

ANTI-CORRUPTION POLICY AND ITS ADAPTATION TO MARTIAL LAW CONDITIONS

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INTRODUCTION

The imposition of martial law in Ukraine has fundamentally reshaped the functioning of public administration and legal institutions. In this context, anti-corruption policy has acquired new dimensions of urgency, complexity, and constitutional significance. The wartime conditions not only intensified the risks of corruption but also required a systematic revision of legal mechanisms for ensuring transparency, accountability, and ethical governance. This chapter explores how Ukraine's anti-corruption policy has been restructured and legally adapted to meet the exceptional challenges of national defense and institutional resilience.

The introduction of martial law in Ukraine, formalized by the Law of Ukraine "On the Legal Regime of Martial Law" of May 12, 2015¹, and the Presidential Decree "On the Imposition of Martial Law in Ukraine" dated February 24, 2022², entailed significant transformations in the functioning of the legal system. Martial law is not merely an emergency measure; it establishes a distinct legal regime, which affects the architecture of public governance and demands profound institutional and normative adjustment. One of the most dynamically affected spheres under this regime has been the anti-corruption policy.

The domain of anti-corruption, which in the decade prior to the war had undergone deep institutionalization, became the subject of urgent legal and procedural revision. The wartime legal environment required prompt responses to ensure both the continuity of control mechanisms and their compatibility with operational limitations and military secrecy. These changes directly impacted the system of electronic declarations, the procedures for reporting significant changes in assets, the obligation to declare foreign accounts, the conduct of anti-corruption inspections, and the scope of ethical and administrative restrictions imposed on public officials. Many of these elements were reconfigured by way of legislative amendments,

¹ Про правовий режим воєнного стану: Закон України від 12 травня 2015 р. / Верховна Рада України. *Відомості Верховної Ради України*. 2015. № 28. Ст. 250.

² Про введення воєнного стану в Україні : Указ Президента України від 24 лютого 2022 року № 64/2022. Президент України. *Голос України*. 2022. № 37.

interpretative clarifications issued by the National Agency for Prevention of Corruption (NAPC), or de facto regulatory forbearance shaped by necessity.

The shifting legal landscape also influenced the mandates and practical capacities of key anti-corruption institutions: the NAPC, the National Anti-Corruption Bureau of Ukraine (NABU), the Specialized Anti-Corruption Prosecutor's Office (SAPO), the High Anti-Corruption Court, the civil service management system, and the broader structure of administrative oversight. Wartime realities limited the reach of traditional accountability instruments while simultaneously increasing the risk of abuse, mismanagement, and selective discretion in the use of public power and resources.

Corruption in Ukraine has long functioned as both a consequence and a cause of institutional fragility. As a covert form of exploiting public office for private gain, it emerged as a systemic threat from the earliest years of state independence. Legislative efforts to confront corruption date back to 1995, when Ukraine adopted its first anti-corruption law. Yet the limited efficiency of that law soon became apparent, prompting successive waves of reform. The Laws of 2009 and 2011 introduced more sophisticated regulatory frameworks, expanding the catalogue of corruption-related offenses and articulating principles of liability and institutional responsibility. These efforts, however, lacked analytical grounding and enforcement consistency.

The adoption of the Law of Ukraine "On the Prevention of Corruption"³ in October 2014 marked a turning point. For the first time, anti-corruption policy was conceptualized as a structured system of prevention and integrity-building, rather than merely a punitive response to misconduct. The law created a normative infrastructure for conflict-of-interest regulation, financial control, whistleblower protection, and the formation of a public service ethos grounded in accountability. Parallel institutional reforms led to the establishment of NABU, SAPO, and eventually the High Anti-Corruption Court, forming an integrated system focused on the so-called "top corruption".

At the theoretical level, these changes reflect the shift from a reactive to a preventive model of public law enforcement. Anti-corruption policy is now understood as a cross-cutting public policy domain that combines elements of administrative, criminal, constitutional and governance law. Its purpose extends beyond sanctioning violations: it seeks to create an ethical and legal infrastructure in which corruption becomes institutionally costly, procedurally difficult, and socially unacceptable.

³ Про запобігання корупції: Закон України від 14 жовтня 2014 р. / Верховна Рада України. *Відомості Верховної Ради України*. 2014. № 49. Ст. 2056.

However, the full-scale war launched by the Russian Federation in 2022 necessitated a new level of conceptual and practical adjustment. Legal adaptation became the guiding paradigm for reform under exceptional conditions. Adaptation, in this context, does not imply suspension or erosion of norms. Rather, it means recalibrating regulatory requirements to ensure their enforceability and legitimacy in a radically altered environment. Wartime adaptation of anti-corruption law, thus, includes both legislative innovation and pragmatic reinterpretation of existing duties and mechanisms.

This chapter explores the evolution of anti-corruption policy in Ukraine through the lens of legal adaptation in wartime. It begins with an analysis of the conceptual foundations of anti-corruption policy, proceeds to examine the nature of legal adaptation as a legal phenomenon, and then considers how these frameworks interact under the conditions of martial law. By doing so, it seeks to contribute to the broader understanding of how law remains operative, principled, and resilient even amidst institutional crisis and existential national threats.

1. Research

The wartime context has prompted a re-evaluation of both the theoretical underpinnings and institutional practices of anti-corruption policy in Ukraine. Research into this domain requires an integrated approach that combines legal doctrine with empirical institutional analysis. In this section, we examine, first, the conceptual and normative transformation of anti-corruption policy as a system of public governance, and second, the institutional capacity, operational sustainability, and strategic vulnerabilities of the anti-corruption framework under martial law. Together, these two dimensions reveal how the Ukrainian legal system continues to pursue integrity and legality amidst conditions of crisis and constraint.

1.1. Doctrinal Bases of Anti-Corruption Policy and Legal Transformation

Understanding the doctrinal foundations of anti-corruption policy is essential to grasp how Ukraine's legal system has evolved in response to systemic corruption and institutional fragility. Over the past three decades, anti-corruption regulation in Ukraine has undergone a series of normative shifts, moving from declarative prohibitions to structured frameworks of prevention, control, and accountability. These developments reflect not only internal administrative reforms, but also the influence of international standards and democratic consolidation. In wartime, the doctrinal core of anti-corruption policy serves as the reference point for legal adaptation, ensuring continuity of integrity-based governance despite extraordinary circumstances.

Anti-corruption policy is a system of purposeful legal, institutional, organizational, informational and educational measures implemented by public authorities, local governments and civil society actors to prevent, detect and counteract corruption, as well as to eliminate its consequences. It encompasses both regulatory and practical dimensions and aims to ensure the integrity of public administration, protect public resources, and strengthen the rule of law.

The doctrinal interpretation of anti-corruption policy in Ukraine has undergone a notable evolution. At the initial stage, the policy was largely reactive, limited to the formal adoption of laws and declarations of intent. Gradually, especially since the adoption of the Law of Ukraine "On the Prevention of Corruption" in 2014, a preventive and systematic approach began to prevail. According to this law, the anti-corruption policy consists of a set of principles and specific mechanisms aimed at: (a) preventing the abuse of public office; (b) ensuring transparency and accountability in public service; (c) regulating conflicts of interest; (d) monitoring asset declarations; and (e) protecting whistleblowers.

Anti-corruption policy is not a self-contained legal institution, but rather a cross-sectoral public policy that integrates elements of administrative law, criminal law, constitutional law and public governance. It is closely linked to the functioning of such institutions as the National Agency on Corruption Prevention (NACP), the National Anti-Corruption Bureau (NABU), the Specialized Anti-Corruption Prosecutor's Office (SAPO), and the High Anti-Corruption Court.

In the context of martial law, anti-corruption policy acquires additional specificity. On the one hand, national security imperatives demand operational flexibility and a possible shift in regulatory priorities. On the other hand, the risk of weakening democratic control and the concentration of power in the hands of executive authorities requires a heightened focus on ensuring transparency and legality in decision-making. Therefore, wartime anti-corruption policy must balance the necessity of state defense with the protection of ethical standards and constitutional guarantees.

Thus, the concept of anti-corruption policy under martial law should be understood not only as a legal mechanism for combating abuses, but also as a means of preserving institutional trust, ensuring civic resilience, and upholding the legitimacy of power in exceptional conditions.

Legal adaptation is the process by which a legal system responds to significant changes in the social, political or institutional environment. This process involves the transformation of laws, legal doctrines, and enforcement procedures in order to maintain the coherence and functionality of the legal system under altered circumstances. Adaptation may take place gradually—through the reinterpretation of existing norms or the soft evolution of

administrative practices – or more radically, through deliberate legal reforms prompted by critical situations. In all cases, legal adaptation reflects the law's capacity for flexibility without sacrificing its internal logic and normative legitimacy.

In democratic systems, legal adaptation must always remain within the boundaries of constitutional principles and fundamental rights. It is not simply a reaction to crises, but a structured and legitimate response, which allows the legal order to remain stable yet responsive. In this sense, legal adaptation embodies both continuity and change: it maintains the core of legal identity while adjusting institutional forms and regulatory methods to shifting realities.

In the context of martial law, legal adaptation acquires specific and urgent features. Martial law transforms the legal regime of the state, concentrates executive powers, restricts civil liberties, and alters the functioning of public institutions. Under such conditions, traditional anti-corruption mechanisms often prove inoperative or inadequate. The emphasis of governance shifts toward security and survival, while transparency and accountability may be deprioritized or constrained by necessity. However, precisely in such times the risk of abuse of power increases, and the demand for integrity and legality becomes more acute.

In Ukraine, the legal adaptation of anti-corruption policy during martial law has not been reduced to suspension or dismantling. Instead, it has taken the form of selective reconfiguration. New interpretative guidelines have been introduced by the National Agency on Corruption Prevention to reflect wartime conditions. The regulation of asset declarations has been adjusted to account for property acquired or lost due to hostilities. Procedural obligations have been temporarily eased or postponed, especially in regions affected by active combat. These changes have not eliminated the core duties of public officials but have adapted them to the circumstances of war, ensuring that the legal framework remains applicable and proportionate.

Thus, legal adaptation under martial law is a dynamic process. It does not negate the anti-corruption function of the state but reformulates its implementation. The Ukrainian experience shows that a wartime legal order can retain its normative integrity while adjusting technical instruments to extraordinary situations. In this way, anti-corruption policy continues to function as a mechanism of institutional trust, legality and public accountability, even under the extreme conditions of national defense.

The vulnerability of the Ukrainian bureaucracy to interventions of corruption temptations proved to be an urgent and painful problem already in the initial stages of building state independence. From the very beginning of institutional transition in the 1990s, the newly formed administrative apparatus operated under conditions of normative uncertainty, institutional

fragmentation, and weak public accountability. Many bureaucratic structures inherited from the Soviet administrative tradition lacked clear legal mandates, ethical standards, and mechanisms of external oversight, which created fertile ground for the discretionary use of power and informal networks of influence.

The absence of consistent public service reform, coupled with political volatility and insufficient control mechanisms, contributed to the rapid proliferation of corruption practices at all levels of governance—from routine administrative interactions to strategic decision-making. The emergence of a privatized state logic, wherein access to public resources was informally distributed through personal loyalty and rent-seeking arrangements, further eroded the principle of impartiality in public service.

As a result, corruption did not remain a marginal phenomenon but became embedded in the functional logic of the bureaucracy, distorting the goals and procedures of administration, undermining the legitimacy of state institutions, and weakening the trust of citizens in the law. This early entrenchment of corruption posed a serious challenge to democratic consolidation and rule-of-law development, making anti-corruption reform a necessary, though continuously delayed, component of Ukraine's post-Soviet state-building process.

The first law on combating corruption was adopted in Ukraine in 1995. It was aimed at preventing corruption, identifying and crossing its manifestations, restoring the legitimate rights and interests of individuals and legal entities, eliminating the consequences of corrupt acts. Analysis of the practice of its application has shown that further strengthening of anti-corruption efforts is impossible without further reforms of the regulatory framework.

This led to the development of a new legislative act. As a result, in April 2011 the Law of Ukraine "On the Principles of Preventing and Combating Corruption" was adopted. It defined the basic principles: a) prevention and combating corruption in the public and private spheres of public relations, b) compensation for the damage caused by corruption offenses, c) restoration of violated rights, freedoms or interests of individuals, d) rights or interests of legal entities, e) interests of the state.

In October and November of that year, the "State Program to Prevent and Combat Corruption for 2011-2015" and the "National Anti-Corruption Strategy for 2011-2015" were adopted consecutively. Unfortunately, both documents were not based on substantive research and analysis of previous efforts. In this period, regular corruption studies, which would have provided an analytical basis for monitoring the implementation of the anti-corruption strategy and its future updates, were not conducted. The Central Election Commission, the Chamber of Accounts, the courts, and the Prosecutor's Office were left out of their focus. There were no links to other relevant

reforms, which are important in terms of eliminating the preconditions for corruption or creating effective tools for bringing perpetrators to justice: reforms of the law enforcement system, judiciary, external audit, etc. In addition, the State Program lacked clear, measurable, achievable, relevant and time-limited indicators of implementation of its tasks. The indicators themselves had no qualitative basis and were formal ("report and proposals", "corresponding legal act", "conducted seminars", "annual report", etc.). In fact, they were process-oriented only, so even their full implementation could not lead to any significant changes and ensure the achievement of objectives⁴.

Therefore, it was quite natural and reasonable to decide to develop a new anti-corruption legislative act. Such a document was adopted on October 14, 2014. It was the current Law "On Prevention of Corruption".

The law synchronized anti-corruption policy and legislation, based on the current economic and socio-legal situation. With its adoption, the normative regulation of the anti-corruption mechanism evolved, a consistent improvement of the institutional system through new preventive mechanisms began.

Thus, the main components of the preventive anti-corruption system, according to this Law, are: 1) the functioning of the National Agency for the Prevention of Corruption, a specialized body for the prevention of corruption; 2) rules for the formation and implementation of anti-corruption policy; 3) anti-corruption restrictions: a) regarding the use of one's official position, b) receiving gifts, c) combining jobs and combining with other activities, d) joint work of close persons related to the performance of state or local government functions; 4) prevention and settlement of conflicts of interest; 5) special anti-corruption tools: a) anti-corruption expertise, b) a special anti-corruption audit, c) the Unified State Register of Persons Who Committed Corruption or Corruption-Related Offenses, d) requirements for transparency of information and access to it; 6) protection of whistleblowers (persons who report facts of corruption) from unlawful dismissal, transfer, changes in the essential terms of the employment contract); 7) legal liability for corruption and corruption-related offences; 8) elimination of the consequences of corruption offenses: a) cancellation of acts, b) recognition of transactions as void, c) compensation for losses in court; 9) international cooperation.

⁴ Anti-corruption reforms in Eastern Europe and Central Asia: Progress and challenges 2013–2015. Ukraine. *OECD*. 2016. September 14. URL: <https://www.oecd.org/corruption/acn/istanbulactionplancountryreports.htm>

1.2. Institutional Resilience, Risk Management, and Strategic Challenges

The functioning of anti-corruption institutions under martial law is a critical indicator of the state's ability to maintain legal order, accountability, and democratic legitimacy in conditions of national emergency. While the normative framework provides the formal basis for anti-corruption efforts, it is the institutional architecture that ensures their implementation in practice. In wartime, this architecture is exposed to intensified operational pressures, legal uncertainty, and increased risks of political interference. This section examines the capacity of Ukraine's anti-corruption bodies to remain operationally resilient, identifies key vulnerabilities in the enforcement system, and explores the broader strategic challenges facing integrity-based governance during and after the war.

In accordance with the Law of 2014 "On the Prevention of Corruption" and in the development of its provisions, important transformations took place in the system of organizationally structured anti-corruption institutions.

First of all, it should be noted the creation of the National Agency for the Prevention of Corruption as a central executive body with a special status. Its main functions were: ensuring the formation and implementation of anti-corruption policy with the involvement of the public; analysis and study of the situation with corruption; development, monitoring and coordination of the implementation of the Anti-Corruption Strategy and the state program for its implementation; monitoring and control over the implementation of acts of legislation on professional ethics and conflicts of interest; coordination and methodological assistance in identifying and eliminating corruption risks; implementation of financial control, verification of declarations, monitoring of the lifestyle of persons authorized to perform the functions of the state or local government; approval of the rules of ethical behavior of civil servants and officials of local self-government; cooperation with whistleblowers, taking measures for their legal protection; providing methodological and advisory assistance on the application of anti-corruption legislation; implementation of international cooperation in the field of anti-corruption policy.

At the same time, the Agency received the right to demand the necessary information from the governing bodies; make binding instructions (to eliminate violations of the implementation of anti-corruption legislation); apply to law enforcement agencies with mandatory conclusions regarding the identified signs of offenses; apply to the court with claims (applications) to declare illegal legal acts, individual decisions, invalidate transactions issued (accepted, concluded) as a result of violation of anti-corruption legislation) have access to databases of state and other bodies (for financial control, in particular for checking declarations).

In the format of the implementation of anti-corruption legislation, the following were also created: the National Anti-Corruption Bureau of Ukraine⁵; Specialized Anti-Corruption Prosecutor's Office; State Bureau of Investigation⁶.

In the mechanism of combating corruption, these structures interact with each other, with other law enforcement agencies, the executive branch, local self-government, and civil society actors.

The National Anti-Corruption Bureau of Ukraine was established as a state law enforcement agency with broad enforcement powers. It is he who is entrusted with the duty of direct prevention, detection, suppression and disclosure of corruption crimes that are committed by senior officials authorized to perform the functions of the state or local self-government, and constitute a threat to national security. To this end, the National Bureau carries out operational-search activities; conducts a pre-trial investigation of criminal offenses related to its jurisdiction, as well as conducts a pre-trial investigation of other criminal offenses in cases specified by law; takes measures to search for and seize funds and other property that may be subject to confiscation or special confiscation for criminal offenses related to the jurisdiction of the National Bureau; interacts with other state bodies, local governments and other entities to fulfill their duties; carries out information and analytical work in order to identify and eliminate the causes and conditions that contribute to the commission of criminal offenses attributed to the jurisdiction of the National Bureau; provides confidentiality and voluntary cooperation with persons who report corruption offences.

The Specialized Anti-Corruption Prosecutor's Office was created as part of the General Prosecutor's Office of Ukraine as an independent Department. Its leader is also the Deputy Prosecutor General of Ukraine. The main areas of activity of the Anti-Corruption Prosecutor's Office include: supervision over compliance with laws in the conduct of operational-search activities, preliminary investigation by the National Anti-Corruption Bureau of Ukraine; participation in the consideration by the courts of the petitions of detectives and prosecutors during the pre-trial investigation; participation in the judicial review of criminal proceedings investigated by detectives of the National Anti-Corruption Bureau of Ukraine.

The State Bureau of Investigation has the status of a state law enforcement body and exercises its powers directly and through territorial administrations. The State Bureau of Investigation solves the tasks of preventing, detecting, suppressing, disclosing and investigating crimes committed by officials who

⁵ Про Національне антикорупційне бюро України: Закон України від 14 жовтня 2014 р. / Верховна Рада України. *Відомості Верховної Ради України*. 2014. № 47. Ст. 2051.

⁶ Про Державне бюро розслідувань: Закон України від 12 листопада 2015 р. / Верховна Рада України. *Відомості Верховної Ради України*. 2015. № 6. Ст. 55.

occupy a particularly responsible position in the public service; judges and law enforcement officials; officials of the National Anti-Corruption Bureau of Ukraine, the Deputy Prosecutor General, the head of the Specialized Anti-Corruption Prosecutor's Office or other prosecutors of the Specialized Anti-Corruption Prosecutor's Office.

The law of 2014 introduced significant changes to the regulatory framework for the institution of whistleblowers, anti-corruption expertise of legal acts; conflict of interest; information support for anti-corruption activities; special check and others.

Important changes have been made to the Criminal Code. For the first time in the history of Ukraine, it presents a list of corruption criminal offenses and states that the perpetrators of them are subject to a number of restrictions and prohibitions.

Thus, they cannot be released from criminal liability: in connection with repentance (Article 45); in connection with the reconciliation of the perpetrator with the victim (Article 46); in connection with bail (Article 47); in connection with a change in the situation (Article 48); they cannot be given a more lenient punishment; than provided by law (Article 69); the court does not have the right to release such a person from punishment in connection with the loss of public danger by the act (part 4 of article 74); release from serving a sentence with a trial (part 1 of article 75; article 79) or on the basis of an amnesty (part 4 of article 86); the terms of the actual serving of the sentence have been increased; appointed by the court for a corruption offense; for parole (art. 81); replacement of the unserved part of the punishment with a milder one (Article 82); pardon (part 3 of article 87); a conviction for committing a corruption offense cannot be prematurely dismissed by the court (part 2 of article 91).

The Code of Administrative Offenses⁷ was supplemented with Chapter 13-A "Administrative Offenses Related to Corruption". It contains norms providing for responsibility for: violation of restrictions on part-time employment and combination with other types of activity (Article 172-4); violation of legal restrictions regarding the receipt of gifts (art. 172-5); violation of financial control requirements (art. 172-6); violation of the requirements for the prevention and settlement of conflicts of interest (art. 172-7); illegal use of information that became known to a person in connection with the performance of official or other powers determined by law (Article 172-8); violation of the restrictions established by law after the termination of the powers of a member of the national commission that

⁷ Кодекс України про адміністративні правопорушення: Закон України від 07 грудня 1984 р. / Верховна Рада Української РСР. *Відомості Верховної Ради Української РСР*. 1984. № 51. ст. 1122.

carries out state regulation in the field of energy and utilities (Article 172-8-1); failure to take measures to combat corruption (art. 172-9); violation of the prohibition on placing bets on sports related to the manipulation of an official sports competition (art. 172-9-1); violation of legislation in the field of environmental impact assessment (art. 172-9-2).

As a result of these transformations, there are reasons to note some positive trends in combating corruption.

Thus, sociological studies have recorded a noticeable decrease in the proportion of citizens who have direct experience of involvement in corrupt relations. In 2013, 60 percent of respondents had it, and largely thanks to these data, in April 2017, the international audit company EY ranked Ukraine in first place in the world in terms of corruption among 41 countries surveyed (including from Africa). By the beginning of 2022, less than 40 percent of the citizens surveyed indicated its presence.

There is also some improvement in the comparative indicators of the level of corruption, which is recorded in a special rating by the international organization "Transparency International". According to her, in the period from 2013 to 2019, it increased from 25 to 30 points. In 2021, Ukraine received 33 points and took 117th place out of 180 countries, which is 3 points better than the previous indicators.

However, this progress does not satisfy society. Citizens perceive it as too slow, and corruption is recognized as one of the most important problems. In scientific publications on this issue, it is noted that annually, experts estimate the loss of the state budget from the illegal activities of the shadow business in Ukraine at UAH 12-13 billion.

The reluctance of foreign investors to invest in the Ukrainian economy is mainly due to corruption, since the amount of bribes usually equals the amount of capital invested in the business. Corrupt bureaucracy has turned into a kind of all-powerful monster.

The impression is that it is in the interests of the bureaucracy that laws are adopted and amended. The official is omnipotent and unpunished. And in the country now there is no real force, including in the highest echelons of power, which would be able to curb bureaucratic arbitrariness⁸.

According to a survey conducted in early 2020, corruption-driven social tensions were seen as tantamount to the Donbass crisis. The slow pace of implementation of anti-corruption policy in Ukraine significantly slows down its economic growth. The prevalence of corruption and distrust in the main instruments of counteraction (regulatory support, organizational and legal

⁸ Колпаков В., Ковбас І. Реалізація прав людини і громадянина в адміністративно-правових відносинах. *Актуальні проблеми вдосконалення чинного законодавства України*. 2025. № 67. С. 1.1–1.13. DOI: <https://doi.org/10.15330/apiclu.67.1.1-1.13>.

institutions, research support, control by non-governmental organizations) are diagnosed by civil society as a dominant obstacle to improving living standards, progress in combating the pandemic, the effectiveness of education, and attracting people to the country. investment.

Returning to positive changes, we note that progress in minimizing corruption risks is correlated with: a) the start of work of the Supreme Anti-Corruption Court with appropriate jurisdiction; b) rebooting the National Agency for the Prevention of Corruption; c) modernization of legal regulation; d) improvement of law enforcement practice.

The update of the anti-corruption policy and its regulatory support is associated with the new Anti-Corruption Strategy for 2020-2024, which is currently under consideration in the Verkhovna Rada of Ukraine (draft law No. 4135 "On the Fundamentals of the State Anti-Corruption Policy for 2020-2024").

The draft, among other measures, provides for the need to ensure the inevitability of legal liability for corruption and corruption-related offences. In particular, we are talking about disciplinary, administrative and criminal liability

The institution of disciplinary responsibility as the main mechanism for ensuring compliance with the rules of ethical behavior by public servants is characterized by a high anti-corruption potential, since it allows to remove from the performance of the functions of the state or local government persons who grossly or systematically violate their duties. However, Ukraine has not yet been able to fully realize the potential of this institution. In this regard, the novelties of subsection 4.1 of the draft are primarily aimed at improving the provisions of the legislation regarding the grounds and procedure for bringing persons to disciplinary responsibility for committing corruption and corruption-related offences.

One of the most effective mechanisms for ensuring compliance with the rules, procedures, prohibitions and restrictions established by anti-corruption legislation (violation of which constitutes a corruption offense) is a properly functioning system of administrative responsibility measures. The Code of Ukraine on Administrative Offenses still provides for liability for most of these violations, but the practice of implementing the relevant provisions of administrative legislation shows that the security and deterrent (preventive) effect of these mechanisms is minimal. Based on this, subsection 4.2 of the draft contains recommendations to ensure the inevitability of administrative liability by improving the grounds and procedural means of bringing to administrative liability.

In order to effectively combat corruption and corruption-related crimes in Ukraine, the system of norms that provided for the grounds for criminal liability for committing such crimes was radically changed, which is now

generally consistent with international standards in this area. At the same time, for a number of objective and subjective reasons, it has not yet been possible to ensure a high level of inevitability of criminal liability for committing corruption and corruption-related crimes. Based on this, the provisions of subsection 4.3 are aimed at achieving the following main results: improvement of legislation that establishes criminal liability for committing corruption and corruption-related criminal offenses (harmonization of the provisions of the Criminal Code of Ukraine with the Law of Ukraine "On the Prevention of Corruption", increasing the statute of limitations for liability for such crimes, harmonization and slight increase in sanctions, etc.); ensuring stable and predictable investigative and judicial practice in relevant proceedings; improvement of the provisions of the criminal procedural legislation; ensuring the effective operation of the National Anti-Corruption Bureau of Ukraine, the Specialized Anti-Corruption Prosecutor's Office and their interaction with other bodies; increasing the effectiveness of countering the legalization of assets obtained by criminal means, as well as the return of such assets; ensuring the continuity of the trial of criminal proceedings and the stability of judicial practice in such cases.

Thus, all the factors that contributed to the progress of anti-corruption efforts are somehow related to qualitative changes in the regulatory framework for combating corruption.

Thus, at the crossroads to martial law, the anti-corruption mechanism turned out to be institutionally formed and legally systematized. Its adaptation to the new conditions has become an important vector for the introduction and provision of measures for the legal regime of martial law in Ukraine.

All components of this mechanism have been adjusted accordingly, but the most structured impact has been on the declaration of financial and property assets of public servants.

First, the requirements for declaring property and funds received for assistance to: a) the security and defense forces of Ukraine have been amended; b) persons who have suffered as a result of aggression. Naturally, such funds and property are not the personal income of the declarant. Therefore, it is considered fair that they are not subject to reflection in the declaration

Secondly, the requirements for the submission of notifications of "significant changes in property status" have been adjusted. Significant changes in property status of the Law of Ukraine "On Prevention of Corruption" of 14.10.2014, recognizes: a) income; b) acquisition of property c) expenditure in the amount exceeding 50 subsistence minimums (established for able-bodied persons).

According to this law, the subjects of declaration (persons referred to in paragraph 1, paragraphs "a" and "c" of paragraph 2, part 1 of Article 3) are obliged to notify the National Agency for Prevention within 10 days corruption about "significant changes in property status".

In terms of the Law of Ukraine "On the legal regime of martial law" of 12.05.2015 and the Decree of the President of Ukraine "On the imposition of martial law in Ukraine" of 24.02.2022 National Agency for Prevention of Corruption recognized the right to suspend corruption about "significant changes in property status".

Third, the National Agency for the Prevention of Corruption clarified the declaration of movable enemy property obtained in combat by the declarant.

In this case, the requirement to declare movable property worth more than 100 subsistence minimums is adjusted, regardless of the form of the transaction for its acquisition.

In this regard, the National Agency for the Prevention of Corruption explains the following. Enemy property obtained in battle by the subject of the declaration shall not be reflected in the declaration on such grounds. First, it was acquired not as a result of a transaction, but in connection with the protection of the state in accordance with the above regulations. Secondly, the assessment of such objects in accordance with the Law of Ukraine of 12.07.2001. "On the valuation of property, property rights and professional valuation activities in Ukraine" in order to determine whether their value exceeds the declaration threshold is impossible. At the same time, if the relevant entities wish to declare them, the National Agency for the Prevention of Corruption will facilitate the declaration.

The analysis of doctrinal transformations and institutional resilience demonstrates that Ukraine's anti-corruption policy, though challenged by the realities of war, has not been suspended or dismantled. Instead, it has undergone a functional recalibration aimed at preserving core principles of integrity and legality within an adapted enforcement framework. These observations provide the basis for formulating final conclusions regarding the normative, procedural, and strategic evolution of anti-corruption governance in wartime conditions. The following section outlines the key outcomes of the research and identifies priorities for postwar legal and institutional consolidation.

CONCLUSIONS

The study of anti-corruption policy and its legal adaptation under martial law in Ukraine leads to the formulation of the following conclusions:

1. Normative clarification of wartime declaration requirements. The elaboration of legal requirements for declaring property and funds received as assistance to a) security and defense forces of Ukraine and b) persons

affected by armed aggression, as well as the clarification of procedural rules regarding the deadlines for submitting notices of "significant changes in property status", and the obligation to declare movable property exceeding 100 subsistence minimums (regardless of the form of acquisition), allowed the formation of coherent algorithms for wartime declarations. These clarifications were based on the Law of Ukraine "On Prevention of Corruption" (14.10.2014), the Law "On Martial Law" (12.05.2015), the Presidential Decree on the Imposition of Martial Law (24.02.2022), and the interpretative positions of the National Agency for the Prevention of Corruption (NACP).

2. Legal adaptation as structured recalibration. Wartime changes in anti-corruption regulation cannot be reduced to simple suspension of obligations. Instead, they constitute a structured and constitutionally bounded process of legal adaptation – grounded in the principles of legality, proportionality, and institutional continuity. The development of detailed wartime guidelines by NACP reflects this complex recalibration.

3. Balance between national security and public accountability. Under martial law, legal adaptation must strike a dynamic balance between urgent defense needs and the preservation of transparency in public administration. The temporariness and legal clarity of wartime exceptions are essential to ensuring that accountability mechanisms are not dismantled but merely transformed in form.

4. Institutional resilience of the anti-corruption architecture. Despite objective wartime challenges, the core institutions responsible for anti-corruption enforcement – NACP, NABU, SAPO, and the High Anti-Corruption Court – have demonstrated high levels of functionality, responsiveness, and institutional resilience. Their continued activity under martial law confirms the viability of the Ukrainian anti-corruption model.

5. Anti-corruption integration into wartime economy. The distribution of humanitarian aid, defense procurement, and the management of enemy property require special regulatory oversight. Anti-corruption mechanisms must be integrated into all emergency economic flows, ensuring both legal certainty and donor confidence.

6. Continuity of ethical governance under exceptional conditions. Even in wartime, the core values of anti-corruption policy – integrity, legality, and public trust – must remain intact. The adaptation of declaration procedures, control functions, and enforcement rules proves that democratic legal systems can remain principled and operational during periods of extraordinary threat.

SUMMARY

This study offers a theoretical analysis of the administrative and legal instruments employed to combat corruption in Ukraine during the period of

martial law. Within the framework of the Law of Ukraine "On the Legal Regime of Martial Law" (May 12, 2015) and the Presidential Decree "On the Imposition of Martial Law in Ukraine" (February 24, 2022), the research examines political and legal acts addressing anti-corruption policy. The focus includes: (a) strategic anti-corruption frameworks; (b) regulatory provisions; (c) institutional and legal arrangements; (d) operational forms and methods used by anti-corruption entities; (e) results of sociological investigations; (f) empirical studies and data provided by international organizations such as Transparency International, Management Systems International (MSI), and EY (Ernst & Young). The functions and wartime adaptation of core bodies—namely the National Agency for Corruption Prevention, the National Anti-Corruption Bureau, the Specialized Anti-Corruption Prosecutor's Office, and the State Bureau of Investigation—are examined in detail.

Special attention is given to the current Law of Ukraine "On the Prevention of Corruption" (2014), with emphasis on the provisions that prohibit the misuse of official authority for private benefit, the improper acceptance of gifts, nepotistic practices in public service, and violations of ethical standards. Provisions governing income and asset declarations are also reviewed.

Key elements of Ukraine's preventive anti-corruption framework are identified: anti-corruption legal review (expertise), specialized integrity checks, the unified public registry of individuals found guilty of corruption offenses, legal requirements regarding information transparency and public access, and statutory protections for whistleblowers—ensuring they are safeguarded from unlawful dismissal, demotion, or adverse contract modifications.

Additionally, the study analyzes recent amendments to the Criminal Code of Ukraine, including the updated list of corruption-related criminal offenses and applicable legal restrictions for offenders. Parallel changes to the Code of Administrative Offenses are considered, focusing on Chapter 13-A concerning administrative corruption-related violations. This includes liability for breaches of financial control rules, failure to resolve conflicts of interest, illicit secondary employment, misuse of confidential information obtained through official duties, and neglect of mandatory anti-corruption procedures.

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