives (public prosecutors) of the Prosecutor General's Office;
  - 2) four representatives (public prosecutors) of regional public prosecutor's offices;
  - 3) five representatives (public prosecutors) of local public prosecutor's offices; and
  - 4) two representatives (scholars) appointed by the congress of representatives of law universities and academic institutions.
3. The Council of Public Prosecutors of Ukraine is valid if at least nine members are elected.
4. Members of the Council of Public Prosecutors of Ukraine shall exercise their powers on a voluntary basis.
5. A public prosecutor who holds an administrative office or is a member of the Qualifications and Disciplinary Commission of Public Prosecutors cannot be a member of the Council of Public Prosecutors of Ukraine at the same time.
6. The term of office of a Council's member shall be five years without the right to re-election.
7. At a session the Council shall elect the Chairman, Vice Chairman and Secretary of the Council from among its members.
8. The Council shall, between sessions of the All-Ukrainian Conference of Public Prosecution Employees, make sure that decisions of the Conference are implemented and the next Conference is convened and held. Powers and procedures of the Council shall be regulated by this Law and Regulations on the Council of Public Prosecutors of Ukraine.
9. The Council shall:
  - 1) make recommendations on appointment and dismissal of public prosecutors from administrative positions in cases established by this Law. If the Prosecutor General of Ukraine does not agree with a candidate nominated by the Council, he/she shall nominate another candidate to be considered by the Council;
  - 2) oversee measures to ensure independence of Public Prosecutors and improve organizational support to prosecutors;
  - 3) consider legal protection of public prosecutors, social protection of public prosecutors and their families and make respective decisions;



- 4) consider applications of public prosecutors and other information regarding any threat to independence of public prosecutors and take follow-up actions (notifying respective authorities of the grounds to impose criminal, disciplinary or other liability; initiating consideration of protection measures for public prosecutors; publishing, on behalf of the prosecution service, of instances of violation of prosecutorial independence; notifying international organizations of the same, etc);
- 5) consider applications regarding inappropriate execution of administrative duties by a public prosecutor holding an administrative post;
- 6) submit proposals on operation of the prosecution service to central and local government authorities;
- 7) oversee organization of operations of public prosecutor's offices; and
- 8) exercise other powers established by this Law.

#### **Article 72. Supporting Prosecutorial Self-Governance Bodies**

1. The Prosecutor General's Office of Ukraine shall support the All-Ukrainian Conference of Public Prosecution Employees and the Council of Public Prosecutors of Ukraine with the funds of the State Budget of Ukraine.
2. The request for funds necessary for the operation of the bodies of prosecutorial self-governance shall be submitted to the Prosecutor General's Office of Ukraine by the Council of Public Prosecutors of Ukraine.

### **Chapter 3. Qualifications and Disciplinary Commission of Public Prosecutors**

#### **Article 73. The Status of the Qualifications and Disciplinary Commission of Public Prosecutors**

1. The Qualifications and Disciplinary Commission is a collegial body empowered by this Law to establish the level of professional skills of individuals willing to become public prosecutors, decide on disciplinary liability, transfer and dismissal of public prosecutors.
2. The Qualifications and Disciplinary Commission of Public Prosecutors is a legal entity, has the seal with the National Emblem of Ukraine, legal name, independent balance sheet and accounts with the State Treasury of Ukraine.
3. Procedures of the Qualifications and Disciplinary Commission of Public Prosecutors shall be established by Regulations adopted by the All-Ukrainian Conference of Public Prosecution Employees.

#### **Article 74. Members of Qualifications and Disciplinary Commission of Public Prosecutors**

1. The Qualifications and Disciplinary Commission shall consist of eleven members who are citizens of Ukraine, have a university degree in law and at least ten-year work experience in the field of law. The members include:
  - 1) five public prosecutors appointed by the All-Ukrainian Conference of Public Prosecution Employees;
  - 2) two individuals (scholars) appointed by the congress of representatives of law universities and academic institutions;
  - 3) one individual (a defense lawyer) appointed by the congress of defense lawyers; and
  - 4) three individuals appointed by the Parliamentary Commissioner for Human Rights of Ukraine following an approval by the Verkhovna Rada committee responsible for organization and operations of public prosecutor's offices.
2. A member of the Qualifications and Disciplinary Commission of Public Prosecutors may not be a member of Ukrainian Parliament, representative of the Cabinet of Ministers of Ukraine, central or local government authorities, researcher or professor of the National Academy of Public Prosecutors of Public Prosecutors of Ukraine, other educational institutions or academic institutions managed by the prosecution service, judge, officer of law enforcement agencies or government supervision authorities or a public prosecutor holding an administrative post. Also,

more than one person representing the same educational institution or research center may not be appointed members of the Qualifications and Disciplinary Commission.

3. The Qualifications and Disciplinary Commission shall be valid if at least nine members are appointed.

4. The term of office of a member of the Qualifications and Disciplinary Commission shall be three years. A member may not be re-appointed for two consecutive terms.

5. A member of the Qualifications and Disciplinary Commission of Public Prosecutors may not be a member of the Council of Public Prosecutors of Ukraine at the same time.

6. Members of the Qualifications And Disciplinary Commission shall work on an ongoing basis and be seconded to perform their duties in the Commission.

7. Remuneration and social protection of members of the Qualifications and Disciplinary Commission of Public Prosecutors shall be based on criteria established for a respective category of civil servants. Members of the Commission who are public prosecutors shall keep their social welfare guarantees established by the law for public prosecutors

#### **Article 75. Proceedings at the Congress of Representatives of Law Universities and Academic Institutions**

1. The congress of representatives of law universities and academic institutions shall be convened by the Chairman of the Qualifications and Disciplinary Commission of Public Prosecutors at least three months prior to expiration of the term of office of its members appointed within the congress' quota.

The Chairman of the Qualifications and Disciplinary Commission of Public Prosecutors shall post information about the date, time and place of the conference on the Commission's website and notify law universities, law departments in universities and academic institutions of the same.

2. Every law university, law department in a university and academic institution shall delegate one representative to the congress.

The Chairman of the Qualifications and Disciplinary Commission shall be notified of the elected delegates at least ten days prior to the congress.

3. The congress shall be valid if attended by at least two-thirds of all elected delegates.
4. The oldest delegate shall open the congress.

The congress shall, by secret ballot, elect the chairman and secretary, discuss and approve its agenda and rules of procedure, elect the counting commission and other working bodies of the congress.

5. Candidate members of the Qualifications and Disciplinary Commission who meet the criteria established in Parts One and Two of Article 74 of this Law shall be nominated by a majority vote of the delegates in attendance by secret ballot and included into secret ballots.

6. A candidate winning the majority of votes by secret ballot shall be appointed as a member of the Qualifications and Disciplinary Commission.

7. On the basis of voting results the chair and secretary of the congress shall sign an appointment decision to be published on the Commission's website.

8. The congress of representatives of law universities and academic institutions shall be convened and held according to this Article only for the purposes established by this Law.

#### **Article 76. Terminating Office of Members of the Qualifications and Disciplinary Commission of Public Prosecutors**

1. The office of a member of the Qualifications and Disciplinary Commission of Public Prosecutors shall be terminated if:

- 1) the term of his/her office expires;
- 2) he/she files a resignation notice;
- 3) he/she has committed an action incompatible with the position of a member of the Commission;
- 4) he/she takes an office specified in Part Two, Article 74 hereof;
- 5) he/she cannot perform duties for health reasons;

- 6) a guilty verdict takes effect against him/her;
- 7) his/her citizenship is terminated or he/she becomes a citizen of other country;
- 8) he/she is announced missing or dead; and
- 9) he/she dies.

2. Powers of a member of the Qualifications and Disciplinary Commission of Public Prosecutors shall be terminated:

- 1) on the grounds indicated in clause 1, Part One of the Article – on the date following the day of expiration of the term, without any need for the Commission to make a termination decision;
- 2) on the grounds indicated in clauses 2, 3, 5-8, Part One of this Article – on the basis of a termination decision of the qualifications and disciplinary commission;
- 3) on the grounds indicated in clause 9, Part One of this Article – on the date of death, without any need for the Commission to make a termination decision; and
- 4) on the grounds indicated in clause 4, Part One of this Article – on the day of appointment to a position specified in Part Two, Article 74 hereof, without any need for the Commission to make a termination decision.

The Qualifications and Disciplinary Commission of Public Prosecutors shall make a termination decision on the grounds indicated in clause 5, Part One of this Article subject to a medical opinion of a medical commission established by a central executive health care authority or subject to an effective court decision founding the member fully or partially incapable.

#### **Article 77. Powers of the Qualifications and Disciplinary Commission of Public Prosecutors**

1. The Qualifications and Disciplinary Commission of Public Prosecutors shall:

- 1) keep a register of the number of public prosecutor's posts, including vacant and temporarily vacant posts;
- 2) select candidate public prosecutors as established by this Law;
- 3) take part in transfers of public prosecutors;
- 4) consider complaints (applications) regarding disciplinary offenses committed by public prosecutors and carry out disciplinary proceedings;
- 5) following disciplinary proceedings and where there are grounds established by this Law, make decisions on imposing disciplinary sanctions on a public prosecutor of a local public prosecutor's office or on banning a public prosecutor from office; and
- 6) exercise other powers established by law.

2. For the exercise of their powers, the Qualifications and Disciplinary Commission of Public Prosecutors shall be entitled to see documents, receive copies thereof, interrogate public prosecutors and other individuals, receive, upon a written request, necessary information from central, local government authorities, their officials, heads of companies, institutions, organizations of any form of ownership and subordination, citizens and citizens' associations.

The central government and local self-government agencies, their officials, senior managers of government-owned companies, institutions and organizations who received a request from a member of the Qualifications and Disciplinary Commission of Public Prosecutors shall respond and provide information available to them within ten days of the receipt of the request. If necessary, the response period can be extended to thirty days. This shall be communicated by the member of the Qualifications and Disciplinary Commission of Public Prosecutors directly in the request.

3. If the central government and local self-government agencies, their officials, managers of government companies, institutions and organizations fail to provide requested information to the member of the Qualifications and Disciplinary Commission of Public Prosecutors, the member may take a legal action according to procedures established by law.

4. A public prosecutor who is the subject of disciplinary proceedings shall not be held liable for refusal to give explanations about himself/herself, his/her family members and close relatives specified by law.

**Article 78. Activities and Meetings of the Qualifications and Disciplinary Commission of Public Prosecutors**

1. The Qualifications and Disciplinary Commission of Public Prosecutors shall, by secret ballot, elect the Chairman from among its members for three years.
2. The Chairman of Qualifications and Disciplinary Commission of Public Prosecutors shall organize its activities, preside at its meetings, conduct meetings of the commission, and represent its interests before central and local government authorities, other state bodies, individuals, institutions and organizations, authorities of other countries and international organizations. In the absence of the Chairman, his/her duties shall be performed by the Vice Chairman.
3. An automated complaint (application) distribution system is in place in the Qualifications and Disciplinary Commission of Public Prosecutors to decide on initiating disciplinary proceedings. Regulations on the automated complaint (appeal) distribution system shall be approved by the Qualifications and Disciplinary Commission of Public Prosecutors and agreed with the Council of Public Prosecutors of Ukraine.
4. The secretary of the Qualifications and Disciplinary Commission of Public Prosecutors shall arrange preparation of meetings and be responsible for document management.
5. Meetings of the Qualifications and Disciplinary Commission of Public Prosecutors are open except as provided for by the law. A meeting shall be valid if at least nine members of the Commission attend it.
6. The Chairman of the Qualifications and Disciplinary Commission of Public Prosecutors shall establish the date, time and place of the Commission's meeting, a list of issues to be considered, notify other members thereof at least five days prior to the meeting and ensure that this information is posted on the Commission's website subject to Part Four of Article 45 of this Law.
7. A decision of the Qualifications and Disciplinary Commission of Public Prosecutors shall be deemed adopted if a majority of the entire membership established by this Law has voted for it. Commission's decisions shall be in writing.
8. A decision of the Qualifications and Disciplinary Commission of Public Prosecutors shall indicate the date and place, members in attendance, issues considered and grounds for decisions made.  
The decision shall be signed by the Chairman and members of the Qualifications and Disciplinary Commission of Public Prosecutors in attendance. If there is a dissenting opinion, it shall be made in writing and attached to the case. The Chairman shall inform the meeting thereof without disclosing the essence of the dissenting opinion.
9. Decisions of the Qualifications and Disciplinary Commission of Public Prosecutors shall be published on its website within three days following the adoption.

**Article 79. Supporting Activities of the Qualifications and Disciplinary Commission of Public Prosecutors**

1. The secretariat is in place to provide organizational support to the Qualifications and Disciplinary Commission of Public Prosecutors.
2. The issues of hiring, firing, disciplinary liability and remuneration conditions, welfare support and social protection of secretariat members are set out in the Code of Labor Laws of Ukraine, the Law of Ukraine *On Civil Service*, this Law and other regulatory acts.

**Article 80. National Academy of Public Prosecutors of Ukraine**

1. The National Academy of Public Prosecutors of Ukraine is a state-run academic and research institution specializing in training of specialists with a university degree, special training of candidate public prosecutors, advanced training of public prosecutors, and R&D activities.
2. The National Academy of Public Prosecutors of Ukraine is a legal entity acting on the basis of the laws of Ukraine and the Charter approved by the Council of Public prosecutors of Ukraine.

3. The National Academy of Public Prosecutors shall operate under the Prosecutor General's Office of Ukraine.

## **Section 9. Material and Social Support for the Public Prosecutors and other Prosecution Officers**

### **Article 81. Salary of a Public Prosecutor**

1. The salary of the public prosecutors shall be regulated by this Law and may not be established by other legislative acts.

2. The salary includes a basic wage and increments for:

1) the long service increments;

2) duties performed in an administrative position and other payments established by law.

3. The basic wage of a public prosecutor in a local public prosecutor's office shall be twelve minimum wages established by law and introduced on a step-by-step basis:

from July 1, 2015 - 10 minimum wages;

from January 1, 2016 - 11 minimum wages;

from January 1, 2017 - 12 minimum wages.

4. Basic wages of other public prosecutors shall be in pro rata to the basic wage of a public prosecutor in a local public prosecutor's office with the following coefficients:

1) a public prosecutor of a regional public prosecutor's office – 1.2;

2) a public prosecutor of the Prosecutor General's Office of Ukraine – 1.3.

5. Basic wages of public prosecutors holding administrative positions shall be as follows:

1) the Prosecutor General of Ukraine – 1.5 of the basic salary of a public prosecutor at the Prosecutor General's Office of Ukraine;

2) First Deputy Prosecutor General of Ukraine – 1.4 of the basic salary of a public prosecutor at the Prosecutor General's Office of Ukraine;

3) a Deputy Prosecutor General of Ukraine – 1.3 of the basic salary of a public prosecutor at the Prosecutor General's Office of Ukraine;

4) head of a unit of the Prosecutor General's Office of Ukraine – 1.27-1.20 of the basic salary of a public prosecutor at the Prosecutor General's Office of Ukraine;

5) deputy head of a unit of the Prosecutor General's Office of Ukraine – 1.1-1.10 of the basic salary of a public prosecutor at the Prosecutor General's Office of Ukraine;

6) head of a regional public prosecutor's office – 1.5 of the basic salary of a public prosecutor at a regional public prosecutor's office;

7) first deputy head of a regional public prosecutor's office – 1.4 of the basic salary of a public prosecutor at a regional public prosecutor's office;

8) deputy head of a regional public prosecutor's office – 1.3 of the basic salary of a public prosecutor at a regional public prosecutor's office;

9) head of a unit of a regional public prosecutor's office – 1.27-1.20 of the basic salary of a public prosecutor at a regional public prosecutor's office;

10) deputy head of a unit of a regional public prosecutor's office – 1.17-1.10 of the basic salary of a public prosecutor at a regional public prosecutor's office;

11) head of a local public prosecutor's office – 1.5 of the basic salary of a public prosecutor at a local public prosecutor's office;

12) first deputy head of a local public prosecutor's office – 1.4 of the basic salary of a public prosecutor at a local public prosecutor's office;

13) deputy head of a local public prosecutor's office - 1,3 of the basic salary of a public prosecutor at a local public prosecutor's office;

14) head of a unit of a local public prosecutor's office - 1,27- 1,20 of the basic salary of a public prosecutor at a local public prosecutor's office;

15) deputy head of a unit of a local public prosecutor's office – 1.17-1.10 of the basic salary of a public prosecutor at a local public prosecutor's office;

6. Public prosecutors shall be paid a monthly long-service increment: for the service of more than one year – 10 percent of the basic salary, more than three years – 15 percent, more than

five years - 18 percent, more than ten years - 20 percent, more than 15 years - 25 percent, more than twenty years - 30 percent, more than twenty-five years - 40 percent, more than thirty years - 45 percent, and more than thirty-five years - 50 percent.

7. Remuneration of public prosecutors shall be funded from the State Budget of Ukraine.

#### **Article 82. Public Prosecutor's Leave**

1. The Public Prosecutor shall be entitled to 30 calendar days of annual leave including the financial assistance for health and recreation purposes in the amount not exceeding a monthly average salary of a public prosecutor.

2. The Public Prosecutor with the length of service in the public prosecutor's offices exceeding 10 years shall be entitled to extra 15 days of paid leave.

3. The Public Prosecutor shall be entitled to additional leave and other types of leave as specified by the Law.

4. In case of urgent and unpredicted assignments, an annual or extra paid leave of public prosecutors may be interrupted. Public prosecutors can take the unused leave days at any time of the corresponding year or these days will be added to the next year leave. The Public Prosecutor shall be compensated for any unforeseeable expenditures incurred as a result of leave interruption. The manner of compensation shall be established by the Cabinet of Ministers of Ukraine.

#### **Article 83. Material Support of a Public Prosecutor**

1. After the appointment to office, a public prosecutor living in unsuitable housing which require improvements shall be provided with service dwellings in a place where the public prosecutor's office is located.

2. The public prosecutor and members of his/her family shall be entitled to use free medical services at public healthcare institutions in the manner established by law. Family members of the public prosecutor living with them shall be entitled to obtain medical services at the same medical institutions which serve public prosecutors.

3. The public prosecutor can obtain material assistance to settle their social and household issues; the amount of financial assistance shall not exceed an average monthly salary of a public prosecutor.

4. Servicemen in military public prosecutor's offices shall enjoy all social and legal guarantees provided for by the Law of Ukraine *On Social and Legal Protection of Servicemen and Their Family Members* and other laws on the military service.

#### **Article 84. Social Protection of a Public Prosecutor**

1. In case of a severe injury or disability incurred during execution of job duties, a prosecutor shall receive compensation equaling from one to five years of monetary pay depending on the level of disability. In case of the death for the above reasons their family or dependents shall be paid one-time monetary compensation in the amount of ten year monetary pay at their last position, which is to include the basic salary and class rank increments. The manner and conditions for compensation and one-time assistance shall be established by the Cabinet of Ministers of Ukraine.

2. A public prosecutor who lost his/her life (died) in the course of his/her duties or a dismissed public prosecutor who lost his/her life because of injuries or other health damage when carrying out his/her duties shall be buried at the expense of the funds allocated to the public prosecutor's office in the manner and in the amount established by the Cabinet of Ministers. The bereaved families shall keep the right to obtain housing on the terms and conditions which were in effect at the moment of the Public Prosecutor's death.

3. Pensioners and members of their families shall retain the right to social protection guarantees specified by this Law and other regulatory acts. Pensioners and family members living with them shall also have the right to medical services in the medical facilities where they were registered before retirement of the public prosecutor.

**Article 85. Social and Material Support of Public Prosecution Officers**

1. The Cabinet of Ministers shall establish the amount, long-service increments and other payments to public prosecutors (civil servants, officials and other employees of public prosecutor's offices).

2. Social and material issues relating to public prosecution officers and not covered by this Law shall be regulated by the Law of Ukraine *On Civil Service* and other legislation.

The Prosecutor General's Office of Ukraine shall pay salary to public prosecutors, investigators and other employees of military public prosecutor's offices and sustain financially their activities.

The Ministry of Defense of Ukraine shall provide guard forces, transport and means of communication (including special ones), personal protection kits, firearms and other necessary property to military public prosecutor's offices. Also, it shall provide military uniform to servicemen of such public prosecutor's offices.

**Article 86. Retirement Provisions for Public Prosecution Officers**

1. Prosecutors shall have the right to obtain pension benefits for the length of service irrespective of their age provided the length of service as of the day of application makes no less than:

before September 30, 2011 – 20 years, including at least 10 years of work in the position of a public prosecutor

from October 1, 2011 to September 30, 2012 – 20 years and 6 months, including at least 10 years and 6 months of work in the position of a public prosecutor

from October 1, 2012 to September 30, 2013 – 21 years, including at least 11 years of work in the position of a public prosecutor

from October 1 2013 to September 30, 2014 – 21 years and 6 months, including at least 11 years and 6 months of work in the position of a public prosecutor

from October 1, 2014 to September 30, 2015 – 22 years, including at least 12 years of work in the position of a public prosecutor

from October 1, 2015 to September 30, 2016 – 22 years and 6 months, including at least 12 years and 6 months of work in the position of a public prosecutor

from October 1, 2016 to September 30, 2017 – 23 years, including at least 13 years of work in the position of a public prosecutor

from October 1, 2017 to September 30, 2018 – 23 years and 6 months, including at least 13 years and 6 months of work in the position of a public prosecutor

from October 1, 2018 to September 30, 2019 – 24 years, including at least 14 years of work in the position of a public prosecutor

from October 1, 2019 to September 30, 2020 – 24 years and 6 months, including at least 14 years and 6 months of work in the position of a public prosecutor

from October 1, 2020 and later – 25 years, including at least 15 years of work in the position of a public prosecutor.

2. The pension shall make 70% of the amount of their monthly (current) salary that includes all types of labor compensations taxed with a uniform social tax, and before January 1, 2011 – compulsory pension insurance contributions obtained one month before applying for a pension.

3. The size of payments (except for basic wage and long-service increments) to be included into the salary for the purpose of pension calculation shall be chosen by the applicant and cover any consecutive 60 calendar months before applying for pension regardless of interruptions of work within this period.

4. The average monthly amount paid during the 60 calendar month period shall be calculated by dividing the aggregate amount of such payments by 60. The above mentioned payments shall be adjusted with coefficients for the general increase of the basic wage and increments. The size of basic wage and long-service increments used for pension calculation shall be taken as they were in the latest position of a public prosecutor and shall be defined at the date when the right to pension recalculation arises.

5. The officers whose service record is less than specified by Part One of this Article shall be awarded a pension provided they have a corresponding length of service in the position of a public prosecutor as well as the qualifying period for awarding a minimum old age pension as specified by paragraph one of Article 28 of the Law of Ukraine *On Compulsory State Pension Insurance*, and provided men have reached 57 years of age and women have reached the age which is five years less than the pension age established by Article 26 of the Law of Ukraine *On Compulsory State Pension Insurance* (1058-15). In this case, the pension shall be in pro rata to the number of full years in the prosecutor's positions and it shall be calculated using 70% of a monthly salary for the corresponding length of service specified by Part One of this Article. The age reduction for women specified in this Article shall be applied before the end of the period for increasing the pension age, i.e. to January 1, 2022. Before reaching the age specified by this Part, the right to pension shall be granted to men born in 1960 or older after they reach the following age:

55 years – for those born before December 31, 1957

55 years and 6 months – for those born from January 1, 1958 to December 31, 1958

56 years – for those born from January 1, 1959 to December 31, 1959

56 years and 6 months – for those born on January 1, 1960 to December 31, 1960.

6. The length of service granting the right to pension under the present Article shall include the period of working in positions of a public prosecutor specified in Article 15 of this Law, on internship, in the position of an assistant or senior assistant to a public prosecutor;

investigators, judges;

senior officers of the internal affairs agencies, tax police and criminal executive service, in the positions of officers of **the Armed Forces of Ukraine**, Security Service of Ukraine and other military formations established under the law of Ukraine, civil servants with a university degree in law;

employees of research and academic institutions of the Prosecutor General's Office where such employees were awarded class ranks (officers of military public prosecutor's offices were awarded respective military ranks) before this Law takes effect, including the period in other research and education institutions provided they had a scientific or academic degree;

in administrative or teaching positions, positions of fellows in the National Academy of Public Prosecutors of Ukraine;

in elective positions in state authorities, in positions at other organizations provided that employees who were awarded class ranks (officers of military public prosecutor's offices were awarded respective military ranks) before this Law takes effect were seconded to these organizations and then came back to public prosecutor's offices;

on military service, half of the full-time study period in law universities or law departments of higher education institutions; and

paid 3-year childcare leave for women if such leave was granted.

7. The long-service pension awarded according to the present Article shall also include dependency increment to support disabled family members, dependents and lonely pensioners to the amount and on the conditions specified by the applicable Ukrainian laws.

8. The right to a long-service pension shall be also granted to persons who at the time of applying for pension work in the public prosecutor's offices or in research and academic institutions of the Prosecutor General's Office of Ukraine as well as to persons dismissed from prosecution positions in the public prosecutor's offices because of health problems, downsizing, following their election to the elective positions at state authorities or local governments. The war veterans who have the required length of service for awarding the long-service pension shall be awarded the pensions irrespective of whether they worked in public prosecution agencies before applying for pension.



9. Public prosecutors with a disability status of the 1st and 2nd group shall be awarded a disability pension to the amount specified by Part Two of this Article provided their length of service in public prosecutor's offices makes at least 10 years.

10. In case of being elected a member of parliament, a public prosecutor who is entitled to long-service pensions or acquire the right to this pension while working in the elected positions shall have the right, at his/her discretion, either to a pension which is to be calculated on the basis of an MPs' salary or to the long-service pension.

11. Public prosecutors entitled to more than one state pension shall be awarded only one pension, at their choice.

12. A public prosecutor dismissed from office as a result of a judgment of conviction that has taken legal effect and finds him/her guilty of a deliberate crime committed with abuse of office, another grievous or especially grievous offence shall be deprived of the right to the long-service pension.

13. Long-service pensions under this Article shall be awarded, recalculated and paid by the authorized government agencies.

14. Pensioners and members of their families shall retain the right to the benefits and social protection guarantees specified by this Law and other legislation. Pensioners and family members living with them shall also have the right to medical services at the medical facilities where they were registered before retirement of the public prosecution officer.

15. An individual working in the position which gives the right to a pension on the terms and conditions specified by the present Law, the laws of Ukraine *On Status of the People's Deputy of Ukraine*, *On Scientific and Scientific and Technology Activity* and *On Civil Service* shall be paid a pension calculated as specified by the Law of Ukraine *On Compulsory State Pension Insurance*. Upon dismissal the pension shall be calculated in accordance with this Law. The maximum pension (including increments, pay rise, additional pensions, targeted monetary assistance, pensions for special merits to Ukraine, payment indexation and other additional payments to pension specified by the law save for payments and increments to certain categories of people who have special merits to Homeland) shall not exceed ten minimum subsistence incomes set for the individuals who become disabled.

16. Public prosecutors dismissed for the first time on the grounds of retirement for length of service or as a result of disability shall be paid a monetary assistance to the amount of an average monthly salary in the year prior to the month of dismissal (with consideration of salary adjustments over this period in case of a pay rise on the day of dismissal), for each full year of work as a prosecutor or at the research and academic institutions of the prosecution service as specified in their employment records.

17. Individuals who received a monetary assistance on the grounds of retirement for length of service or as a result of disability in accordance with this Law or other laws of Ukraine, in case of their further dismissal from a public prosecutor's office shall be paid a monetary assistance to the amount of an average monthly salary in the year prior to the month of dismissal (with consideration of salary adjustments over this period in case of a pay rise on the day of dismissal), for each full year of work as a prosecutor or an investigator of the public prosecutor's office or at the research and academic institutions of the public prosecution service following the year when they received the above mentioned monetary assistance.

18. Public prosecutors who are not entitled to a pension in accordance with this Article shall be paid a monetary assistance in case of their dismissal from office on the grounds of liquidation or reorganization of a public prosecutor's office where they work and in case of layoffs.

19. A loss-of-breadwinner pension shall be awarded to the dependents of a public prosecutor or an investigator if at the moment of his/her death he/she provided their living (children shall be awarded a pension irrespective of the fact of support) and provided his length of service in the Public Prosecutor's Office is at least 10 years. The pension shall make 60% of an average (current) monthly income per one family member and in case of two or more members of the family it shall make 70%. Dependents of a diseased public prosecutor or an investigator shall include individuals specified by Article 36 of the Law of Ukraine *On Compulsory State Pension Insurance*.

20. The pensions awarded to public prosecution officers shall be readjusted in case of a rise of public prosecutors' salary with due regard to the conditions and salary elements for the corresponding categories of officers who serve in a public prosecutor's office and prosecution agencies at the time when the right to recalculation arises. In this case, the awarded pensions shall be recalculated on the first day of the month following the month when the circumstances leading to the pension change took place. If the pensioner has also gained the right for a rise in the pension the difference in the pensions for the past period shall be covered for no more than 12 months. Working pensioners shall be also entitled to recalculation of their pension in case of promotion, increase in the length of service, award of a title of honor or an academic degree or in case of a pay rise in the manner established by Parts Two, Three and Four of this Article, in case of dismissal from office, or for every two years of work.

## **Section 10. Organizational Support to the Public Prosecution Service**

### **Article 87. Specifics of Support to the Public Prosecutor's Offices**

1. The government shall provide financing and proper conditions for operations of the Public Prosecutor's Office and activities of public prosecutors.
2. Supporting the Public Prosecution Service means:
  - 1) allocate funds in the State Budget of Ukraine to finance the Public Prosecution Service at the level that will guarantee full and independent execution of authorities by the public prosecutor's offices according to the law;
  - 2) provide legal guarantees that the Public Prosecution Service will be financed in a full and timely manner;
  - 3) guarantee a sufficient level of social security for public prosecutors.

### **Article 88. The system for ensuring operation of the Public Prosecution Service**

1. Ukraine has a unified system of ensuring operation of the Public Prosecution Service.
2. Public prosecutor's offices and other government authorities shall provide organizational support to the Public Prosecution Service in the cases and in the manner established by this Law and other laws.

### **Article 89. Principles of Financing the Public Prosecution Service**

1. The Public Prosecution Service of Ukraine shall be financed with allocations from the State Budget of Ukraine.
2. The Prosecutor General's Office shall perform the functions of the major budget owner of the State Budget of Ukraine to provide financial support to the Public Prosecution Service.
3. The expenditures for the maintenance of the Public Prosecution Service specified in the State Budget of Ukraine shall not be cut within the current financial year.

### **Article 90. Procedure for Financing the Public Prosecution Service**

1. The Public Prosecution Service shall be financed in line with the budget estimates and monthly budget breakdown approved by the Prosecutor General of Ukraine within the annual allocations in the State Budget of Ukraine for the current budget period.

### **Article 91. Meeting Professional Needs of the Public Prosecutors**

1. A public prosecutor shall be provided with a separate workplace and the required facilities.
2. The public prosecutor's offices shall be equipped with vehicles and material and technical facilities in the manner established by the Prosecutor General of Ukraine within the allocations specified in the State Budget of Ukraine for the maintenance of the public prosecutor's offices.
3. Local state administrations and local government authorities shall lease out office premises to the public prosecutor's offices located in their territories.

## **Section 11. International Cooperation**

### **Article 92. International and Legal Cooperation with the Competent Agencies of Foreign States in the Area of Criminal Proceedings**

1. According to the applicable international treaties of Ukraine ratified by the Verkhovna Rada of Ukraine and criminal procedure legislation of Ukraine, the public prosecutor's offices shall cooperate with the competent agencies of other countries in the areas relating to procedural actions in investigation of criminal offences, extradition of persons who commit crimes, transfer of criminal proceedings, and other issues specified by such treaties. In the absence of an international treaty of Ukraine, public prosecutor's offices of Ukraine shall cooperate in this area on the basis of reciprocal written guarantees.

Cooperation of public prosecutor's offices with competent authorities of other countries may not contravene Ukraine's constitutional guarantees and commitments in regard to human rights.

2. In cases specified by the laws, the Prosecutor General's Office of Ukraine shall act as the central authority responsible for performance of international treaties of Ukraine.

3. If an international treaty identifies a specific manner of cooperation during criminal proceedings, regional public prosecutor's offices shall cooperate within their competences.

### **Article 93. International intergovernmental treaties of Ukraine concluded by the Prosecutor General's Office**

1. In the order provided by the Law of Ukraine *On International Treaties of Ukraine*, the Prosecutor General's Office of Ukraine shall participate in development of international treaties of Ukraine relating to cooperation in the area of criminal proceedings, and conclude international intergovernmental treaties of Ukraine for cooperation on the issues of the Public Prosecutor's Office with the corresponding government authorities of foreign countries and international organizations whose authorities include the issues regulated by such treaties.

### **Article 94. Procedures for Concluding, Performing and Denouncing International Intergovernmental Treaties of Ukraine Executed by the Prosecutor General's Office of Ukraine**

1. Proposals to conclude international intergovernmental treaties of Ukraine by the Prosecutor General's Office of Ukraine shall be agreed with the Ministry of Foreign Affairs of Ukraine.

2. The decision on holding negotiations and concluding international intergovernmental treaties by the Prosecutor General's Office of Ukraine including the decision to grant authorities to perform such actions shall be made by the Prosecutor General of Ukraine. Only authorized persons shall be entitled to negotiate the text of an international intergovernmental treaty, conclude the treaty, state its authenticity and sign the international intergovernmental treaty of Ukraine.

3. International intergovernmental treaties of Ukraine concluded by the Prosecutor General's Office of Ukraine which have come into effect for Ukraine shall be published in the Collection of International Treaties in Force and the Official Bulletin of Ukraine [*Visnyk*].

International intergovernmental treaties of Ukraine concluded by the Prosecutor General's Office of Ukraine shall be registered with the Ministry of Justice of Ukraine as established by law. The originals of international intergovernmental treaties of Ukraine shall be kept by the Ministry of Foreign Affairs of Ukraine.

The Ministry of Foreign Affairs of Ukraine shall control the authenticity of the Ukrainian and foreign texts of the international intergovernmental treaties concluded by the Prosecutor General's Office of Ukraine.

4. The Prosecutor General's Office of Ukraine shall be responsible for denouncing international intergovernmental treaties of Ukraine that it has concluded.

## **Section XII. Final provisions**

1. This Law shall come into force in six months from the day following the day of publication of this Law , with the exception of:

Clause 5, Section XII, except for sub-clauses 3, 5, 8, 9, 12, 20, 42, 49, 63, 67), Section XIII, of this Law, which shall come into force the day following the day of publication of this Law;

2. Before the All-Ukrainian Conference of Public Prosecutors approves the Code of Professional Ethics and Conduct of Public Prosecutors, the provisions of the Code of Professional Ethics and Conduct of Public Prosecutors, endorsed by the All-Ukrainian Conference of Public Prosecutors on November 28, 2012 and approved by the Order of the Prosecutor General of Ukraine of November 28, 2012 No. 123, shall be applied.

3. The following acts shall be deemed null and void with this Law coming into effect:

1) Law of Ukraine *On Public Prosecutor's Office* (Vidomosti Verkhovnoyi Rady Ukrainy, 1991, No. 53, p. 793; No. 50, p. 474; 1995, No.11, p. 71, No. 34, p. 268; 2001, No. 9, p. 38, No. 44, p. 233; 2002, No. 17, p. 117, p. 125; 2003, No. 29, p. 233, No. 30, p. 247; 2004, No. 8, p. 66; 2005, No. 2, p. 32, No. 6, p. 132, No. 11, p. 198; 2006, No. 1, p. 18, No.19 – 20, p. 156; 2007, No. 7 – 8, p. 66, No. 33, p. 442; 2008, No. 5 – 8, p. 78, No. 48, Article 357; 2010, No. 37, Article 497, No. 41 – 45, Article 529; 2011, No. 23, Article 160, No. 30, Article. 279; 2012, No. 12 – 13, Article 82; 2013, No. 14, Article 89, No.21 Article 208, No. 37, Article 490, No. 39, Article 517; 2014, No. 11, Article 132, No. 17, Article 593; as amended by the Law of Ukraine dd. March 27, 2014 No. 1166-VII), except for Clause 8, Part One, Article 15; Part Four, Article 16, Paragraph One, Part Two, Article 46-2; Article 47; Part One, Article 49 Part Five, Article 50; Parts Three, Four, Six and Eleven of Article 50-1; Part Three, Article 51-2; and Article 53 as to class ranks.

2) The Law of Ukraine On Amending the Law of Ukraine on Public Prosecutor's Office and the Criminal Procedure Code of Ukraine (Vidomosti Verkhovnoyi Rady Ukrainy, 1993, No. 22, Article 229);

3) Resolution of the Verkhovna Rada of Ukraine dd. November 5, 1991 No.1790-XII, *On enactment of the Law of Ukraine On Public Prosecutor's Office* dd. November 5, 1991, No. 1790-XII (Vidomosti Verkhovnoyi Rady Ukrainy, 1991, No. 53, p. 794);

3) Resolution of the Verkhovna Rada of Ukraine dd. November 6, 1991, No.1795 No.1797-XII (Vidomosti Verkhovnoyi Rady Ukrainy, 1992, No. 4, p.16; 1993, No. 49, p.466).

4. Resolution of the Verkhovna Rada of Ukraine No. 1795-XII dd. November 6, 1991 *On Approving the Class Ranks of Public Prosecutor's Officers* (Vidomosti Verkhovnoyi Rady Ukrainy, 1992, No. 4, Article 14 ) and No. 1796-XII *On Approving the Disciplinary Charter of the Public Prosecutor's Office of Ukraine* (Vidomosti Verkhovnoyi Rady Ukrainy, 1992 , No. 4, Article 15; 2013, No. 14, Article 89; 2014, No. 12, Article178) shall become null and void as soon as Clause 8, Part One, Article 15; Part Four, Article 16; Paragraph One, Part Two, Article 46-2, Article 47; Part One, Article 49, Part Five, Article 50; Parts Three, Four, Six and Eleven, Article 50-1; Part Three, Article 51-2 and Article 53 as to the class ranks of the Law of Ukraine *On Public Prosecutor's Office* (Vidomosti Verkhovnoyi Rady Ukrainy, 1991, No.53, Article 793 as amended) become invalid.

5. The following legal acts of Ukraine shall be amended:

1) The Labor Code of Ukraine (Vidomosti Verkhovnoyi Rady URSR, 1971, appendix to No.50. p. 375 ):

- a) Add the following text to part One of Article 43 “unless the termination of the employment contract due to the indicated reasons concerns a public prosecutor, a law enforcement officers, an officer of the Security Service of Ukraine, the State Bureau of Investigation Ukraine or the body overseeing the compliance with the tax laws”;
- b) Delete the words “or on the basis of the Public Prosecutor’s application” in Part Four of Article 136;
- c) Delete Clause 2 of Article 231;
- d) Delete the words “or the Public Prosecutor” in Part Four of Article 233;
- e) Add Part Nine to Article 252 which shall read as:

“The provisions of this Article regarding peculiarities of disciplining and dismissal shall not be applied to public prosecutors, law enforcement officers, officers of the Security Service of

Ukraine, the State Bureau of Investigation Ukraine and bodies overseeing the compliance with the tax laws”;

f) Delete Part Three of Article 259.

2) The Code of Ukraine on Administrative Offences (Vidomosti Verkhovnoyi Rady URSR, 1984, appendix to No.51. p. 1122 ):

a) Article 7:

Delete the words “supervision by the Public Prosecutor” in Part Four;

Add Part Five which shall read as:

“The Public Prosecutor shall supervise compliance with the laws in case of taking enforcement measures for administrative offences by exercising his/her authorities as to supervision of compliance with the laws during enforcement actions relating to restriction of liberty of citizens;

b) Delete the words “or a separate ruling of the judge or the motion of the Public Prosecutor” in Part One of Article 15;

c) Add the words “during the pre-trial investigation” to Paragraph One of Article 185<sup>4</sup> ;

d) Article 185<sup>6</sup>:

Delete the words “or a separate ruling of the judge or the motion of the Public Prosecutor” in the title;

Paragraph One of Part One:

Delete the words “or a separate ruling of the judge”; and replace the word “them” with “it”;

Delete Part Two;

e) Part Two of Article 185<sup>8</sup> shall read as follows:

“Evasion from performance of legal requirement of the Public Prosecutor to come to the Public Prosecutor’s Office shall lead to a penalty from 20 to 80 tax-exempt minimum incomes of individuals.”

f) Article 188<sup>35</sup>

The title shall read as follows:

“Article 188<sup>35</sup>. Failure to perform the legal requirements of the High Qualification Commission of Judges, Qualification and Disciplinary Commission of Public Prosecutors and the members of these authorities as to provision of information”;

Add the words “Qualifications and Disciplinary Commission of Public Prosecutors, a member of the Qualifications and Disciplinary Commission of Public Prosecutors” to Paragraph One of Part One after the words “a member of the High Qualifications Commission of Judges”;

g) Part One of Article 255

- Clause 1:

Replace the worlds and numbers “Part One and Two of Article 127<sup>1</sup>, Article 130” with the words and numbers “Article 127<sup>1</sup>, 130”;

- Delete “Secretariat of the the Authorized Human Rights Representative of the Verkhovna Rada of Ukraine (Articles 188-39, 188-40) ;

- Clause 8 shall read as follows:

“8) investigator (Part Four of Article 184, Article 185<sup>4</sup>, 185<sup>11</sup>)”;

Add Clauses 8<sup>1</sup>, 9<sup>2</sup> – 9<sup>4</sup> which shall read as follows:

“8<sup>1</sup>) authorized persons of the Secretariat of the Authorized Human Rights Representative of the Verkhovna Rada of Ukraine or the authorized representatives of the Authorized Human Rights Representative of the Verkhovna Rada of Ukraine (Articles 188<sup>39</sup>, 188<sup>40</sup>, 212<sup>3</sup> (except for violation of the right to information according to the Law of Ukraine *On the Bar and Lawyer's Practice*));

“9<sup>2</sup>) the Chairman, Deputy Chairman of the High Council of Justice of Ukraine (Article 188<sup>32</sup>);

9<sup>3</sup>) the Chairman, Deputy Chairman of the High Qualifications Commission of Judges of Ukraine (Article 188<sup>35</sup> (in regards to non-performance of lawful requirements of the High Qualifications Commission of Judges of Ukraine or its member) ;

9<sup>4</sup>) the Chairman, Deputy Chairman of the Qualifications and Disciplinary Commission of Public Prosecutors (Article 188<sup>35</sup> (in regards to non-performance of lawful requirements of the Qualification and Disciplinary Commission of Public Prosecutors or its member)”.

Clause 11 shall read as follows:

“11) the Public Prosecutor (Articles 172<sup>4</sup>–172<sup>9</sup>, 185<sup>4</sup>, 185<sup>8</sup>, 185<sup>11</sup>)”

h) Delete the words “the Public Prosecutor” in Part Four of Article 257;

i) Article 267:

Delete the words “the Public Prosecutor” in Part One;

Delete the words “or the motion of the Public Prosecutor” in Part Two.

j) Delete the forth sentence in Part Two of Article 279;

k) Delete the words “or submitting the Public Prosecutor’s motion against it” in the title of Section 24;

l) Replace the words “the Public Prosecutor” with the words “the Public Prosecutor in the cases specified by Part Five of Article 7 of this Code” in Part One of Article 287;

m) Delete Part Three of Article 288;

n) Delete the word “the Public Prosecutor” in Article 289;

o) Delete Article 290;

p) Delete the words “(the motion of the Public Prosecutor)” in Article 291;

q) Article 292:

Delete the words “and the motion of the Public Prosecutor” in the title of the Article;

Replace “are considered” with “is considered”;

Replace the words “their” with “its”

r) Article 293:

Delete the words “and the motion of the Public Prosecutor” in the title of the Article;

Delete the first words “or the motion of the Public Prosecutor” in Paragraph One and Clause One of Part One.

- s) Delete the words “or the Public Prosecutor” in Part Two of Article 294;
- t) Delete Part Two of Article 295;
- u) Delete the words “or submitting the Public Prosecutor’s motion against it” and “or the motion” in Part Two of Article 299;
- v) Delete the words “or submitting the Public Prosecutor’s motion against it”, and “or the motion of the Public Prosecutor” in Part One of Article 303;
- w) Delete the words “or submitting the Public Prosecutor’s motion against it” and “or the motion” in Part One of Article 307;

3) The Economic Procedural Code of Ukraine (Vidomosti Verkhovnoyi Rady Ukrainy, 1992, No.6. Article 56 ):

a) Add the following sentence to Part Two of Article 2: “The public prosecutor appealing to the Economic Court in the interest of the state shall justify the existence of grounds for representing the state interests in court, referred to in Part Three of Article 25 of the Law of Ukraine *On Public Prosecutor's Office*. Public prosecutor’s failure to comply with the requirements to provide the Economic Court with justification of grounds for representation of the state interests in the Economic Court shall result in the return of the claim filed by him/her in the order established in Article 63 of this Code”;

b) Article 29:

Add the following sentence to Part One: “Herewith, in order to represent the interests of citizens or the state in Economic Court (regardless of the form of representation) the public prosecutor shall justify the existence of grounds for such representation, set forth in Part Two or Three of Article 25 of the Law of Ukraine *On Public Prosecutor's Office*. In order to represent the interests of citizens in the Economic Court the public prosecutor shall also provide documents proving minor age, incapacity or limited capacity of the respective citizen and a written consent for representation from a legal representative or the agency authorized by law to protect the rights, freedoms and interests of the corresponding person. Public prosecutor’s failure to comply with the requirements to provide the Economic Court with justification of grounds for representation of the citizen’s or state interests in the Economic Court shall result in the return of the claim (application, appeal) filed by him/her in the order established in Article 63 of this Code.

Part Three shall read as follows:

“In order to participate in the case in which proceedings have been already instituted, a public prosecutor shall submit an appropriate motion to the Economic Court”;

4) Replace the words “apply to the Public Prosecutor’s Offices with the request to submit the lawsuits to the court” with “submit the lawsuits to the court” in Clause 14 of Part One of Article 91 of the Forest Code of Ukraine (Vidomosti Verkhovnoyi Rady Ukrainy, 1994, No.17. p. 99 );

5) Article 381<sup>1</sup> of the Criminal Code of Ukraine (Vidomosti Verkhovnoyi Rady Ukrainy, 2001, No.25-26. p. 131 as amended):

Delete

6) Delete the words “as well as upon the application of the Public Prosecutor” in Part One of Article 48 of the Family Code of Ukraine (Vidomosti Verkhovnoyi Rady Ukrainy, 2002, No.21-22. p. 135 as amended);

7) The Criminal-Executive Code of Ukraine (Vidomosti Verkhovnoyi Rady Ukrainy, 2004, No.3-4. p. 21):

a) Article 22 shall read as follows:

“Article 22. Supervision of compliance with the laws during execution of criminal punishment

1. The Public Prosecutor shall supervise compliance with the laws, according to the Law *On the Public Prosecutor's Office*, in the agencies and institutions of execution of punishment during execution of criminal judgments as well as in case of applying other enforcement measures relating to restriction of liberty of individuals”;
2. Written instructions of the public prosecutor as to compliance with the detention procedures and conditions as established by law in the places specified in Part One of this Article as well as written instructions of the public prosecutor given to other agencies executing the criminal judgements shall be binding and subject to immediate execution”;

b) Paragraph Eleven of Part One of Article 24 shall read as follows:

“The Prosecutor General of Ukraine as well as the public prosecutors authorized by him and the public prosecutors supervising compliance with the laws during execution of criminal judgments as well as in case of applying other enforcement measures relating to restriction of liberty of citizens”

8) The Civil Procedural Code of Ukraine (Vidomosti Verkhovnoyi Rady Ukrainy, 2004, No.40 – 42, p. 492 ):

a) Article 45:

Part One:

- Delete the words “the Authorized Human Rights Representative of the Verkhovna Rada of Ukraine”;
- Add Paragraph which shall read as:

“In order to protect the rights and freedoms of man and citizen in the cases established by law, the Authorized Human Rights Representative of the Verkhovna Rada of Ukraine shall be entitled, personally or through his/her representative, to apply to the Economic Court of Ukraine with lawsuits (applications), participate in consideration of cases based on his/her lawsuits (applications) as well as to join the cases initiated on the basis of lawsuits (applications) of other persons at any stage of the proceedings, submit appeals and cassation appeals, petition for review of judgments by the Supreme Court of Ukraine, revision of judgments upon discovery of new facts, including in the cases initiated on the basis of lawsuits (applications) of other persons. To this end, the Authorized Human Rights Representative of the Verkhovna Rada of Ukraine shall justify to the court the inability of the person to protect his/her interests on his/her own. Failure of the Authorized Human Rights Representative of the Verkhovna Rada of Ukraine to comply with the requirements to provide the mentioned justification shall result in the application of provisions, stipulated in Article 121 of this Code.”

Part Two:

- Delete the second sentence of Paragraph One.
- Add the third paragraph:

“Public prosecutor appealing to the court in the interest of a citizen or the state (regardless of the form of representation) shall justify the existence of grounds for such representation, referred to in Part Two or Three of Article 25 of the Law of Ukraine *On Public Prosecutor's Office*. In order to represent the interests of a citizen in the court public prosecutor shall also provide documents proving minor age, incapacity or limited capacity of the respective citizen as well as a written consent for representation from a legal representative or the agency authorized by law to protect the rights, freedoms and interests of the corresponding person.



Public prosecutor's failure to comply with the requirements to provide the court with justification of grounds for representation of the citizen's or state interests in the court shall result in the application of provisions, stipulated in Article 121 of this Code."

b) Part Five of Article 46 shall read as follows:

"Public prosecutor or the Authorized Human Rights Representative of the Verkhovna Rada of Ukraine in order to decide upon the issues of the existence of grounds for initiation of judicial review of the case, considered without their participation, involvement in the cases initiated on the basis of lawsuits (applications) of other person, shall have the right to see the case materials in court, to make notes, to obtain copies of documents that are in the case";

9) The Code of Administrative Legal Proceedings of Ukraine (Vidomosti Verkhovnoyi Rady Ukrainy, 2005, No.35-37. p. 446 ):

a) Article 60:

Part One:

- Delete the words "the Authorized Human Rights Representative of the Verkhovna Rada of Ukraine";
- Add Paragraph Two which shall read as:

"In order to protect the rights and freedoms of man and citizen in the cases established by law, the Authorized Human Rights Representative of the Verkhovna Rada of Ukraine shall be entitled, personally or through his/her representative, to apply to the Administrative Court of Ukraine with lawsuits (applications), participate in consideration of cases based on his/her lawsuits (applications) as well as to join the cases initiated on the basis of lawsuits (applications) of other persons at any stage of the proceedings, submit appeals and cassation appeals, petition for review of judgments by the Supreme Court of Ukraine, revision of judgments upon discovery of new facts, including in the cases initiated on the basis of lawsuits (applications) of other persons. To this end, the Authorized Human Rights Representative of the Verkhovna Rada of Ukraine shall justify to the Administrative Court the inability of the person to protect his/her interests on his/her own. Failure of the Authorized Human Rights Representative of the Verkhovna Rada of Ukraine to comply with the requirements to provide the mentioned justification shall result in the application of provisions, stipulated in Article 108 of this Code."

Part Two:

- Delete the second sentence of Paragraph One.
- Add the third paragraph:

Public prosecutor appealing to the Administrative Court in the interest of a citizen or the state (regardless of the form of representation) shall justify the existence of grounds for such representation, referred to in Part Two or Three of Article 23 of the Law of Ukraine *On Public Prosecutor's Office*. In order to represent the interests of a citizen in the Administrative Court public prosecutor shall also provide documents proving minor age, incapacity or limited capacity of the respective citizen as well as a written consent for representation from a legal representative or the agency authorized by law to protect the rights, freedoms and interests of the corresponding person. Public prosecutor's failure to comply with the requirements to provide the Administrative Court with justification of grounds for representation of the citizen's or state interests in the Administrative Court shall result in the application of provisions, stipulated in Article 108 of this Code.";

b) Article 171<sup>1</sup>:

Add the words "the Qualifications and Disciplinary Commission of Public Prosecutors" after the words "the High Qualification Commission of Judges of Ukraine" to the title, Clause Four, Part One; and Parts Two and Four, Clauses 1 and 2 of Part Five of the Article

Part Six and Paragraph One of Part Seven:

Add the words "actions or omission of the Qualifications and Disciplinary Commission of Public Prosecutors" after the words "the High Council of Justice",

10) The Budget Code of Ukraine (Vidomosti Verkhovnoyi Rady, 2010, No.50-51, Article 572):

a) Add Part Three to Article 34 which shall read as:

"3. Instructions as to preparation of budget requests by the Constitutional Court of Ukraine, the staff of general jurisdiction courts and secretariats of public prosecutor's offices may not introduce financial restrictions specified by Part Two of this Article:"

b) Add a new Part after Part One of Article 36 which shall read:

"2. If the Ministry of Finance believes that the budget requests of the Constitutional Court of Ukraine, the staff of general jurisdiction court and the secretariat of public prosecutor's offices are not reasonable or may not be satisfied it shall include them in the proposals on the draft State Budget of Ukraine for the corresponding year and submit along with the draft law *On the State Budget of Ukraine*" its conclusions with the supporting arguments as to the reasons why such requests may not be satisfied as well as the proposals on resolving the differences for consideration of the Cabinet of Ministers of Ukraine."

In this connection Parts Two and Three shall be deemed to be Part Three and Four accordingly;

c) Add Part Two to Article 38 which shall read :

"2. If the Cabinet of Ministers believes that the budget requests of the Constitutional Court of Ukraine, the staff of general jurisdiction court and secretariat of public prosecutor's offices are not reasonable or may not be satisfied it shall also submit the corresponding conclusions to the Verkhovna Rada of Ukraine giving the supporting arguments as to the reasons why such requests may not be satisfied as well as the proposals on resolving the differences.

d) Paragraph Five, Sub-clause 10 of Clause 9 of Section VI of the Final and Transitional Provisions

Delete the words "the Public Prosecutor's Offices on the basis of the materials submitted by the corresponding authorities"

11) the Customs Code of Ukraine (Vidomosti Verkhovnoyi Rady Ukrainy, 2012, No.44-48, p. 552):

a) Delete the words ("submission of the motion by the Public Prosecutor") in Part Two of Article 486;

b) Delete the word "the Public Prosecutor" in Part Five of Article 529;

c) Delete the word "submission of the motion by the Public Prosecutor" in Part One of Article 530;

d) Article 532:

Delete the word “the motion by the Public Prosecutor” in the title ;  
Delete the words “the motion by the Public Prosecutor” and replace the words “are considered” with “is considered” in Part One.

e) Article 533:

Delete the words “or submission of the motion by the Public Prosecutor” in the title;

Delete the words “or submission of the motion by the Public Prosecutor” “or the motion” in Part One;

f) Delete the words “or submission of the motion by the Public Prosecutor against it” and “or the motion” in Part One of Article 539;

12) In the Code of Criminal Procedure of Ukraine (Vidomosti Verkhovnoyi Rady Ukrainy, 2013, No.9-13, p. 88):

a) Clauses 9 and 15 of Part One of Article 3 shall read as follows:

“9) head of the Public Prosecutor’s Office means the Prosecutor General of Ukraine, head of regional public prosecutor’s office, head of local public prosecutor’s office and their first deputies who act within their authorities.”;

“15) the Public Prosecutor is the person who holds the post as specified by Article 17 of the Law of Ukraine *On Public Prosecutor’s Office* and acts within his/her powers”;

b) Article 36:

Delete Clause 6 of Part Four;

Part Four:

- Paragraph One shall read as follows:

“4. The right for submitting an appeal or a cassation appeal, petition for review of judgments by the Supreme Court of Ukraine, revision of judgments upon discovery of new facts shall be also granted to the Public Prosecutors of the highest level independent of their participation in the legal proceedings: the Prosecutor General of Ukraine, his/her first deputy and deputies, head of regional public prosecutor’s offices, his/her first deputies and deputies”;

- In Paragraph Two replace the words “public prosecutors of the Autonomous Republic of Crimea, oblasts, Kyiv and Sevastopol cities and equivalent public prosecutors, their” with the words “head of regional public prosecutor’s office, their first deputies and”; and replace the words “or the public prosecutors” with the words “heads, first deputies or deputy heads or the public prosecutors of the Public Prosecutor’s Offices”;
- Replace the words “officials of the public prosecutor’s agencies” with the words “public prosecutors of the Public Prosecutor’s Office” in Paragraph Three;
- In Part Five replace the words “his/her deputies, public prosecutors of the Autonomous Republic of Crimea, oblasts, Kyiv and Sevastopol cities and equivalent public prosecutors” with the words “head of Regional public prosecutor’s office, their first deputies and deputies”;

- The first sentence of Part Six shall read as follows: “6. While supervising compliance with the laws during the pre-trial investigation, the Prosecutor General of Ukraine, head of regional public prosecutor’s office, head of local public prosecutor’s office, their first deputies and deputies shall be entitled to revoke unlawful and unjustified resolutions of investigators and the public prosecutors of lower level within the timelines of pre-trial investigations specified by Article 219 of this Code”;
- c) Delete Clause Four of Part Two, Article 40;
- d) Article 87:

Delete Clause 6 of Part Two;

Add a new Part after Part Two, which shall read as follows:

“3. The evidence shall be inadmissible if it is obtained:

- 1) On the basis of testimony of the witness who is later declared a suspect or found guilty in this criminal proceeding;
- 2) After the beginning of the criminal proceedings where a pre-trial investigation agency or the public prosecutor’s office exercise the authorities which are not established in this Code for pre-trial investigation of criminal offences”.

In this connection Part Three shall be considered as Part Four;

- e) Part Three of Article 128:

Replace the words “who, due to physical or economic status, minor age, advanced age, incapacity or limited legal capacity” with the words “who, due to minor age, incapacity or limited legal capacity”;

Add a second paragraph, which shall read as follows:

“Public prosecutor filing a civil claim in criminal proceedings, shall justify the existence of grounds for representation of the citizen’s or state interests in the court, referred to in Part Four of Article 25 of the Law of Ukraine *On Public Prosecutor’s Office*. In order to represent the interests of a citizen in the court public prosecutor shall also provide documents proving minor age, incapacity or limited capacity of the respective citizen as well as a written consent for representation from a legal representative or the agency authorized by law to protect the rights, freedoms and interests of the corresponding person..”;

- f) Replace the word “the Public Prosecutor” with the words “the head of the Public Prosecutor’s Office” in Part Six of Article 214;
- g) Clauses 1 and 2 of Part Two of Article 294 shall read as follows:
  - 1) up to three months – by the head of the local Public Prosecutor’s Office;
  - 2) up to six months – by the head of the Regional Public Prosecutor’s Office or his/her first deputy or deputy”;
- h) Part Two of Article 312 shall read as follows:

“2. The investigator’s complaint shall be submitted to the Public Prosecutor of the higher level if it challenges the decisions, actions of omission thereof by the Public Prosecutor;

- i) Article 313:

Part One:

- Replace the words “The official of the Public Prosecutor’s Office of the higher level who” with the words “the Public Prosecutor of the higher level who”;

- Replace the word (she) “shall” with (he) “shall”;

Part Three shall read as follows:

“3. In case of cancelling a decision or ruling that an action or omission thereof is illegal, the Public Prosecutor of the higher level shall be entitled to replace the Public Prosecutor with another one from among the officers of the same level of the Public Prosecutor’s Office during the pre-trial proceeding where the illegal decision, action or omission thereof took place”;

Replace the words “the official of the Public Prosecutor’s Office” with “the Public Prosecutor” in Part Four;

j) Article 341:

Part One:

- The first sentence of Paragraph One after the words “the court proceedings the Public Prosecutor” add the words “except where it is the Prosecutor General of Ukraine”; and the words “head of the public prosecutor’s office, where he/she works” replace with the words “a Public Prosecutor of a higher level.”;
  - Delete Paragraph Two;
  - Delete the words “the head of the Public Prosecutor’s Office” in Part Two;
- k) Replace the words “the Public Prosecutor of the Autonomous Republic of Crimea, oblasts, Kyiv or Sevastopol cities” with the words “the head of the Regional public prosecutor’s office” in Clause 1 of Part One of Article 481;
- l) Replace the words “the Public Prosecutor’s Office of the Autonomous Republic of Crimea, oblasts, Kyiv and Sevastopol cities and the equivalent public prosecutor’s offices”, with the words “the corresponding Regional public prosecutor’s office” in Part Four of Article 575;
- m) Replace the words “the Public Prosecutor’s Office of the Autonomous Republic of Crimea, oblasts, Kyiv or Sevastopol cities”, “the Public Prosecutor’s Office of the Autonomous Republic of Crimea, oblasts, Kyiv and Sevastopol cities” in all cases with the words “the corresponding Regional public prosecutor’s office” in the corresponding case in Parts Three and Five of Article 582;
- n) Replace the words “the Public Prosecutor of the Autonomous Republic of Crimea, oblasts, Kyiv and Sevastopol cities or his/her” with the words “the head of the corresponding Regional public prosecutor’s office, his/her first deputy or” in Part Two of Article 586;
- o) Replace the words “the Public Prosecutor’s Office of the Autonomous Republic of Crimea, oblasts, Kyiv and Sevastopol cities” with the words “the corresponding regional public prosecutor’s office” in Part One of Article 587;

- p) Replace the words “the Public Prosecutor’s Office of the Autonomous Republic of Crimea, oblasts, Kyiv and Sevastopol cities” with the words “the corresponding Regional public prosecutor’s office” in Part Two of Article 591;
- q) Replace the words “the Public Prosecutor’s Office of the Autonomous Republic of Crimea, oblasts, Kyiv and Sevastopol cities” with the words “the corresponding Regional public prosecutor’s office” in Parts Two and Three of Article 592;

13) The text of Article 27 of the Law of Ukraine *On Police* (Vidomosti Verkhovnoyi Rady URSR, 1991, No.4, p. 20 ) shall read as follows:

“The Public Prosecutor shall supervise compliance with the laws by the police units which perform detective operations, make inquiries and carry out pre-trial investigation as well as during execution of court rulings in criminal cases and during other enforcement measures relating to restriction of liberty of individuals”;

14) The second sentence of Part One of Article 9 of the Law of Ukraine *On Basic Principles of Social Security of Disabled People in Ukraine* (Vidomosti Verkhovnoyi Rady URSR, 1991, No.21, p. 252 ; Vidomosti Verkhovnoyi Rady Ukrainy, 2012, No.131, p. 381)

15) Delete the words “and/or one of the public prosecutors of Ukraine” in Part Six of Article 34 of the Law of Ukraine *On Foreign Economic Activities* (Vidomosti Verkhovnoyi Rady URSR, 1991, No.29, p. 377 as amended);

16) Delete Article 37 of the Law of Ukraine *On Environmental Protection* (Vidomosti Verkhovnoyi Rady Ukrainy, 1991, No.41, p. 546 as amended);

17) Article 22 of the Law of Ukraine *On Social and Legal Protection of the Military Personnel and Members of their Families* (Vidomosti Verkhovnoyi Rady Ukrainy, 1992, No.15, p. 190, 2001, No.14, p.72; 2013, No.21, p.208 as amended by the Law of Ukraine dd. July 4, 2013 No.406-VII) shall be excluded;

18) The Law of Ukraine *On Investigative Activities* (Vidomosti Verkhovnoyi Rady Ukrainy, 1992, No.22, p. 303 as amended):

- a) replace the words “public prosecutors of the Autonomous Republic of Crimea, oblasts, Kyiv and Sevastopol cities and equivalent public prosecutors, their deputies” with the words “the heads of Regional public prosecutor’s offices, their first deputies and deputies” in Part Two of Article 9<sup>1</sup>;

- b) Part One and Two of Article 14 shall read as follows:

“Compliance with the laws during investigative activities shall be supervised by the Prosecutor General of Ukraine, his/her deputies, heads of Regional public prosecutor’s offices, their first deputies and deputies as well as by the persons authorized by the order of the Prosecutor General of Ukraine, public prosecutors of the Prosecutor General’s Office of Ukraine and those authorized by the order of the head of the Regional public prosecutor’s office and the public prosecutors of the relevant Regional public prosecutor’s offices.

The head of the local Public Prosecutor’s Office and the public prosecutors of the corresponding local Public Prosecutor’s Office authorized by him shall supervise compliance with the laws during investigative activities carried out as part of the detective cases initiated by the subordinate operative departments of the law-enforcement units in their administrative areas”;

19) Article 34 of the Law of Ukraine *On Security Service of Ukraine* (Vidomosti Verkhovnoyi Rady Ukrainy, 1992, No.27, p. 382) shall read as follows:

“The Public Prosecutor shall supervise compliance with the laws by the units of the Security Service of Ukraine which perform investigative activities, make inquiries and carry out pre-trial investigation as well as during execution of court rulings in criminal cases and during other enforcement measures relating to restriction of liberty of individuals”;

20) Article 23 of the Principles of Health Care of Ukraine (Vidomosti Verkhovnoyi Rady Ukrainy, 1993, No.4, p. 19) shall be excluded;

21) Law of Ukraine *On Basic Principles of Public Financial Control in Ukraine* (Vidomosti Verkhovnoyi Rady Ukrainy, 1993, No.13, p. 110 ; 2005, No.10, p.187; 2006, No.14, p.117; 2013, No.121, p.208; 2014, No.4, p.61):

a) replace the words “upon a court decision delivered on the basis of a motion submitted by a public prosecutor or investigator to ensure investigation into a criminal case” with “upon a court decision delivered in criminal proceedings” in Part One of Article 2;

b) Article 11:

replace the words “upon a court decision delivered on the basis of a petition submitted by an investigator or public prosecutor to ensure investigation in criminal proceedings” with words “upon a court decision delivered in criminal proceedings” in Part Seven;

replace the words “a public financial control authority, public prosecutor or investigator that” with “An authority or person that” in Part Eight;

22) Law of Ukraine *On Pre-Trial Detention* (Vidomosti Verkhovnoyi Rady Ukrainy, 1993, No.35, p. 360 ; 2013, No.21, p.208):

a) replace the words “a public prosecutor of the Autonomous Republic of Crimea, oblast, Kyiv city or Sevastopol city or his/her deputy” across the text with words “the head of a regional prosecutor's office, his/her first deputy or deputy” in Parts Five and Six, Article 20;

b) the title and Part One of Article 22 shall be laid down as follows:

"Article 22. Supervision under compliance with the laws in pre-trial detention centers

A public prosecutor shall supervise compliance with the laws in pre-trial detention centers by exercising his/her powers of supervision of compliance with laws in implementation of court rulings in criminal cases and of other enforcement measures relating to restriction of personal liberty of citizens”;

23) Replace the words “of respective commissions or on public prosecutor’s initiative” with words “or respective commissions” in Part Two of Article 20 of the Law of Ukraine *On Collective Agreements and Contracts* (Vidomosti Verkhovnoyi Rady Ukrainy, 1993, No.36, p. 361 );

24) Article 21 of the Law of Ukraine *On Status of War Veterans, Guarantees of Their Social Protection* (Vidomosti Verkhovnoyi Rady Ukrainy, 1993, No.45, p. 425 as amended) shall be excluded;

25) Replace the words “administration of prosecutor's offices” with “prosecutor's offices, administrations” in Part Two of Article 9 of the Law of Ukraine *On Public Service* (Vidomosti Verkhovnoyi Rady Ukrainy, 1993, No.52, p. 490);

26) Law of Ukraine *On State Protection of Court Staff and Law-Enforcement Agencies Staff* (Vidomosti Verkhovnoyi Rady Ukrainy, 1994, No.11, p. 50 as amended):

a) replace the words “heads of prosecutor's offices” with words “the head of a prosecutor's office” in paragraph "c" Article 14;

b) replace the word “to a public prosecutor” with word “to the court” in paragraph "c", Part One, Article 19;

c) replace the word “to a public prosecutor” with “to the court” in Part Two of Article 20;

d) Article 24:

the words “and supervision” in the title shall be excluded;

paragraph Two shall be excluded;

27) Law of Ukraine *On Ensuring Security of Persons Involved in Criminal Proceedings* (Vidomosti Verkhovnoyi Rady Ukrainy, 1994, No.11, p. 51; 2003, No.16, p.124; 2009, No.36-37, p.511; 2013, No.21, p.208):

a) Paragraph Two, Part Five, Article 22 shall be restated as follows:

"This decision might be appealed by a concerned party to a public prosecutor, respective higher authority which ensures the security as well as to the court according to procedures established by the Criminal Procedure Code of Ukraine;

b) Article 28:

the words “and supervision” in the title shall be excluded;

Part Two shall be excluded;

28) Part Two of Article 13 of the Law of Ukraine *On Administrative Supervision over Persons Released from Prisons* (Vidomosti Verkhovnoyi Rady Ukrainy, 1994, No.52, p. 455) shall be excluded;

29) The second sentence in Part Two of Article 12 of the Law of Ukraine *On Procedures of Reimbursement for Damage Caused to a Citizen by Illegal Actions of Detective Agencies, Pre-Trial Investigation Authorities, Prosecutor's Offices and Courts* (Vidomosti Verkhovnoyi Rady Ukrainy, 1995, No.1, p. 1; 2004, No.8, p.66; 2013, No.21, p.208) shall be excluded;

30) Article 17 of the Law of Ukraine *On Agencies and Services of Children's Affairs and Special Children's Establishments* (Vidomosti Verkhovnoyi Rady Ukrainy, 1995, No.6, Article 35; 2007, No.15, p.194) shall be restated:

"Article 17. Supervision on compliance with laws by agencies and services for children and special establishments for children

A public prosecutor shall supervise compliance with laws by authorized police units, children reception centers, schools and vocational schools of social rehabilitation, special educational establishments of the Public Criminal Enforcement Service of Ukraine by exercising his/her powers of supervision of compliance with laws by agencies involved in investigative activities, interrogation, and pre-trial investigation, and powers of supervision of compliance with laws in



implementation of court rulings in criminal cases and of other enforcement measures relating to restriction on personal liberty of citizens";

31) Part Eleven of Article 25 of the Law of Ukraine *On Nuclear Energy Use and Radiation Safety* (Vidomosti Verkhovnoyi Rady Ukrainy, 1995, No.12, p. 81; 1997, No.4, p.20; 2009, No.40, p.579; 2014, No.2-3, p.41) shall be excluded;

32) Part Two of Article 35 of the Law of Ukraine *On Remuneration of Labor* (Vidomosti Verkhovnoyi Rady Ukrainy, 1995, No.17, p. 121; 2010, No.30, p.398; 2014, No.6-7, p.20) shall be excluded;

33) Article 29 of the Law of Ukraine *On Addresses of Citizens* (Vidomosti Verkhovnoyi Rady Ukrainy, 1996, No.47, p. 256 as amended) shall be excluded;

34) The words "request prosecutor's offices of Ukraine and the Ministry of Internal Affairs of Ukraine to conduct investigations and other measures according to applicable laws" shall be replaced with words "address law-enforcement agencies regarding pre-trial investigations or other measures according to laws" in Paragraph Five, Part Two, Article 9 of the Law of Ukraine *On State Regulation of Securities Market in Ukraine* (Vidomosti Verkhovnoyi Rady Ukrainy, 1996, No.51, p. 292; 2005, No.42, p.466; 2013, No.26, p.264);

35) Part Three of Article 27 of the Law of Ukraine *On Vacations* (Vidomosti Verkhovnoyi Rady Ukrainy, 1997, No.2, p. 4; 2014, No.6-7, p.80) shall be excluded;

36) Article 18<sup>1</sup> shall be included to the Law of Ukraine *On Local Self-Government in Ukraine* (Vidomosti Verkhovnoyi Rady Ukrainy, 1997, No.24, p.170 as amended) as follows:

"Article 18<sup>1</sup>. Relations between local self-government authorities and courts of general jurisdiction

A local self-government authority can act as a plaintiff or defendant in courts of general jurisdiction, in particular, it can apply to the court if it is necessary for the exercise of its powers and performance of local self-government functions";

37) Article 13 of the Law of Ukraine *On the Ukrainian Parliament Commissioner for Human Rights* (Vidomosti Verkhovnoyi Rady Ukrainy, 1998, No.20, p. 99; 2013, No.41, p.552):

Paragraph 10 as follows shall be restated:

"10) for the purpose of protection of human rights and freedoms, personally or using his/her representative as established by law:

apply to the court for protection of rights and freedoms of individuals who are unable to protect their rights and freedoms because of their physical condition, minority status, old age, full or partial incapacity; participate in trials where proceedings are initiated on the basis of his/her lawsuits (applications, petitions (motions));

join cases initiated on the basis of lawsuits (applications, petitions (motions)) of other persons at any stage of the trial;

initiate review of court rulings irrespective of his/her involvement in the proceedings";

Paragraph Twelve shall be amended with words "implement court decisions" after "which conducts investigative and operational activities";

38) Law of Ukraine *On High Council of Justice* (Vidomosti Verkhovnoyi Rady Ukrainy, 1998, No.25, p. ):

146; 2010, No.26, p.272, No.41, p.529; 2012, No.23, p.242; 2014, No.12, p.190) :

a) Part 3 of Article 13 shall be restated as follows:

"Procedures to convene the All-Ukrainian Conference of Public Prosecution Employees shall be established by the Law of Ukraine *On the Public Prosecutor's Office*;

b) In Paragraph Two of Article 25 the words "a decision on bringing public prosecutors to disciplinary liability" shall be replaced with words "a decision of the Qualifications and Disciplinary Commission of Public Prosecutors following disciplinary proceedings";

c) Part One of Article 27:

Paragraph 5 shall be amended with the word "judges";

Paragraph 5<sup>1</sup> shall be amended with following:

"5<sup>1</sup>) a decision on a complaint against a decision of the Qualifications and Disciplinary Commission of Public Prosecutors followed by disciplinary proceedings";

d) Article 34 shall be restated with following:

"The following entities may submit a proposal to the High Council of Justice to consider incompatibility of judge's or public prosecutor's actions with his/her position:

1) the High Qualification and Disciplinary Commission of Public Prosecutors provided that it adopts such decision following disciplinary proceedings

2)

a member of the High Council of Justice of Ukraine under verification of information about incompatibility of actions of a judge or public prosecutor with his/her position, where such member was authorized by this Law to conduct such verification";

e) Article 36 shall be restated as follows:

"The High Council of Justice shall consider incompatibility of the public prosecutor's position with his/her other activities on the basis of motions filed by entities indicated in Article 34 hereof. A public prosecutor whose incompatibility is challenged and/or his/her representative shall be entitled to give explanations, to ask questions to the participants of meeting, to make objections, to submit petitions and challenges.

The public prosecutor whose incompatibility is challenged must be invited to the meeting of the High Council of Justice. If the public prosecutor is not able to attend the meeting for valid reasons, he/she may give explanations in writing on the issues raised, with the explanations to be attached to verification materials. The written explanations of the public prosecutor must be read out at the meeting of the High Council of Justice. Failure of the public prosecutor to attend the meeting for the second time shall enable the meeting to consider his/her incompatibility in his/her absence.

A decision on incompatibility shall be adopted at the meeting by a majority vote of the total membership of the High Council of Justice and must be sent to, and implemented immediately by, respective persons authorized to decide on dismissal of the public prosecutor";

f) the words "public prosecutors" shall be replaced with words "on decisions of the Qualifications and Disciplinary Commission of Public Prosecutors adopted following the disciplinary proceedings" in Article 45;

g) Article 47 shall be restated as follows:

"Article 47. Considering complaints against decisions of the Qualifications and Disciplinary Commission of Public Prosecutors adopted following disciplinary proceedings"

The High Council of Justice shall, in line with the report of a member of the High Council of Justice, consider complaints of public prosecutors against decisions of the Qualifications and Disciplinary Commission of Public Prosecutors adopted following disciplinary proceedings and make a decision.

A public prosecutor's complaint can be accepted by the High Council of Justice within one month following the day when the public prosecutor receives personally or by mail a copy of a decision on him/her adopted by the Qualifications and Disciplinary Commission of Public Prosecutors following disciplinary proceedings. The High Council of Justice may extend the period for a public prosecutor to file a complaint if it acknowledges that the one-month period was missed for valid reasons.

Following consideration of the public prosecutor's complaint, the High Council of Justice under following grounds may:

- 1) satisfy the prosecutor's complaint, cancel the decision of the Qualifications and Disciplinary Commission of Public Prosecutors and close the disciplinary proceedings;
- 2) satisfy the complaint in full or in part and change the decision of the Qualifications and Disciplinary Commission of Public Prosecutors;
- 3) dismiss the complaint without changing the decision of the Qualifications and Disciplinary Commission of Public Prosecutorsthe Qualifications and Disciplinary Commission of Public Prosecutors.

A public prosecutor whose complaint is considered by the High Council of Justice and/or his/her representative shall be entitled to provide explanations, ask questions to the meeting participants, make objections, submit petitions and challenges. The public prosecutor must be invited to the meeting of the High Council of Justice. If the public prosecutor is not able to attend the meeting for valid reasons, he/she may give explanations in writing on the issues raised. The written explanations of the public prosecutor must be read out at the meeting of the High Council of Justice. Failure of the public prosecutor to attend the meeting for the second time shall enable the meeting to consider his/her complaint in his/her absence";

39) Article 9 of the Law of Ukraine *On the Verkhovna Rada of the Autonomous Republic of Crimea* (Vidomosti Verkhovnoyi Rady Ukrainy, 1998, No.29, p. 191; 2010, No.37, p.496) shall be amended with Part Three, which shall read as follows:

"3. The Verkhovna Rada of the Autonomous Republic of Crimea shall be entitled to apply to the court if it is necessary for the exercise of its powers";

40) Article 37 of the Law of Ukraine *On Waste* (Vidomosti Verkhovnoyi Rady Ukrainy, 1998, No.36 – 37, p. 242; 2013, No.46, p.640):

the words "and supervision" in the title shall be excluded;

Paragraph Four shall be excluded;

41) The words "or a public prosecutor" in Part Four of Article 12 of the Law of Ukraine *On Youth and Children's NGOs* (Vidomosti Verkhovnoyi Rady Ukrainy, 1999, No.1, p. 2 as amended) shall be excluded;

42) The words "their deputies and assistants" in Paragraph Three, Clause 27, Appendix 12 to the Statute of Garrison and Guard Services of the Armed Forces of Ukraine approved by the Law of Ukraine *On the Statute of Garrison and Guard Service of the Armed Forces of Ukraine* (Vidomosti Verkhovnoyi Rady Ukrainy, 1999, No.22 – 23, p. 196; 2013, No.21, p.208);

43) Clause Five, Paragraph One, Article 28 of the Law of Ukraine *On Local State Administrations* (Vidomosti Verkhovnoyi Rady Ukrainy, 1999, No.20 - 21, p. 190) shall be amended with follows:

"5) apply to the court and perform other functions and powers specified by the Constitution and the laws of Ukraine";

44) Law of Ukraine *On Scrap Metal* (Vidomosti Verkhovnoyi Rady Ukrainy, 1999, No.25, p. 212; 2014, No.4, p.61):

a) the title of Section III shall read as follows:

"Section III. State regulation and State supervision of the operations with scrap metal"

b) Article 14:

in the title the words "and supervision" shall be excluded;

Part Two shall be excluded.

45) Paragraph Three of Article 16 of the Law of Ukraine *On Transplantation of Human Organs and Other Human Anatomic Materials* (Vidomosti Verkhovnoyi Rady Ukrainy, 1999, No.41, p. 377) the words "of investigation" shall be replaced with words "of pre-trial investigation" and the words "district (city) public prosecutor" shall be replaced with words "the head of a local prosecutor's office";

46) Add Part Nine to Article 41 of the Law of Ukraine *On Trade Unions, Their Rights and Guarantees of Activities* (Vidomosti Verkhovnoyi Rady Ukrainy, 1999, No. 45, p. 397; 2002, No.11, p.79), which shall read as follows:

"The provisions of this Article regarding the peculiarities of disciplining and dismissal shall not be applied to public prosecutors, law enforcement officers, officers of the Security Service of Ukraine, the State Bureau of Investigation Ukraine and the bodies overseeing the compliance with the tax laws";

47) Part Two of Article 23 of the Law of Ukraine *On Admission Procedures and Conditions for Presence of Armed Forces Formations of Other Countries in Ukraine* (Vidomosti Verkhovnoyi Rady Ukrainy, 2000, No.17, p. 122; 2013, No.37, p.490) shall be excluded;

48) Article 31 of the Law of Ukraine *On Psychiatric Care* (Vidomosti Verkhovnoyi Rady Ukrainy, 2000, No.19, p. 143) shall be restated with following:

"Article 31. Supervision of compliance with laws in the provision of psychiatric care

A public prosecutor shall supervise compliance with laws in the provision of psychiatric care by exercising his/her powers of supervision of compliance with laws in implementation of court rulings in criminal cases and of other enforcement measures relating to restriction on personal liberty of citizens";

49) The words "or a public prosecutor" in Part Two and Part Three of Article 8 of the Law of Ukraine *On Participation of Citizens in Protection of Public Order and State Frontiers* (Vidomosti Verkhovnoyi Rady Ukrainy, 2000, No.40, p. 338) shall be excluded;

50) Law of Ukraine *On Political Parties in Ukraine* (Vidomosti Verkhovnoyi Rady Ukrainy, 2001, No.23, p. 118; 2014, No.5, p.62):

a) Paragraph Two, Part Three, Article 6 shall be restated with following:

"2) public prosecutors";

b) Part One of Article 21:

the words "on the basis of a motion" shall be replaced with words "on the basis of an administrative lawsuit" and the words "or the Prosecutor General of Ukraine" shall be excluded;

51) the words "or a public prosecutor" in Part Three of Article 8 of the Law of Ukraine *On the Animal World* (Vidomosti Verkhovnoyi Rady Ukrainy, 2002, No.14, p. 97; 2013, No.46, p.640) shall be excluded;

52) Article 17 of the Law of Ukraine *On the Military Service of Law and Order in the Armed Forces of Ukraine* (Vidomosti Verkhovnoyi Rady Ukrainy, 2002, No.32, p. 225 as amended) shall be excluded;

53) the words "by a public prosecutor of the Autonomous Republic of Crimea, oblast, Kyiv city or Sevastopol city within his/her powers" shall be replaced with words "by the head of a respective regional prosecutor's office" in Paragraph One, Part One, Article 31 of the Law of Ukraine *On the Status of People's Deputies of Local Councils* (Vidomosti Verkhovnoyi Rady Ukrainy, 2002, No.40, p. 290; 2013, No.21, p.208);

54) replace the words "public prosecutor's offices" with "the corresponding agencies" in Paragraph Seven, Part One of Article 39 of the Law of Ukraine *On Labor Protection* (Vidomosti Verkhovnoyi Rady Ukrainy, 2003, No.2, p.10);

55) the words "petition to prosecutor's offices to file a lawsuit with a court" shall be replaced with words "to address to the Court with suit" in Paragraph Nine, Part One, Article 10 of the Law of Ukraine *On the State Control Over the Land Use and Protection* (Vidomosti Verkhovnoyi Rady Ukrainy, 2003, No.39, p. 350; 2008, No.24, p.237; 2010, No.5, p.44; 2013, No.21, p.208);

56) Law of Ukraine *On Democratic Civil Control Over the Military Organization and Law-Enforcement Agencies of the State* (Vidomosti Verkhovnoyi Rady Ukrainy, 2003, No.46, p. 366):

a) Paragraph Five, Part One, Article 6 shall be restated with following:

"control by court authorities and public prosecutor's offices exercised according to the procedures specified by the Constitution and laws of Ukraine";

b) Article 24 shall be restated with following:

"Article 24. Control of compliance with laws in civil control

Control of compliance with laws in civil control shall be exercised according to procedures established by the Constitution and laws of Ukraine".

57) the words "Prosecutor General's Office of Ukraine" in Part One of Article 15 of the Law of Ukraine *On Protection of Public Morality* (Vidomosti Verkhovnoyi Rady Ukrainy, 2004, No.14, p. 192 as amended) shall be excluded;

58) Delete the word "public prosecutor's office" in Part Three of Article 105 of the Law of Ukraine *On Veterinary Medicine* (Vidomosti Verkhovnoyi Rady Ukrainy, 2007, No.5– 6, p. 53);

59) Add a paragraph to Part One of Article 44 of the Law of Ukraine *On the Judiciary and the Status of Judges* (Vidomosti Verkhovnoyi Rady Ukrainy, 2010, No.41 – 45, p. 529 ) which shall read:

"The basic salary of a court administration officer whose position falls within category No.6 of public service positions shall be 30 per cent of the basic wage of a local court judge. Basic salaries of court administration officers whose positions fall within each subsequent category of

public service positions shall have a multiplier of 1.3 applied in proportion to the basic salary of the court administration officers whose positions belong to preceding categories";

60) Paragraph One, Part Two, Article 6 of the Law of Ukraine *On the State Regulation of Public Utilities* (Vidomosti Verkhovnoyi Rady Ukrainy, 2010, No.49, p. 571; 2012, No.7, p.53) shall be amended with the words "as well as in other cases if necessary for the exercise of its powers and performance of its objectives";

61) Part One of Article 37 of the Law of Ukraine *On the Cabinet of Ministers of Ukraine* (Vidomosti Verkhovnoyi Rady Ukrainy, 2014, No.13, p. 222) shall be amended with the words "in particular, apply to the court if it is necessary for the exercise of its powers according to the procedures specified by the Constitution and the laws of Ukraine";

62) The Law of Ukraine *On Enforcement Proceedings* ((Vidomosti Verkhovnoyi Rady Ukrainy, 2011, No.19 – 20, p. 142 as amended):

a) Add Paragraph Three to Part One of Article Seven which shall read as:

"The public prosecutor may join the enforcement proceedings initiated not on his application provided he has been presenting the interests of a person or the state in the court in the corresponding case. To address the issue about the grounds for joining the enforcement proceedings such public prosecutor shall be entitled to read the materials of the enforcement proceedings, make notes and copy the materials;"

b) Add the words "and the public prosecutor as a participant of the enforcement proceedings" after the words "The Parties of the enforcement proceedings" in Part One of Article 12;

c) Article 21:

Replace the words "public prosecutor's offices of the Autonomous Republic of Crimea, oblasts, Kyiv and Sevastopol, special public prosecutor's offices with the oblast status" with the words "regional public prosecutor's offices" in Clause One of Part One;

Replace the words "town, raion, inter-raion and other equivalent public prosecutor's offices" with the words "local public prosecutor's offices" in Clause 1 of Part Two;

d) Part One of Article 37:

Replace the words "the official who" with the words "court or an official who" in Clause Six;

Delete Clause 11;

e) Replace the words and numbers "Clauses 5 and 11" with the word and numbers "Clause 5" in Paragraph Four of Part Two of Article 39;

f) Add Article 86<sup>1</sup> which shall read as:

"Article 86<sup>1</sup>. Supervision of compliance with the laws when implementing enforcement measures in criminal proceedings

1. A public prosecutors shall supervise the compliance with the laws in implementing the enforcement measures in criminal proceedings

63) Add the following article 28 to the Law of Ukraine *On the Central Executive Authorities* (Vidomosti Verkhovnoyi Rady Ukrainy, 2011, No.38, p. 385 as amended):

"Article 28. Applying to the court

1. The ministries, other central executive authorities and their territorial offices shall apply to the court if it is necessary for the exercise of their powers according to the procedues specified by the Constitution and the laws of Ukraine";

64) Section I of the Law of Ukraine *On Free Legal Aid* (Vidomosti Verkhovnoyi Rady Ukrainy, 2011, No.51, p. 577 as amended):

a) Add Article 6<sup>1</sup>, which shall read as follows:

Article 6<sup>1</sup>. The system of the Free Legal Aid Providing

1. The system of legal aid providing shall include:

- 1) Coordination Center for Free Legal Aid Providing;
- 2) subjects providing primary free legal aid;
- 3) subjects providing secondary free legal aid”.

b) The words “from prosecution” in subparagraph 1, Part Two, Article 13 shall be excluded;

c) Part One of Article 14:

Restate subparagraphs 5 and 6 as follows:

"5) individuals who, in accordance with the provisions of the criminal procedural law, are considered detainees, – the legal services indicated in subparagraphs 1 and 3 of Part Two of Article 13 herein;

6) individuals who are subject of a preventive measure in the form of detention – the legal services indicated in subparagraphs 1 and 3 of Part Two of Article 13 herein;”

In subparagraph 7:

– Add the words “as well as individuals sentenced to imprisonment, detention in a disciplinary military unit or restraint of liberty” after the words “conducting a separate procedural action”;

– Replace the words “the legal services provided in subparagraphs 1 and 3 of Part Two” with the words “all types of legal services provided in Part Two”;

d) Replace subparagraphs 2 and 3 of Article 15 with subparagraph 2, which shall read as follows:

"2) attorneys included in the Register of attorneys providing free secondary legal aid”;

e) restate Part One of Article 16 as follows:

"1. The Ministry of Justice of Ukraine shall establish regional (republican (Autonomous Republic of Crimea), oblasts, Kyiv city and Sevastopol city) and local (raion, inter-district, city, district and city, inter-district and district in city) centers for free secondary legal aid. Centers for free secondary legal aid are the territorial departments of the Coordination Center for Free Legal Aid Providing and shall be established with account of the needs of a particular administrative and territorial unit and access to free secondary legal aid for citizens”;

f) In Part One of Article 17:

the words “in the Autonomous Republic of Crimea, oblasts, Kyiv city and Sevastopol city” shall be excluded;

restate the subparagraph 10 as follows:

10) submit motions to the Coordination Center for Free Legal Aid Providing about the exclusion of an attorney from the Register of attorneys providing free secondary legal aid in cases, envisaged in subparagraphs 2 and 3 of Part 1 of Article 24 herein”;

the words “to the chief department of justice in the Autonomous Republic of Crimea, oblasts, Kyiv city and Sevastopol city” shall be replaced with words “to the Coordination Center for Free Legal Aid Providing” in Paragraph Twelve;

Part Five of Article 19 shall read as:

“5. In case the persons specified by Clauses 3-6 of Part One, Article 14, apply for free secondary legal aid or in case of receipt of information about the detained persons from relatives and their family members , whose list is approved by the Criminal Procedural Code of

Ukraine”; The Centre for Free Secondary Legal Aid shall make the decision about provision of free secondary legal aid from the moment of detention of the person”;

g) In Article 22 the words “on temporary basis under a contract about its providing” shall be excluded;

h) Article 24:

Restate subparagraph 4 of Part One as follows:

"4) exclusion of Attorney from the Register of attorneys providing free secondary legal aid”;

Restate Part Five as follows:

"5. If the decision about the replacement of an attorney is adopted in accordance with subparagraphs 2 and 3 of Part One of this Article, the Centre for the provision of free secondary legal aid may submit a proposal to the Coordination Center for Free Legal Aid Providing to exclude such attorney from the Register of attorneys providing free secondary legal aid”;

i) Add the following subparagraph 6 to Part One of Article 27:

"6) approve the regulation on Coordination Center for Free Legal Aid Providing”;

j) Restate subparagraph 7 of Part 1 of Article 28 as follows:

"7) establish the order of maintenance of the Register of attorneys providing free secondary legal aid by the Coordination Center for Free Legal Aid Providing”;

k) Subparagraph Six of Section VI “Final and Transitional Provisions” shall be restated with following:

"6. Starting with July 1, 2015, free secondary legal aid shall be provided in full to all categories of citizens indicated in Article 14”;

65) Article 14 of the Law of Ukraine *On the Council of Ministries of the Autonomous Republic of Crimea* (Vidomosti Verkhovnoyi Rady Ukrainy, 2012, No.2 – 3, p. 3 ) shall be amended with Part Six, as follows:

"6. The Council of Ministries of the Autonomous Republic of Crimea shall be entitled to apply to the court if it is necessary for the exercise of its powers according to the procedures specified by the Constitution and the laws of Ukraine”;

66) Law of Ukraine *On Combating Human Trafficking* (Vidomosti Verkhovnoyi Rady Ukrainy, 2012, No.19 – 20, p. 173; 2013, No.48, p.682; 2014, No.12, p.178):

a) in the title of Section VII the words “and supervision” shall be excluded;

b) Article 27 shall be excluded;

67) Article 6 of the Law of Ukraine *On State Guarantees of Enforcement of Court Rulings* (Vidomosti Verkhovnoyi Rady Ukrainy, 2013, No.17, p. 158; 2014, No.11, p.137):

In Part Two:

– in Paragraph One the words “Public prosecutor's offices shall, on the basis of a motion filed by an agency of the central executive authority implementing the state policy in the field of treasury servicing of budget funds” shall be replaced with the words “The Agency of the central executive authority implementing the state policy in the field of treasury servicing of budget funds shall apply”;



- the word “crime” shall be replaced with words “criminal offence” in Paragraphs Two and Three;
- the words “public prosecutor's offices, following submission of respective materials by authorities” in Paragraph Four shall be excluded;

In Part Three:

- in Paragraph One the word “crime” shall be replaced with words “criminal offence” and the words “public prosecutor's offices, on the basis a motion filed by an authority” and “in the state interests” shall be excluded;
  - replace the words “crime” with “criminal offence” in Paragraph Two;
- the words “public prosecutor's offices, following submission of respective materials by government authorities” shall be replaced with “agencies of the central executive authority implementing the state policy in the field of treasury servicing of budget funds” in Paragraph Three;

68) Part Two, Article 24 of the Law of Ukraine *On the National Guard of Ukraine* (Vidomosti Verkhovnoyi Rady Ukrainy, 2014, No. 17, p. 594) shall be restated as follows:

“2. The Public Prosecutor shall supervise compliance with the laws by the National Guard of Ukraine by exercising his/her authorities as to supervision of compliance with the laws in the process of enforcement of court judgments delivered in criminal cases, as well as in application of other coercive measures related to restraint of personal liberty.”

### **Section XIII. Transitional provisions**

1. The Public prosecutor's offices shall oversee the compliance with the rights and freedoms of a human being and a citizen and the corresponding laws by the executive authorities, local self-government agencies and their officials and officers exclusively by representing the interests of a citizen in the court.
2. Military public prosecutor's offices of garrisons shall be located within the boundaries of the corresponding military garrisons, If necessary, for the purpose of organizing their activity they may be placed in the premises owned by the Ministry of the Defence of Ukraine.

In the event of a state of emergency or marshal law or counter-terrorism operations which result in engagement of task forces, military units and the units of the Armed Forces of Ukraine, the National Guard of Ukraine, the State Border Service of Ukraine, other military formations with the permanent place of their deployment within the military garrison, the staff of such military public prosecutor's offices (public prosecutors, investigators) shall be assigned to the places of deployment of such task forces, military units (divisions) for the period of performing their assignments by such task forces, military units and subdivisions.

3. In case the public prosecutors and investigators of military public prosecutor's offices who are not servicemen perform their duties

in the regions of counter-terrorism operations they shall have the same social guarantees as specified for servicemen of military public prosecutor's offices.

4. Investigators of the Public Prosecutor's Office shall carry out pre-trial investigations according to the procedures established by the Criminal Procedure Code of Ukraine until the state investigation bureau starts its operation but no longer than five years after the Criminal Procedure Code of Ukraine comes into effect.

5. The provisions of this Law including of Article 86 regulating the pension provision for officers of public prosecutor's offices shall cover the investigators of public prosecutor's offices until the state investigation bureau starts its operation.

6. A conference of representatives of law universities and academic institutions and the congress of attorneys of Ukraine shall be held to appoint the members of Qualifications and Disciplinary Commission of Public Prosecutors within a month following the day of publication of this La.

7. The organizational bureau, representatives of law universities and academic institutions shall be responsible for technical and organizational support of the convention.

The organizational bureau shall set up the date, time and venue of the convention of representatives of law universities and academic institutions as specified in Clause 6 of this Section and publish the announcement about the convention in *Uriadovyi Kurier* or *Holos Ukrainy* newspapers and inform the delegates of the same at least 7 days prior to the convention,

The Chairman of the organizational bureau or the Chairman Deputy in case of his absence shall open the convention of representatives of law universities and academic institutions.

The convention of representatives of law universities and academic institutions shall be valid if attended by at least two-thirds of the total number of elected delegates.

The convention of representatives of law universities and academic institutions shall elect the Chairman and the Secretary by secret ballot. It shall also discuss and approve the agenda, the procedure and elect the tabulation commission and other working bodies of the convention.

The convention of representatives of law universities and academic institutions shall appoint the members of the Qualifications and Disciplinary Commission of Public Prosecutors of Ukraine. Parts 5-7 of Article 75 of this Law regulate the procedure for nominating the delegates and electing the members of the High Qualifications and Disciplinary Commission of Prosecutors as well as the procedure for signing the resolution of the convention of representatives of law universities and academic institutions.

8. The High Council of Justice shall temporarily perform their authorities until the corresponding amendments are made to the Constitution of Ukraine.

9. Before electing the Chairmen of the Council of Public Prosecutor's of Ukraine, the Qualifications and Disciplinary Commission of Public Prosecutors of Ukraine the meetings of such agencies shall be opened and moderated by their oldest members from among the public prosecutors.

10. The Qualifications and Disciplinary Commission of Public Prosecutors shall ensure:

1) appointment to office of the public prosecutors in the public prosecutor's offices established according to Articles 27-37 of this Law except for special training of a candidate for the post of the public prosecutor;

2) appointment of public prosecutors to administrative positions according to Article 39 of this Law.

11. Investigators of the Public Prosecutor's Offices shall retain the right to carry firearms until the day when the State Investigation Bureau starts its operation but no longer than five years following the day when the Criminal Procedure Code of Ukraine comes into effect.

12. Applications and reports about criminal offences submitted to the public prosecutor's offices before this Law comes into effect which have not been included in the Unified State Register of Pre-trial Investigations shall be submitted within 24 hours to the corresponding local public prosecutor's office for including the corresponding information in the Unified State Register of Pre-trial Investigations according to Article 214 of the Criminal Procedure Code of Ukraine.

13. The materials of criminal proceedings, civil, economic and administrative cases which are at the stage of pre-trial investigation or being considered by the first instance court on the effective day of this Law at raion, district, inter-raion, oblast or equivalent public prosecutor's office, the Office of the Prosecutor General of Ukraine shall be transferred to the corresponding local or regional public prosecutor's office within ten days from the moment this Law comes into effect to enable the proceedings. The public prosecutors who conduct the criminal proceedings, act as representatives in civil, economic and administrative cases shall be replaced with public prosecutors of the corresponding local and regional public prosecutor's offices.

14. The materials of criminal proceedings, civil, economic and administrative cases which are being considered by the appellate court on the effective day of this Law at raion, district, inter-raion, city, oblast or equivalent public prosecutor's office, the Office of the Prosecutor General of Ukraine shall be transferred to the corresponding regional public prosecutor's office within ten days from the moment this Law comes into effect to enable the proceedings. The public prosecutors conducting the criminal proceedings or acting as representatives in civil, economic and administrative cases shall be replaced with public prosecutors of the corresponding regional public prosecutor's offices and special public prosecutor's office.

15. Applications and reports, messages of public authorities, local self-governments and deputies of all levels, individuals and legal entities in regard to violation of legality submitted to the public prosecutor's offices before this Law comes into effect with regard to which no motion has been issued or no resolution has been made shall be within 24 hours returned to the applicants or transferred to the corresponding public prosecutor's office for including the information in the Unified State Register of Pre-trial Investigations according to Article 214 of the Criminal Procedure Code of Ukraine.

16. Motions and resolutions taken before this Law comes into effect shall be subject to execution or may be appealed by the parties concerned according to the procedures established by the Law of Ukraine *On Public Prosecutor's Office* dd. November 5, 1991, No.1789-XII.

The materials as to the taken motions and resolutions which on the effective day of this Law are at at raion, district, inter-raion, city, oblast or equivalent public prosecutor's office, the Office of the Prosecutor General of Ukraine shall be transferred to the corresponding public prosecutor's office within ten days from the moment this Law comes into effect.

17. The Cabinet of Ministers of Ukraine shall:

1) within three months from the day following the publication of this Law:

amend its regulatory and legal acts to comply with this Law;

ensure that the regulatory and legal acts of the respective ministries and other central executive authorities of Ukraine comply with this Law;

2) within two months from the day following the publication of this Law submit proposals for consideration of the Verkhovna Rada of Ukraine as to amending the legal acts to comply with this Law, including with the purpose to:

provide increased expenses of the State Budget of Ukraine for the operation of the Human Rights Commissioner of the Verkhovna Rada of Ukraine, which is sufficient for exercising of his/her powers;

provide increased expenses of the State Budget of Ukraine for the payroll fund for employees of the court system and set their basic wage sizes in the amount not less than provided in the Law of Ukraine *On the Judiciary and the Status of Judges*;

provide increased funding expenses of the State Budget of Ukraine for the formation and operation of the system of free legal aid, payment for the subjects of secondary free legal aid in the amount, necessary for establishment and maintenance of operation of raion, inter-raion, city, district and city, district in a city centers for free secondary legal aid and providing by the attorneys free secondary legal aid for all categories of individuals, defined in Article 13 of the Law *On Free Legal Aid*.

18. Before this Law comes into effect the Ministry of Justice of Ukraine shall establish the raion, inter-raion, city, district and city, district in a city centers for free secondary legal assistance with due regard of the requirements of the corresponding administrative areas and ensure access of people to secondary legal assistance.

19. The recommendations to the Prosecutor General's Office of Ukraine include:

- 1) organize educational and methodological activities to ensure implementation of provisions of this Law;
- 2) amend its regulatory and legal acts to comply with this Law.

Appendix 1 to the Law of Ukraine *On Public Prosecutor's Office*

### **List and territorial jurisdiction of local public prosecutor's offices**

**Name of local public prosecutor's office      Territorial jurisdiction**

#### **Autonomous Republic of Crimea**

##### **Bakhchysarai public prosecutor's office**

Bakhchysarai raion

Simferopol raion

##### **Dzhankoy public prosecutor's office**

Dzhankoy city

Dzhankoy raion

Krasnohvardiiske raion

Nyzhnohirskyi raion

Yevpatoria public prosecutor's office

Yevpatoria city

Saky city

Saky raion

##### **Kerch public prosecutor's office**

Kerch city

Lenine raion

Krasnoperekopsk public prosecutor's office

Armyansk town

Krasnoperekopsk town

Krasnoperekopsk raion

Pervomaiske raion

Rozdolne raion

Chornomorske raion

##### **Simferopol public prosecutor's office**

Simferopol city

##### **Feodosia public prosecutor's office**

Bilohirsk raion

Sovietskyi raion

Sudak raion

Sudak city

Feodosia city

##### **Yalta public prosecutor's office**

Alushta city

Yalta city

#### **Vinnysia Obast**

##### **Bershad public prosecutor's office**

Bershad raion

Ladyzhyn town

Kryzhopil raion

Pishchanka raion

Teplyk raion

Trostianets raion

Chechelnyk raion

**Vynnytsia public prosecutor's office**

Vynnytsia city

Vynnytsia raion

**Zhmerynka public prosecutor's office**

Bar raion

Zhmerynka town

Zhmerynka raion

Tavrivka raion

Sharhorod raion

**Kalynivka public prosecutor's office**

Kalynivka raion

Koziatyn town

Koziatyn raion

Lityn raion

Pohrebysche raion

Khmilnyk town

Khmilnyk raion

**Mohyliv-Podilskyi public prosecutor's office**

Mohyliv-Podilskyi town

Mohyliv-Podilskyi raion

Murovani Kurylivtsi raion

Tomashpil raion

Chernivtsi raion

Yampil raion

**Nemyriv public prosecutor's office**

Haisyn raion

Illintsi raion

Lypovets raion

Nemyriv raion

Orativ raion

Tulchyn raion

**Volyn Oblast**

**Volodymyr-Volynsky public prosecutor's office**

Volodymyr-Volynsky town

Volodymyr-Volynsky raion

Horokhiv raion

Ivanychi raion

Lokachi raion

Novovolynsk town

Turiisk raion

**Manevychi public prosecutor's office**

Kamin-Kashyrskyi raion

Kivertsia raion

Lyubeshiv raion

Manevychi raion

Rozhysche raion

**Kovel public prosecutor's office**

Kovel town

Kovel raion

Liuboml raion

Ratne raion

Stara Vyzhivka raion

Shatsk raion

**Lutsk public prosecutor's office**

Lutsk city

Lutsk raion

Dnipropetrovsk Oblast

**Dniprodzerzhynsk public prosecutor's office**

Dniprodzerzhynsk town

Krynychky raion

**Dnipropetrovsk public prosecutor's office No.1**

Amur-Nyzhnyodniprovskiy district in Dnipropetrovsk

Industrialnyi district in Dnipropetrovsk

Samarskyi district in Dnipropetrovsk

**Dnipropetrovsk public prosecutor's office No.2**

Babushkynskiy district in Dnipropetrovsk

Zhovtnevyi district in Dnipropetrovsk

Solone raion

**Dnipropetrovsk public prosecutor's office No.3**

Dnipropetrovsk raion

Kirovskiy district in Dnipropetrovsk

**Dnipropetrovsk public prosecutor's office No.4**

Leninskyy district in Dnipropetrovsk

Krasnohvardiiskiy district in Dnipropetrovsk

**Zhovti Vody public prosecutor's office**

Verkhnodniprovsk raion

Vilnohirsk town

Zhovti Vody town

Piatykhatky raion

Sofiyivka raion

**Kryvyi Rig public prosecutor's office No.1**

Dzerzhynskiy district in Kryvyi Rih

Dovhyntsevskiy district in Kryvyi Rih

Inguletskyi district in Kryvyi Rih

**Kryvyi Rig public prosecutor's office No.2**

Zhovtnevyi district in Kryvyi Rih

Kryvyi Rih raion

Ternivskiy district in Kryvyi Rih

Shyroke raion

**Kryvyi Rig public prosecutor's office No.3**

Saksahanskyy district in Kryvyi Rih

Tsentralno-Miskiy district in Kryvyi Rih

**Nikopol public prosecutor's office**

Apostolove raion

Marhanets raion

Nikopol town

Nikopol raion

Ordzhonikidze town

Tomakivka raion

**Novomoskovsk public prosecutor's office**

Mahdalynivka raion

Novomoskovsk town

Novomoskovsk raion

Petrykivka raion

Tsarychanka raion

**Pavlohrad public prosecutor's office**

Pavlohrad city  
Pavlohrad raion  
Petropavlivka raion  
Pershotravensk town  
Ternivka town  
Yurivka raion

**Synelnykove public prosecutor's office**

Vasylkivka raion  
Mezhova raion  
Pokrovske raion  
Synelnykove town  
Synelnykove raion

**Donetsk Oblast**

**Artemivsk public prosecutor's office**

Artemivsk town  
Artemivsk raion  
Debaltseve town

**Volnovakha public prosecutor's office**

Volnovakha raion  
Volodarske raion  
Marinka raion  
Vuhledar town  
Dokuchaievsk town  
Starobesheve raion  
Telmanove raion

**Horlivka public prosecutor's office**

Horlivka town

**Donetsk public prosecutor's office No.1**

Budyonivskyy district in Donetsk  
Kalinynskyy district in Donetsk  
Proletarskyi district in Donetsk

**Donetsk public prosecutor's office No.2**

Voroshylovskyy district in Donetsk  
Kyivskyy district in Donetsk

**Donetsk public prosecutor's office No.3**

Kirovskyy district in Donetsk  
Kuibyshevskyy district in Donetsk

**Donetsk public prosecutor's office No.4**

Lenynskyy district in Donetsk  
Petrovskyy district in Donetsk

**Yenakiieve public prosecutor's office**

Yenakiieve town  
Zhdanivka town  
Khartsyzk town

**Kramatorsk public prosecutor's office**

Kramatorsk town  
Druzhkivka town

**Krasnoarmiisk public prosecutor's office**

Velyka Novosilka raion  
Dymyrov town  
Krasnoarmiisk raion  
Novohrodivka town  
Selydove town

**Kostiantynivka Kostiantynivka public prosecutor's office**

Dzerzhynsk town  
Dobropillia town  
Dobropillia raion  
Kostiantynivka town  
Kostiantynivka raion  
Oleksandrivka raion

**Makiivka public prosecutor's office No.1**

Hirnytskyi district in Makiivka  
Sovjetskyi district in Makiivka  
Centralno-Miskyi district in Makiivka

**Makiivka public prosecutor's office No.2**

Adviiivka town  
Yasynuvata town  
Kirovskyi district in Makiivka  
Chervonohvardiyskyi district in Makiivka

**Mariupol public prosecutor's office No.1**

Zhovtnevyi district in Mariupol  
Prymorskyi district in Mariupol  
Pershotravnevyi raion

**Mariupol public prosecutor's office No.2**

Illichevskyi district in Mariupol  
Novoazovsk raion  
Ordzhonikidzevskyi district in Mariupol

**Sloviansk public prosecutor's office**

Krasnyi Lyman town  
Krasnyi Lyman raion  
Sloviansk town  
Sloviansk raion

**Shakhtarsk public prosecutor's office**

Amvrosiivka raion  
Ilovaisk town  
Kirovske town  
Snizhne town  
Torez town  
Shakhtarsk town  
Shakhtarsk raion

**Zhytomyr Oblast**

**Berdychiv public prosecutor's office**

Andrushivka raion  
Berdychiv town  
Berdychiv raion  
Liubar raion  
Ruzhyn raion  
Chudniv raion

**Zhytomyr public prosecutor's office**

Zhytomyr city  
Zhytomyr raion

**Korosten public prosecutor's office**

Korosten town  
Korosten raion  
Luhyny raion  
Narodychi raion  
Ovruch raion  
Olevsk raion



**Korostyshiv public prosecutor's office**

Brusyliv raion  
Volodarsk-Volynskyi raion  
Korostyshiv raion  
Malyn raion  
Radomyshl raion  
Popilnia raion  
Cherniakhiv raion

**Novohrad-Volynskyi public prosecutor's office**

Baranivka raion  
Romaniv raion  
Yemilchyne raion  
Novohrad-Volynskyi town  
Novohrad-Volynskyi raion  
Chervonoarmiisk raion

**Zakarpattia Oblast**

**Berehove public prosecutor's office**

Berehove town  
Berehove raion  
Vynohradiv raion

**Mukacheve public prosecutor's office**

Volovets raion  
Mukacheve town  
Mukacheve raion  
Svaliava raion

**Tiachiv public prosecutor's office**

Rakhiv raion  
Tiachiv raion

**Uzhhorod public prosecutor's office**

Velykyi Bereznyi raion  
Perechyn raion  
Uzhhorod city  
Uzhhorod raion  
Chop town

**Khust public prosecutor's office**

Irshava raion  
Mizhhirya raion  
Khust town  
Khust raion

**Zaporizhia Oblast**

**Berdyansk public prosecutor's office**

Berdyansk town  
Berdyansk raion  
Kuibysheve raion  
Prymorsk raion  
Rozivka raion  
Chernihivka raion

**Energodar public prosecutor's office**

Vasylkiv raion  
Velyka Bilozerka raion  
Energodar town  
Kamianka-Dniprovska raion  
Mykhailivka raion

**Zaporizhia public prosecutor's office No.1**

Zhovtnevyi district in Zaporizhia

Zavodskiyi district in Zaporizhia

Shevchenkivskiyi district in Zaporizhia

**Zaporizhia public prosecutor's office No.2**

Zaporizhia raion

Komunarskiy district in Zaporizhia

Ordzhonikidzevskiyi district in Zaporizhia

**Zaporizhia public prosecutor's office No.3**

Leninskiy district in Zaporizhia

Khortytskiy district in Zaporizhia

**Melitopol public prosecutor's office**

Melitopol city

Melitopol raion

Pryazovske raion

Yakymivka raion

**Tokmak public prosecutor's office**

Huliaipole raion

Vilniansk raion

Novomykolaivka raion

Orikhiv raion

Polohy raion

Tokmak town

Tokmak raion

**Ivano-Frankivsk Oblast****Ivano-Frankivsk public prosecutor's office**

Ivano-Frankivsk city

**Kalush public prosecutor's office**

Bolekhiv town

Dolyna raion

Kalush town

Kalush raion

Rozhniativ raion

**Kolomyia public prosecutor's office**

Kolomyia town

Kolomyia raion

Kosiv raion

Sniatyn raion

**Nadvirna public prosecutor's office**

Bohorodchany raion

Verkhovyna raion

Nadvirna raion

Yaremche town

**Tysmenytsia public prosecutor's office**

Halych raion

Horodenka raion

Rohatyn raion

Tysmenytsia raion

Tlumach raion

**Kyiv Oblast****Bila Tserkva public prosecutor's office**

Bila Tserkva city

Bila Tserkva raion

Volodarka raion  
Skvyra raion  
Stavysche raion  
Tetiiv raion

**Boryspil public prosecutor's office**

Baryshivka raion  
Berezan town  
Boryspil town  
Boryspil raion  
Zghurivka raion  
Pereiaslav-Khmelnyskyi city  
Pereiaslav-Khmelnyskyi raion  
Yahotyn raion

**Brovary public prosecutor's office**

Brovary city  
Brovary raion  
Ivanivka raion  
Slavutych city  
Poliske raion

**Kiev-Sviatoshyn public prosecutor's office**

Vyshhorod raion  
Vasylkiv town  
Vasylkiv raion  
Kiev-Sviatoshyn raion  
Obukhiv raion  
Makariv Raion

**Kaharlyk public prosecutor's office**

Bohuslav raion  
Kaharlyk raion  
Myronivka raion  
Rzhyschiv city  
Rokytno raion  
Tarashcha raion

**Fastiv public prosecutor's office**

Borodianka raion  
Irpine city  
Fastiv town  
Fastiv raion

**Kirovohrad Oblast**

**Znamianka public prosecutor's office**

Znamianka town  
Znamianka raion  
Mala Vyska raion  
Novomyrhorod raion  
Oleksandriia raion  
Svitlovodsk city  
Svitlovodsk raion

**Kirovohrad public prosecutor's office**

Kirovohrad city  
Kirovohrad raion  
Novoukrainka raion  
Bobrynets raion  
Vilshanka raion  
Haivoron raion

Holovanivsk raion  
Dobrovelychkivka raion  
Novoarkhanhelsk raion  
Novoukrainka raion  
Ulianovka raion

**Oleksandriia public prosecutor's office**

Dolynska raion  
Kompaniivka raion  
Novhorodka raion  
Oleksandriia town  
Oleksandriia raion  
Petrove raion  
Ukstyivka raion

**Luhansk Oblast**

**Alchevsk public prosecutor's office**

Alchevsk city  
Brianka town  
Perevalsk raion

**Krasnyi Luch public prosecutor's office**

Antratsyt town  
Antratsyt raion  
Krasnyi Luch city  
Krasnodon public prosecutor's office  
Krasnodon city  
Krasnodon raion  
Lutuhyne raion

**Lysychansk public prosecutor's office**

Lysychansk city  
Pervomaisk town  
Popasna raion

**Luhansk public prosecutor's office No.1**

Artemivskiyi district in Luhansk  
Kamianobridskiyi district in Luhansk  
Leninskyyi district in Luhansk

**Luhansk public prosecutor's office No.2**

Zhovtnevyi district in Luhansk  
Stanytsia Luhanska raion

**Sverdlovsk public prosecutor's office**

Rovenki town  
Sverdlovsk city  
Sverdlovsk raion

**Severodonetsk public prosecutor's office**

Kreminna raion  
Novoaidar raion  
Rubizhne town  
Severodonetsk city

**Starobilsk public prosecutor's office**

Bilovodsk raion  
Bilokurakyne raion  
Markivka raion  
Milove raion  
Novopskov raion  
Svatove raion  
Starobilsk raion

Troitske raion

**Stakhanov public prosecutor's office**

Kirovsk town

Slovianoserbsk raion

Stakhanov city

**Lviv Oblast**

**Horodok public prosecutor's office**

Horodok raion

Mostyska raion

Yavoriv raion

**Drohobych public prosecutor's office**

Boryslav city

Drohobych city

Drohobych raion

Truskavets city

**Zolochiv public prosecutor's office**

Zolochiv raion

Mykolaiv raion

Peremyshliany raion

**Lviv public prosecutor's office No.1**

Halytskyi district in Lviv

Lychakivskyi district in Lviv

Sykhivskyi district in Lviv

**Lviv public prosecutor's office No.2**

Zaliznychnyi district in Lviv

Shevchenkivskyi district in Lviv

**Lviv public prosecutor's office No.3**

Frankivskyi district in Lviv

Pustomyty raion

**Sambir public prosecutor's office**

Sambir town

Sambir raion

Staryi Sambir raion

Turka raion

**Stryi public prosecutor's office**

Zhydachiv raion

Skole raion

Stryi town

Stryi raion

**Chervonohrad public prosecutor's office**

Zhovkva raion

Sokal raion

Chervonohrad town

**Radekhiv public prosecutor's office**

Radekhiv raion

Brody raion

Busk raion

Kamianka-Buzka raion

**Mykolaiv Oblast**

**Voznesensk public prosecutor's office**

Veselynove raion

Voznesensk town

Voznesensk raion

Domanivka raion

Yelanets raion

Nova Odesa raion

**Mykolaiv public prosecutor's office No.1**

Berezanka raion

Zavodskiyi district in Mylokaiv

Mykolaiv raion

Ochakiv city

Ochakiv raion

Centralnyi district in Mylokaiv

**Mykolaiv public prosecutor's office No.2**

Zhovtnevyi raion

Leninskyi district in Mylokaiv

Korabelnyi district in Mylokaiv

**Pervomaisk public prosecutor's office**

Arbuzyinka raion

Bratske raion

Vradiivka raion

Kryve Ozero raion

Pervomaiskyi town

Pervomaiskyi raion

Yuzhnoukrainsk town

**Bashtanka public prosecutor's office**

Bashtanka raion

Berezhnevate raion

Kazanka raion

Novyi Buh raion

Snihurivka raion

**Odesa Oblast**

**Bilhorod-Dnistrovskiyi public prosecutor's office**

Artsyz raion

Bilhorod-Dnistrovskiyi city

Bilhorod-Dnistrovskiyi raion

Tarutyne raion

Tatarbunary raion

Sarata raion

**Izmail public prosecutor's office**

Bolhrad raion

Izmail city

Izmail raion

Kiliya raion

Reni raion

**Illichivsk public prosecutor's office**

Bilyayivka raion

Illichivsk city

Ovidiopol raion

Teplodar city

**Kotovsk public prosecutor's office**

Ananyiv raion

Balta raion

Kodyma raion

Kotovsk city

Kotovsk raion

Krasni Okny raion

Liubashivka raion

Savran raion

**Kyivsky public prosecutor's office**

Kyivskyi district in Odesa

**Malynovskyi public prosecutor's office**

Malynovskyi district in Odesa

**Prymorskyi public prosecutor's office**

Prymorskyi district in Odesa

**Suvorovskyi public prosecutor's office**

Suvorovskyi district in Odesa

**Kominternivske public prosecutor's office**

Kominternivske raion

Yuzhne town

Mykolaivka raion

Berezivka raion

**Rozdilna public prosecutor's office**

Velyka Mykhailivka raion

Ivanivka raion

Rozdilna raion

Frunzivka raion

Shyriaieve raion

**Poltava Oblast**

**Kobeliaky public prosecutor's office**

Hlobyne raion

Karlivka raion

Kobeliaky raion

Kozelshchyna raion

Mashivka raion

Novi Sanzhary raion

Reshetylivka raion

Chutove raion

**Kremenchuk public prosecutor's office**

Komsomolsk city

Kremenchuk city

Kremenchuk raion

**Lubny public prosecutor's office**

Hrebinka raion

Lokhvytsia raion

Lubny city

Lubny raion

Orzhytsia raion

Pyriatyn raion

Semenivka raion

Khorol raion

Chornukhy raion

**Myrhorod public prosecutor's office**

Velyka Bahachka raion

Hadiach raion

Dykanka raion

Zinkiv raion

Kotelva raion

Myrhorod city

Myrhorod raion

Shyshaky raion

**Poltava public prosecutor's office**

Poltava city  
Poltava raion

**Rivne Oblast****Dobno public prosecutor's office**

Demydivka raion  
Dubno city  
Dubno raion  
Mlyniv raion  
Radyvyliv raion

**Ostroh public prosecutor's office**

Berezne raion  
Hoscha raion  
Zdolbuniv raion  
Korets raion  
Kostopil raion  
Ostroh city  
Ostroh raion

**Rivne public prosecutor's office**

Rivne city  
Rivne raion

**Sarny public prosecutor's office**

Volodymyrets raion  
Dubrovytsia raion  
Zarichne raion  
Kuznetsovsk city  
Rokytno raion  
Sarny raion

**Sumy Oblast****Konotop public prosecutor's office**

Bilopillia raion  
Buryn raion  
Konotop city  
Konotop raion  
Putyvl raion

**Okhtyrka public prosecutor's office**

Velyka Pysarivka raion  
Krasnopillia raion  
Okhtyrka town  
Okhtyrka raion  
Trostianets raion

**Romny public prosecutor's office**

Lebedyn town  
Lebedyn raion  
Lypova Dolyna raion  
Nedryhailiv raion  
Romny town  
Romny raion

**Sumy public prosecutor's office**

Sumy city  
Sumy raion

**Shostka public prosecutor's office**

Hlukhiv town



Hlukhiv raion  
Krolevets raion  
Seredyna-Buda raion  
Shostka city  
Shostka raion  
Yampil raion

**Ternopil Oblast**

**Kremenets public prosecutor's office**

Zbarazh raion  
Kremenets raion  
Lanivtsi raion  
Pidvolochysk raion  
Shumsk raion

**Terebovlia public prosecutor's office**

Berezhany raion  
Buchach raion  
Kozova raion  
Monastyriska raion  
Pidhaitsi raion  
Terebovlia raion

**Ternopil public prosecutor's office**

Zboriv raion  
Ternopil city  
Ternopil raion

**Chortkiv public prosecutor's office**

Borschiv raion  
Husiatyn raion  
Zalishchyky raion  
Chortkiv raion

**Kharkiv Oblast**

**Izium public prosecutor's office**

Borova raion  
Dvorichna raion  
Izium city  
Izium raion  
Kupiansk city  
Kupiansk raion  
Shevchenkove raion

**Lozova public prosecutor's office**

Balakliia raion  
Barvinkove raion  
Blyzniuky raion  
Lozova town  
Lozova raion

**Pervomaiskyi public prosecutor's office**

Zachepylivka raion  
Kehychivka raion  
Krasnohrad raion  
Nova Vodolaha raion  
Pervomaiskyi town  
Pervomaiskyi raion  
Sakhnovschyna raion

**Kharkiv public prosecutor's office No.1**

Dzerzhynskiy district in Kharkiv  
Leninskyi district in Kharkiv

**Kharkiv public prosecutor's office No.2**

Zhovtnevyi district in Kharkiv

Kyivskiy district in Kharkiv

**Kharkiv public prosecutor's office No.3**

Frunzenskyi district in Kharkiv

Ordzhonikidzevskiy district in Kharkiv

**Kharkiv public prosecutor's office No.4**

Moskovskiy district in Kharkiv

**Kharkiv public prosecutor's office No.5**

Kominternivskiy district in Kharkiv

Chervonozavodskiy district in Kharkiv

**Kharkiv public prosecutor's office No.6**

Kharkiv raion

**Liubotyn public prosecutor's office**

Bohodukhiv raion

Valky raion

Derhachi raion

Zolochiv raion

Kolomak raion

Krasnokutsk raion

Liubotyn town

**Chuhuiv public prosecutor's office**

Velykyi Burluk raion

Vovchansk raion

Zmiiv raion

Pechenihy raion

Chuhuiv town

Chuhuiv raion

**Kherson Oblast**

**Beryslav public prosecutor's office**

Beryslav raion

Bilozerka raion

Velyka Oleksandrivka raion

Vysokopillia raion

Novovorontsovka raion

**Henichesk public prosecutor's office**

Henichesk raion

Ivanivka raion

Novotroitske raion

Chaplynka raion

**Kakhovka public prosecutor's office**

Velyka Lepetykha raion

Verkhniy Rohachyk raion

Hornostaivka raion

Kakhovka town

Kakhovka raion

Nyzhni Sirohozy raion

**Nova Kakhovka public prosecutor's office**

Hola Prystan raion

Kalanchak raion

Nova Kakhovka town

Skadovsk raion

Tsiurupynsk raion

**Kherson public prosecutor's office**

Kherson city

**Khmelnyskyi Oblast**

**Horodok public prosecutor's office**

Vinkivtsi raion

Volochysk raion

Horodok raion

Chemerivtsi raion

Yarmolyntsi raion

**Kamianets-Podilskyi public prosecutor's office**

Dunaivtsi raion

Kamianets-Podilskyi city

Kamianets-Podilskyi raion

Nova Ushytsia raion

**Starokostiantyniv public prosecutor's office**

Bilohiria raion

Krasyliv raion

Letychiv raion

Starokostiantyniv town

Starokostiantyniv raion

Stara Syniava raion

Teofipol raion

**Khmelnyskyi public prosecutor's office**

Khmelnyskyi city

Derazhnia raion

Letychiv raion

Khmelnyskyi raion

**Shepetivka public prosecutor's office**

Iziaslav raion

Netishyn town

Polonne raion

Slavuta town

Slavuta raion

Shepetivka town

Shepetivka raion

Cherkasy Oblast

**Zvenyhorodka public prosecutor's office**

Vatutine town

Zvenyhorodka raion

Katerynopil raion

Korsun-Shevchenkivskyi raion

Lysianka raion

Talne raion

**Zolotonosha public prosecutor's office**

Drabiv raion

Zolotonosha town

Zolotonosha raion

Kaniv city

Kaniv raion

Chornobai raion

**Smila public prosecutor's office**

Horodysche raion

Kamianka raion

Smila town

Smila raion

Chyhyryn raion

Polyansky raion

**Uman public prosecutor's office**

Zhashkiv raion

Mankivka raion

Monastyrysche raion

Uman city

Uman raion

Khrystynivka raion

**Cherkasy public prosecutor's office**

Cherkasy city

Cherkasy raion

**Chernivtsi Oblast**

Storozhynets public prosecutor's office

Hertsya raion

Hlyboka raion

Novoselytsia raion

Storozhynets raion

**Kelmentsi public prosecutor's office**

Kelmentsi raion

Novodnistrovsk town

Sokyriany raion

Khotyn raion

**Kitsman public prosecutor's office**

Vyzhnytsia raion

Putyla raion

Kitsman raion

**Zastavna raion**

**Chernivtsi public prosecutor's office**

Chernivtsi city

**Chernihiv Oblast**

**Mena public prosecutor's office**

Horodnia raion

Korop raion

Koriukivka raion

Mena raion

Novhorod-Siverskyi raion

Semenivka raion

Sosnytsia raion

Shchors raion

**Nizhyn public prosecutor's office**

Bobrovytsia raion

Borzna raion

Kozelets raion

Kulykivka raion

Nizhyn town

Nizhyn raion

Nosivka raion

**Pryluky public prosecutor's office**

Bakhmach raion

Varva raion  
Ichnia raion  
Pryluky town  
Pryluky Raion raion  
Sribne raion  
Talalaivka raion  
**Chernihiv public prosecutor's office**  
Chernihiv city  
Ripky raion  
Chernihiv raion  
**Sevastopol public prosecutor's office**  
**Sevastopol city**

**Kyiv city**  
**Kyiv public prosecutor's office No.1**  
Holosiivskyi district in Kyiv  
**Kyiv public prosecutor's office No.2**  
Darnytskyi district in Kyiv  
**Kyiv public prosecutor's office No.3**  
Desnianskyi district in Kyiv  
**Kyiv public prosecutor's office No.4**  
Dniprovskyi district in Kyiv  
**Kyiv public prosecutor's office No.5**  
Obolonskyi district in Kyiv  
**Kyiv public prosecutor's office No.6**  
Pecherskyi district in Kyiv  
**Kyiv public prosecutor's office No.7**  
Podilskyi district in Kyiv  
**Kyiv public prosecutor's office No.8**  
Sviatoshynskyi district in Kyiv  
**Kyiv public prosecutor's office No.9**  
Solomianskyi district in Kyiv  
**Kyiv public prosecutor's office No.10**  
Shevchenkivskyi district in Kyiv

## Appendix 2

### List of military public prosecutor's offices

#### **Military public prosecutor's office of the Central region of Ukraine:**

Military public prosecutor's office of Kyiv garrison  
Military public prosecutor's office of Kharkiv garrison  
Military public prosecutor's office of Zhytomyr garrison  
Military public prosecutor's office of Darnytskyi garrison  
Military public prosecutor's office of Vinnytsia garrison  
Military public prosecutor's office of Poltava garrison  
Military public prosecutor's office of Sumy garrison  
Military public prosecutor's office of Cherkasy garrison  
Military public prosecutor's office of Chernihiv garrison  
Military public prosecutor's office of Bila Tserkva garrison  
Military public prosecutor's office of Desnianskyi garrison

**Military public prosecutor's office of the Southern region of Ukraine:**

Military public prosecutor's office of Odesa garrison  
Military public prosecutor's office of Dnipropetrovsk garrison  
Military public prosecutor's office of Mykolaiv garrison  
Military public prosecutor's office of Zaporizhia garrison  
Military public prosecutor's office of Donetsk garrison  
Military public prosecutor's office of Bilhorod-Dnistrovskyi garrison  
Military public prosecutor's office of Luhansk garrison  
Military public prosecutor's office of Kirovohrad garrison  
Military public prosecutor's office of Kryvyi Rih garrison  
Military public prosecutor's office of Kherson garrison

**Military public prosecutor's office of the Western Ukraine:**

Military public prosecutor's office of Lviv garrison  
Military public prosecutor's office of Khmelnytskyi garrison  
Military public prosecutor of Ivano-Frankivsk garrison  
Military public prosecutor's office of Rivne garrison  
Military public prosecutor's office of Zakarpattia garrison  
Military public prosecutor's office of Volyn garrison  
Military public prosecutor's office of Ternopil garrison  
Military public prosecutor's office of Chernivtsi garrison