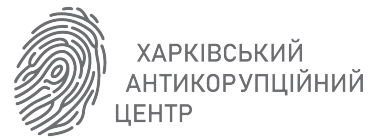


# HIGH STAKES FOR HUMAN RIGHTS AS KHARKIV BATTLES CORRUPTION



## Introduction

As Ukraine fights against the brutal consequences of Russia's invasions of 2014 and 2022, its civil society is battling to stop corruption that slows progress on reforms and undermines the war effort.

Wartime reconstruction is a sector in which this struggle will play out. This report by the Kharkiv Anti-Corruption Center and Human Rights First highlights recent findings of irregularities in local reconstruction contracts in Ukraine's Kharkiv region. It encourages Ukrainian authorities and international partners like the U.S. government to support and act on the work of local Ukrainian activists who are serving as watchdogs against corruption.

Tracking Kharkiv's spending is especially vital in wartime, because repairs to critical infrastructure cannot wait for the war to end.

## High stakes for human rights

Internationally, corruption has long been recognized as a human rights issue. In 2012 the United Nations Human Rights Council highlighted the "increasing negative impact of widespread corruption on the enjoyment of human rights" and described corruption as "one of the obstacles to the effective promotion and protection of human rights."<sup>1</sup> In October 2020, the UN Secretary-General noted that "Corruption is not only a crime but immoral and the ultimate betrayal of public trust."<sup>2</sup>

The United States government has spoken in similar terms about the importance of rooting out corruption in countries like Ukraine. In June 2021, President Joe Biden announced a new anti-corruption initiative, saying "Strengthening the resilience of rights-respecting democracies is one of the defining challenges of our era. Corruption eats away at the foundations of democratic societies."<sup>3</sup> He declared that "Corruption is a risk to our national security, and we must recognize it as such."<sup>4</sup>

Corruption also threatens Ukraine's security by eroding public trust in authorities and diverting money away from the economy where it is desperately needed. In its 2022 Corruption Perceptions Index, anti-corruption NGO Transparency International ranked Ukraine 116th of 180 countries, the worst in Europe except for Russia.<sup>5</sup>

<sup>1</sup> <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/G12/173/50/PDF/G1217350.pdf?OpenElement>

<sup>2</sup> <https://news.un.org/en/story/2020/10/1075432>; see also <https://www.unodc.org/unodc/en/corruption/>

<sup>3</sup> The White House. "Statement by President Joseph R. Biden, Jr. on the National Security Study Memorandum on the Fight Against Corruption." The White House, June 3, 2021. <https://www.whitehouse.gov/briefing-room/statements-releases/2021/06/03/statement-by-president-joseph-r-biden-jr-on-the-national-security-study-memorandum-on-the-fight-against-corruption/>.

<sup>4</sup> The White House. "Statement by President Joseph R. Biden, Jr. on the National Security Memorandum on the Fight Against Corruption."

<sup>5</sup> <https://www.transparency.org/en/cpi/2022>

The U.S. government and other partners have sometimes publicly called out national authorities when anti-corruption measures in Ukraine have stalled. In October 2021, a few months before the full-scale Russian invasion of Ukraine, the Biden administration openly criticized the Ukrainian government's lack of urgency on anti-corruption reforms. Jointly with the European Union, U.S. officials said they were “greatly disappointed by unexplained and unjustifiable delays in the selection of the Head of the Specialized Anti-Corruption Prosecutor Office, a crucial body in the fight against high-level corruption.” They noted that the “failure to move forward in the selection process undermines the work of anti-corruption agencies.”<sup>6</sup>

U.S. officials have also been clear about the difficulties and dangers facing those who fight corruption. A USAID report in September 2022 noted that in Ukraine and elsewhere, “Dekleptification is not for the faint hearted. The world’s most powerful kleptocrats and oligarchs fight back as if their lives and fortunes are on the line.” The report stressed that fighting corruption “requires innovation and perseverance.”<sup>7</sup>

Some anti-corruption activists in Ukraine say they feel pressure from authorities to stop their human rights work. In her report to the Human Rights Council in March 2022, United Nations Special Rapporteur on Human Rights Defenders Mary Lawlor noted that across the world, defenders working to expose corruption faced enormous dangers.<sup>8</sup> Her report cites research by NGO Kvinna till Kvinna, which identified corruption as the issue that puts women human rights defenders and journalists most at risk.<sup>9</sup>

In spite of these risks, activists across Ukraine have a long and successful history of exposing corruption.<sup>10</sup> In Kharkiv, Ukraine’s second-biggest city, activists have for years vigilantly monitored local council spending and continue to publicly detail irregularities in the allocation of increasingly precious public resources.

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## Kharkiv, a battlefield against corruption

Human Rights First has worked with anti-corruption activists in Kharkiv since 2017, when it reported on a series of physical attacks on activists from the Kharkiv Anti-Corruption Center who exposed local corruption by the city council.<sup>11</sup>

In a briefing to the U.S. Congress in September 2017, Human Rights First detailed physical attacks on anti-corruption activist Evgeniy Lisichkin, in which two men told him that he

<sup>6</sup> <https://www.npr.org/2022/07/20/1112414884/corruption-concerns-involving-ukraine-are-revived-as-the-war-with-russia-drags-o>

<sup>7</sup> <https://www.usaid.gov/sites/default/files/2023-02/USAID-Dekleptification-Guide.pdf>

<sup>8</sup> <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G21/396/47/PDF/G2139647.pdf?OpenElement>  
<sup>9</sup> Zillén, Eva, and Charlotte Pruth. “SOLIDARITY IS OUR ONLY WEAPON – THE SITUATION FOR WOMEN HUMAN RIGHTS DEFENDERS.” Kvinna till Kvinna, 2021. <https://kvinnatillkvinna.org/wp-content/uploads/2021/11/KvinnatillKvinna-Solidarity-is-our-only-weapon.pdf>.

<sup>10</sup> See <https://patients.org.ua/en/>; <https://antac.org.ua/#results>

<sup>11</sup> Human Rights First. “Democracy in Danger: Ukraine at a Crossroads Four Years After Euromaidan,” December 2017. <https://humanrightsfirst.org/wp-content/uploads/2022/10/Democracy-in-Danger.pdf>.  
 ; Харківський Антикорупційний Центр. “Kharkiv Anti-Corruption Center,” July 18, 2023. <https://anticor-kharkiv.org/>.

would be killed if he continued his activities. Undeterred by the assault, Lisichkin continues his work as a board member of Kharkiv's Anti-Corruption Center.<sup>12</sup>

For a decade, the Kharkiv Anti-Corruption Center has worked to eradicate corruption in Ukraine and to create an alternative path for the development of Kharkiv. It seeks to create a toxic environment for corrupt officials and politicians, so it is not profitable to be corrupt due to the "high price" of reputational, criminal, or material punishment. Since Russia's full-scale invasion in February 2022, the NGO also focuses on fact-checking disinformation and Russian propaganda.<sup>13</sup>

This report, offered jointly between the Kharkiv Anti-Corruption Center and Human Rights First, is not an assessment of progress made by Ukraine to combat corruption since mass anti-corruption protests brought down the government in 2014. It is also not a critique of how successfully the U.S. and other governments have contributed to reform, issues addressed by others elsewhere.<sup>14</sup>

Instead, the report provides examples of irregularities in contracts issued in 2023 by the Kharkiv city council and regional councils, often in the context of war-related repairs to buildings, to illustrate the importance of oversight and scrutiny near the frontlines of the war. It also offers recommendations to the governments of the U.S. and Ukraine on how to fight corruption in Kharkiv City and region.

## Kharkiv under attack

Russia's February 2022 invasion has dislocated and damaged large parts of the country's economy, leaving many families' finances in crisis. Last year, Ukraine's poverty level rocketed from 5.5 to 24 percent.<sup>15</sup>

Kharkiv Oblast is a region in eastern Ukraine, with villages that border Russia. The city of Kharkiv, only 30 miles from the Russian border, was nearly surrounded by Russian forces in the spring of 2022, and nearby districts were occupied until late in the year. Some of the region is still under Russian military occupation.

<sup>12</sup> CSCE. "Ukraine's Fight Against Corruption," November 28, 2017. <https://www.csce.gov/international-impact/events/ukraines-fight-against-corruption>.

<sup>13</sup> Kharkiv Anti-Corruption Center. "About Us." *Харківський Антикоруційний Центр* (blog). Accessed July 18, 2023. <https://anticor-kharkiv.org/about/who-we-are/>.

<sup>14</sup> Rudolph, Josh, Cameron Bertron, and Norman Eisen. "Ukraine's Anti-Corruption Front | German Marshall Fund of the United States." German Marshall Fund of the United States, June 20, 2023. <https://www.gmfus.org/news/ukraines-anti-corruption-front>; Rudolph, Josh, and Norman Eisen. "Ukrainian Recovery Funding Must Be Tied to Anti-Corruption." Brookings, October 24, 2022. <https://www.brookings.edu/articles/ukrainian-recovery-funding-must-be-tied-to-anti-corruption/>; Fenton, Nick, and Andrew Lohsen. "Corruption and Private Sector Investment in Ukraine's Reconstruction." CSIS, November 8, 2022. <https://www.csis.org/analysis/corruption-and-private-sector-investment-ukraines-reconstruction>; Savoy, Conor M., and Andrew Lohsen. "To Keep Western Assistance Flowing, Ukraine Must Engage Corruption Concerns Head-On." CSIS, June 30, 2022. <https://www.csis.org/analysis/keep-western-assistance-flowing-ukraine-must-engage-corruption-concerns-head>.

<sup>15</sup> Beaumont, Peter. "Pawn Shops and Bread Queues: Poverty Grips Ukraine as War Drags On." *The Guardian*, April 30, 2023, sec. World news. <https://www.theguardian.com/world/2023/apr/30/ukraine-war-poverty-irpin-pawn-shops-bread-queues>.

Kharkiv city's population and those living in the surrounding Kharkiv Oblast have been continually targeted by Russian missiles. According to local media reports in mid-July 2023, at least 2,000 civilians have been killed in Kharkiv Oblast since the start of the full-scale war.<sup>16</sup> According to a Ukrainian website tracking air raid alarms and attacks, Kharkiv region experienced 2,423 air raid alarms and 1175 artillery attacks by mid-July 2023. In June 2023 alone it recorded 135 alarms and 146 artillery attacks.<sup>17</sup>

Kharkiv's Mayor Ihor Terekhov says that even if there is no more damage to the city, reconstruction could cost more than \$10 billion.<sup>18</sup>

## Dubious contracts

One major success in Ukraine's fight against corruption is the creation of the ProZorro system, an online public procurement platform showing national and local government tenders for contracts, but since the full-scale invasion it is only partially working. Other databases that used to be public are now closed, including the declaration of local government officials' personal wealth and the breakdown of spending by individual departments.<sup>19</sup>

The contracts described below, and many others awarded for the reconstruction of the city and region, raise worrying questions about corruption's impact on the wartime economy.

Although there are examples of questionable deals in all sorts of sectors, including property development scandals and overpriced road repairs, this report focuses on repairs to health care facilities and educational facilities.<sup>20</sup> These examples draw heavily on documentation and analysis by the Kharkiv Anti-Corruption Center.

## Contracts for healthcare facilities

According to the World Health Organization, since February 2022 there have been over a thousand attacks on Ukraine's healthcare system which claimed at least 101 lives, "including of health workers and patients, and injured many more. They have impacted health providers, supplies, facilities, and transport, including ambulances."<sup>21</sup>

A February 2023 report by local and international NGOs detailed 707 attacks on the country's healthcare system between the first day of the full-scale invasion on February 24,

<sup>16</sup> <https://gwaramedia.com/en/2-000-civilians-were-killed-in-kharkiv-oblast-since-full-scale-war-started/>

<sup>17</sup> <https://air-alarms.in.ua/en/region/kharkiv#statistic>; <https://air-alarms.in.ua/en/region/kharkiv?from=2023-06-01&to=2023-06-30#statistic>

<sup>18</sup> <https://washingtonmonthly.com/2023/07/17/ukraines-other-front-the-war-on-corruption/>

<sup>19</sup> ProZorro. "ProZorro," 2023. <https://prozorro.gov.ua/en>.

<sup>20</sup> "Знесення Будинків Після Російських Обстрілів у Харкові: Перше Рішення Влади Обернулось Скандалом," May 11, 2023. <https://anticor-kharkiv.org/our-work/znesennia-budynkiv-pislia-rosiyskykh-obstriliv-u-kharkovi-pershe-rishennia-vlady-obernulos-skandalom/>; Харківський Антикорупційний Центр. "Громада На Харківщині Продовжує Задорого Замовляти Ремонт Доріг," May 11, 2023. <https://anticor-kharkiv.org/our-work/hromada-na-kharkivshchyni-prodovzhuie-zadoroho-zamovliaty-remont-dorih/>.

<sup>21</sup> "WHO Records More than 1000 Attacks on Health Care in Ukraine over the Past 15 Months of Full-Scale War," May 30, 2023. <https://www.who.int/europe/news/item/30-05-2023-who-records-1-000th-attack-on-health-care-in-ukraine-over-the-past-15-months-of-full-scale-war>.

and December 31, 2022. The NGOs reported that one in ten of Ukraine's hospitals has been directly damaged by attacks, with the heaviest destruction in the oblast of Kharkiv, which suffered 63 attacks that damaged or destroyed the region's hospitals. The report details that one hospital in Kharkiv Oblast was hit five times, and another was hit four times.<sup>22</sup>



This medical facility on Amosova Street sustained damage from missiles and artillery bombing.

Among the medical facilities damaged in Kharkiv City was one on Amosova Street in the Saltivka district. On March 1, 2022, a Russian missile hit a nearby administrative center, blowing out the windows and damaging several surrounding buildings, including the medical academy.

After the missile and artillery bombardment damaged its roof and other university buildings, an agreement was made in June 2023 for major repairs. The deal was signed without a bidding process and without the estimates being uploaded to the ProZorro system.<sup>23</sup>

The city's Children's Polyclinic No. 4 struck a deal in June 2023 to carry out work, including a proposed repair for the new heating system, worth almost 1.5 million hryvnias (USD \$40,000). The contractor was identified and the contract signed without any bidding. The agreement's documents reveal there is substantial overcharging.

<sup>22</sup> EyeWitness to Atrocities, Insecurity Insight, Media Initiative for Human Rights, Physicians for Human Rights, and Ukrainian Healthcare Center. "Destruction and Devastation: One Year of Russia's Assault on Ukraine's Health Care System," February 2023. <https://mipl.org.ua/wp-content/uploads/2023/02/report-destruction-and-devastation-ukraine-feb-21-2023-eng-weboptimized.pdf>.

<sup>23</sup> Харківський Антикорупційний Центр. "Харківський Медуніверситет Без Тендера Віддав Підряд Фірмі Заступника Голови ОВА," June 14, 2023. <https://anticor-kharkiv.org/our-work/kharkivskiy-meduniversitytet-bez-tendera-viddav-pidriad-firmi-zastupnyka-holovy-ova/>.

In the Kharkiv Oblast, there are also reports of irregularities in the repairs to healthcare buildings. According to publicly available documents, agreements worth 5.29 million hryvnias (USD \$143,000) were struck in June 2023 to repair medical and sports and health facilities damaged in the Russian invasion of Dergachy, a community about eight miles northwest of the center of the city of Kharkiv.



A medical clinic in Dergachy under construction after damage from Russian forces.

The deals were made without a bidding process. Some details of the agreements have not been published, including those for repairing the medical polyclinic on Pershho Travnja Street, a quiet side street off the main road. When Human Rights First visited the clinic in July 2023, workers were repairing the clinic's roof.

The village of Stary Saltov, close to the Russian border, was occupied by Russian forces until May 2, 2022. Many of its buildings were damaged, including an outpatient clinic. Agreements made in June 2023 to repair the clinic and attached buildings were with overpricing. According to a media analysis, Water heaters that usually cost around 10,000 hryvnias (USD \$270) are billed at 16,200 hryvnias (USD \$440), while the prices cited for copper cables, heat storage tanks, solid fuel boilers, and braille plates are at least one and a half times to twice as expensive as elsewhere in Ukraine.<sup>24</sup>

The Central District Hospital at Krasnokutskaya, about 60 miles west of Kharkiv City, is to undergo major renovation to its main building's first floor and to the X-ray room. In February 2023 it was reported that agreements worth 1.6 million hryvnias (USD \$43,000) had been made without a bidding process, and the prices for materials and equipment ranging from

<sup>24</sup> НАШІ ГРОШІ. "Сільраду Старого Салтова після окупації відновлять за 62 мільйони – ціни завищили вдвоє." Accessed July 18, 2023. <https://nashigroshi.org/2023/06/26/sil-radu-staroho-saltova-pislia-okupatsii-vidnovliat-za-62-mil-yony-tsiny-zavyshchyly-vdvoie/>.

cement to small switches were twice as high as market prices and estimates for the repair of other hospitals.<sup>25</sup>

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## Contracts for educational facilities

Damaged educational facilities are also a major focus of wartime rebuilding. Since the full-scale Russian invasion of February 2022, more than 3,500 educational institutions in Ukraine have been damaged or destroyed by bombing and shelling, according to the country's Ministry of Education and Science (MoES).<sup>26</sup>



School 75 is one of the 3,500 educational institutions in Ukraine that have been damaged or destroyed.

Educational facilities and staff have come under attack in many regions of the country, with Kharkiv and Donetsk most affected, according to research covering February to December 2022 from the Global Coalition to Protect Education from Attack (GCPEA). GCPEA found that attacks on schools were the most prevalent, and the majority of attacks involved explosive weapons, including airstrikes and shelling.<sup>27</sup>

According to the MoES, 51 educational institutions have been destroyed and 578 damaged in the Kharkiv Oblast, with an estimated one-third of schools in the oblast destroyed.<sup>28</sup>

<sup>25</sup> Харківський Антикорупційний Центр. "На Харківщині замовили ремонт лікарні з вдвічі завищеними цінами на матеріали та обладнання," February 21, 2023. <https://anticor-kharkiv.org/our-work/na-kharkivshchyni-zamovyly-remont-likarni-z-advichi-zavyshchenymy-tsinamy-na-materialy-ta-obladnannia/>.

<sup>26</sup> Ministry of Education and Science (Ukraine). "Education in Emergency." Освіта під загрозою. Accessed July 18, 2023. <http://saveschools.in.ua/en/>.

<sup>27</sup> Global Coalition to Protect Education from Attack (GCPEA). "Attacks on Education and Military Use of Education Facilities in Ukraine in 2022," February 2023. <https://protectingeducation.org/wp-content/uploads/GCPEA-Attacks-on-Education-and-Military-Use-in-Ukraine.pdf>.

<sup>28</sup> Ministry of Education and Science (Ukraine). "Education in Emergency." Освіта під загрозою. Accessed July 18, 2023. <http://saveschools.in.ua/en/>.



GCPEA reported that 15 schools in Kharkiv Oblast were destroyed and 186 were damaged just between February 2022 and June 2023.<sup>29</sup>

Public documentation reveals discrepancies in prices and other irregularities in some efforts to repair the region's schools.

At Kharkiv's School 75, there is clear evidence of a missile striking the ground just outside the main door, and scarring from shrapnel across the front walls. At School 113, the damage appears to be mostly in one corner at the back of the school. Publicly available documents show that as part of an overall contract worth 4.5 million hryvnias (USD \$122,000), new windows were installed in these schools at the end of 2022.

An educational complex at Lyubotyn, a town about 15 miles west of Kharkiv City, was severely damaged by cluster bombs in the early weeks of the full-scale 2022 Russian invasion. The estimated costs of repairs were quoted as 1.7 million hryvnias (USD \$46,000). According to court papers, the company awarded the renovation contract did the work poorly. The same company was investigated by police in 2019 for its work at another Kharkiv school, when wind blew off the roof shortly after their repairs were complete.<sup>30</sup>

East of the city, in the village of Starovirivsk, a contract to repair a local school's electrical equipment was signed in May 2023 without an open bidding process. The work was awarded to a novice entrepreneur who ran a company registered only weeks before.<sup>31</sup>

In Zolochiv, about 25 miles northwest of Kharkiv City, a deal was signed in May 2023 to repair the Lyceum no. 2 school at a reported cost of 1.34 million hryvnias (USD \$36,000). The contract includes repairing the roof and replacing windows and doors damaged during the invasion. This contract was also signed without open bidding and the prices quoted for windows and corrugated boards turned out to be one and a half times higher than normal prices.<sup>32</sup>

<sup>29</sup> GCPEA. "Attacks on Education and Military Use of Education Facilities in Ukraine in 2022."

<sup>30</sup> Харківський Антикорупційний Центр. "Неякісне відновлення школи у Люботині: нові подробиці кримінальної справи," June 16, 2023. <https://anticor-kharkiv.org/our-work/neiakisne-vidnovlennia-shkoly-u-liubotyni-novi-podrobytsi-kryminalnoi-spravy/>; Харківський Антикорупційний Центр. "Вітер зірвав кровлю з будівлі школи, яку нещодавно відремонтували. Поліція відкрила провадження," September 9, 2019. <https://anticor-kharkiv.org/our-work/viter-zirvav-krovlyu-z-budivli-shkoli-yaku-neshhodavno-vidremontovali-policiya-vidkrila-provazhennya/>.

<sup>31</sup> Харківський Антикорупційний Центр. "У громаді на Харківщині віддали підряд на ремонт школи новачку, приховавши договір," June 13, 2023. <https://anticor-kharkiv.org/our-work/u-hromadi-na-kharkivshchyni-viddaly-pidriad-na-remont-shkoly-novachku-trykrovavshy-dohovir/>.

<sup>32</sup> Харківський Антикорупційний Центр. "Відновлення Харківщини: угоду на ремонт школи у Золочеві підписали по завищеним цінам на будматеріали," May 17, 2023. <https://anticor-kharkiv.org/our-work/vidnovlennia-kharkivshchyny-uhodu-na-remont-shkoly-u-zolochevi-pidpysaly-po-zavyshchenym-tsinam-na-budmaterialy/>.



Human Rights First Senior Advisor  
Brian Dooley in front of School 113.

In April 2023, Kharkiv Regional Council invited tenders for the building of new bomb shelters in schools. The total cost of the project is estimated at around 21 million hryvnias (USD \$571,000). According to local media, companies successful in bidding for the contracts include one which previously had been subject to criminal investigation in connection to reports of the embezzlement of public funds for road repairs in 2018.<sup>33</sup>

The Kharkiv City Council also failed to publish the details of three agreements worth and estimated total of 1.4 million hryvnias (USD \$38,000) for the repair of bomb shelters in three secondary schools, no. 40, 104 and 121.<sup>34</sup>

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## Local and international response

President Biden last year said, “The United States will lead by example and in partnership with allies, civil society, and the private sector to fight the scourge of corruption. But this is a mission for the entire world. And, we must all stand in support of courageous citizens around the globe who are demanding honest, transparent governance.”

Public contracts that overcharge for materials or proceed outside of transparent procedures can threaten Ukraine’s reconstruction and public confidence in state institutions. Those

<sup>33</sup> Харківський Антикорупційний Центр. “20 мільйонів на проекти будівництва бомбосховищ у школах: перемагають фірми з Полтави,” April 27, 2023. <https://anticor-kharkiv.org/our-work/20-milyoniv-na-proiekt-y-budivnytstva-bomboskhovyshch-u-shkolakh-peremahaiut-firmy-z-poltavy/>; НАШІ ГРОШІ. “За Даними Поліції, Відкати На Дорожніх Роботах у Полтавській Області Становили 30%,” Accessed July 18, 2023. <https://nashigroshi.org/2021/01/15/za-danymy-politsii-vidkaty-na-dorozhnikh-robotakh-u-poltavs-kiy-oblasti-stanovyv-30/>.

<sup>34</sup> Харківський Антикорупційний Центр. “Управління освіти у Харкові приховало договори на ремонт укриття,” April 24, 2023. <https://anticor-kharkiv.org/our-work/upravlinnia-osvity-u-kharkovi-prykholvalo-dohovory-na-remont-ukryttia/>.

drawing attention to dubious practices are making a vital contribution to Ukraine's future. They should be supported and their work promoted. International donors should closely scrutinize the behavior of Kharkiv's city and regional councils, as well as other subnational governments in Ukraine facing similar challenges and pressures.

Domestic scrutiny may not be enough to spur a government to pursue accountability, even when clear evidence of corruption emerges. As part of their broader role in helping Ukraine hold corrupt actors to account, several of Ukraine's international partners – including the U.S., U.K., Canadian, and Australian governments – have targeted sanctions tools that they can use against individuals or companies anywhere in the world that are involved in government corruption.

These tools can be used to block a sanctioned individual from visiting the country that has sanctioned them (a visa ban), and to prevent a sanctioned individual or company from accessing bank accounts or other assets they have in that country (an asset freeze). Because such sanctions are typically publicly announced, they spotlight and stigmatize the sanctioned person's actions.

The government imposing the sanctions must have sufficient evidence of the sanctioned person's involvement in corruption to satisfy its legal criteria. Under the U.S. government's "Global Magnitsky" sanctions program, a person can be sanctioned for acts including corruption related to government contracts or bribery, if there is credible information that gives a reason to believe such allegations.

The impact of such sanctions inevitably depends upon the context and the specific situation of the alleged perpetrator. In one relevant example, the U.S. Department of State in December 2022 used a corruption-focused visa ban program to sanction a Ukrainian judge who had become notorious for his alleged role in judicial corruption. The [announcement](#) of the U.S. visa sanctions appeared to prompt the Ukrainian parliament to pass a long-pending bill to reform the compromised Kyiv Administrative District Court.<sup>35</sup>

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## Reccomendations

The Ukrainian government should:

- Ensure that activists working against corruption are protected from being attacked, threatened, intimidated, or criminalized for their work;
- Ensure that government officials regularly and publicly recognize the value of the work of anti-corruption activists and publicly denounce threats and attacks against them;
- Promptly investigate all reports of corruption by government officials in Kharkiv and elsewhere in the country.

<sup>35</sup> U.S. Department of State, "Fact Sheet: Combating Global Corruption and Human Rights Abuses," December 9, 2022; <https://www.state.gov/combating-global-corruption-and-human-rights-abuses/>.

The Kharkiv city and regional authorities should:

- Publicly publish details of all contracts awarded for war-related reconstruction, repairs, and improvements;
- Award contracts only after a transparent, open, and independent bidding process;
- Publicly and regularly commend anti-corruption activists working to expose corruption in Kharkiv.

The United States government should:

- Regularly and publicly recognize and commend the work of anti-corruption activists in Kharkiv and throughout Ukraine, and publicly denounce threats and attacks against them;
- Ensure U.S. embassy staff and other visiting U.S. government officials meet with anti-corruption activists in Kharkiv and elsewhere;
- In response to credible allegations of corruption and in coordination with other partners, use targeted sanctions tools to spur accountability measures and reforms.

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## Mission

Human Rights First works to create a just world in which every person's intrinsic human rights are respected and protected, to build societies that value and invest in all their people. To reach that goal demands assisting victims of injustice, bringing perpetrators of abuse to justice, and building institutions that ensure universal rights.

Human Rights First is a nonprofit, nonpartisan international human rights organization based in Los Angeles, New York, and Washington D.C.

On the cover: Ukraine's National Medical Facility sustained damages from shelling.

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