

Draft law #8336 threatens efficiency of investigation expertise of NABU

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On September 18 the Parliament adopted in the first reading draft law #8336, authored by the MP Anton Gerashchenko, the Narodnyi Front. The draft law offers amendments to the Code of Criminal Procedure on conducting expertise for the needs of criminal investigation. Although some provisions of the draft law are beneficial, nevertheless it also threatens the secrecy of expertise for the needs of criminal investigations of grave crimes.

Namely, the draft law provides for creation of a special registry of expertises for the needs of criminal investigations under the Ministry of Justice. This will in fact allow the officials to access information regarding which economic expertise being conducted in the course of which criminal investigation. Such an approach runs against the principle of secrecy of investigation and opens an opportunity for third parties to identify and influence the expert.

The draft law endangers effective investigations of corruption-related crimes by NABU, since economic expertise is among key evidences for this type of proceedings.

AntAC is developing in-depth analysis of the draft law as well as amendments for the second reading of the bill.