



Business
OMBUDSMAN
Council

NEWSLETTER

December 2021

Dear friends, colleagues and partners,

In December 2021, the Cabinet of Ministers supported the decision of the BOC Supervisory Board on my appointment as Business Ombudsman in Ukraine from January 1, 2022. I am truly grateful to my predecessor Marcin Swiecicki for the brilliant work and leadership of such an important for the state, business and society anti-corruption institution in these turbulent times.

This month the BOC received 197 complaints lodged to challenge various instances of business malpractice and completed 172 investigations. It is noteworthy that 2021 appeared to be record-breaking for the institution in terms of the number of complaints – 2182.

In December, the BOC published its 18th systemic report “Abuses and Pressure Inflicted by Law Enforcers on Business”, prepared by the team led by my Deputy, Iaroslav Gregirchak. In the report, we presented 27 systemic recommendations to the Ministry of Justice, the Ministry of Internal Affairs and the Prosecutor General’s Office on how to overcome issues in relations between law enforcers and business.

I believe that my familiarity with Ukraine and Ukrainians gained over the decades will help to formulate sensible systemic solutions for the future.

Happy New Year and Merry Christmas!

Roman Waschuk

NEWS



The Cabinet of Ministers approves the BOC Supervisory Board decision to appoint Roman Waschuk a new Business Ombudsman in Ukraine





Marcin Swiecicki on the business climate in Ukraine during the EBA expert discussion



Marcin Swiecicki and Roman Waschuk meet with Polish business



Iaroslav Gregirchak moderates panel discussion "Combating Smuggling and Fraud" at the International Anti-corruption Forum "Kleptocracy and Illicit Financial Flows" organized by Prosecutor General's Office



Marcin Swiecicki on BOC systemic recommendations in energy field during OECD discussion



Marcin Swiecicki speaks on cooperation with the Ukrainian League of Industrialists and Entrepreneurs with its President Anatolii Kinakh



Iaroslav Gregirchak presents BOC systemic recommendations on reducing pressure and abuses of law enforcers on business during Ukrainian Bar Association Forum on Criminal Law and Procedure



Iaroslav Gregirchak meets with leadership team of the Business Ombudsman Institution and representatives of the Prosecutor General's Office of the Kyrgyz Republic within the framework of the Council of Europe's Rule of Law Program in Central Asia



Tetyana Korotka on the BOC experience in energy sector during OECD event on presentation of the Energy Sector of Ukraine Anti-Corruption Overview



Oleksiy Spivak on BES launch during online meeting of Ukrainian Bar Association Committee on Business Protection, Assets and Investors' Rights



Iaroslav Gregirchak on ombudsman effectiveness as the optimal ADR mechanism at II Arbitration Forum of Yurydychna Praktyka publishing house



Olena Kutsay on business problems during pandemic at the Vox Ukraine event

SYSTEMIC WINS

The State Tax Service ensured the technical possibility of transferring the registration limit in the SEA VAT, agreed upon the tax audit, in case of reorganization of legal entities, provided that the predecessor submits Annex 4 to the VAT tax return with completed Table 4, and the successor — with the completed Table 5.

The resolution to the matter was confirmed in the Council's practice of investigating two complainants, where amount of the transferred registration limit was equal to UAH 39.6 mn and UAH 4 mn respectively.

DECEMBER 2021 STATISTICS



197
COMPLAINTS

from businesses

-11%
less than in
November 2021

+22%
more than in
December 2020



completed
investigation of

172
COMPLAINTS

-8%
less than in
November 2021

+100%
more than in
December 2020



Helped businesses
return and save

UAH
71.4
MN

ONLINE EVENTS

Olena Chorna and Olena Kutsay on agribusiness issues at the webinar jointly with Ukrainian National Bar Association (UNBA)



REGISTRATION



SOME EXAMPLES OF CASES

More cases [here](#)



"All because of square brackets": technical error, due to which the importer lost money during customs clearance was detected



UAH 1.7 mn seized funds returned to pet stores



Kyiv Police to take into consideration canned fish producer case

HOW TO LODGE A COMPLAINT



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