

NACP obliges individuals who received free pens or presentation materials to submit e-declarations

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While Council of Europe's Venice Commission [harshly criticizes](#) provisions that oblige anticorruption activists to submit their electronic asset declarations demanding their abolishment, the National Agency for Corruption Prevention gave explanation instructing to submit e-declarations even individuals who participated in educational anticorruption trainings, received presentation handouts, stationery, food etc.

Translation of the excerpt of NACP's [letter](#) to the Automaidan is below:

National Agency for Corruption Prevention

28, Druzhby Narodiv blvd, Kyiv, 01103, EDRPOU State Registration Code 40381452

to the All-Ukrainian Union

"Automaidan" NGO

Kyiv 10, PO BOX 21, 01010

The National Agency for Corruption Prevention (hereinafter – the National Agency) has considered the letter of the All-Ukrainian Union "Automaidan" NGO, incoming reg. no. 07/6110/18 of February 7, 2018, incoming reg. no. 07/737/18 of February 13, 2018 and informs you of the following.

Regarding questions 1, 2, 3.

Provisions of the paragraph 15 of part 1 of article 1 and the paragraph 2 of clause 5 of part 1 of article 3 of the Law of Ukraine "On the Corruption Prevention" (hereinafter – the Law) name individuals that receive money or assets in the course of implementation in Ukraine of the programmes (projects) in the field of corruption prevention and counteraction both directly and through the third parties or in any other way, provided it is stipulated by the applicable programme or project.

Therefore, the subject to e-declarations are **individuals** (including members of the NGOs) that *directly receive the said money or assets*, as well as those who receive the said money or assets through the third parties or in any other way, *provided it is stipulated by the applicable programme or project* (its budget, description etc.).

In such case, it can include individuals who in the course of the educational trainings in the field of corruption prevention and counteraction received **free presentation or educational materials, stationery, accommodation services, meals, compensation for transportation** to the event venue etc. at the expense of the funds and within such programme or project regardless of what organization or individual makes that payment or provides the assets.

Besides, the said provision applies to individuals that receive the money or assets within the implementation in Ukraine of the programmes (projects) of technical or other, including non-repayable, assistance in the field of corruption prevention and counteraction regardless of whether such money or assets are provided for realization of measures directly connected with corruption prevention and counteraction. It means the provision covers individuals that receive salary, provide services, supply goods that are not directly connected with corruption prevention and counteraction (e.g., the **cleaning services**).