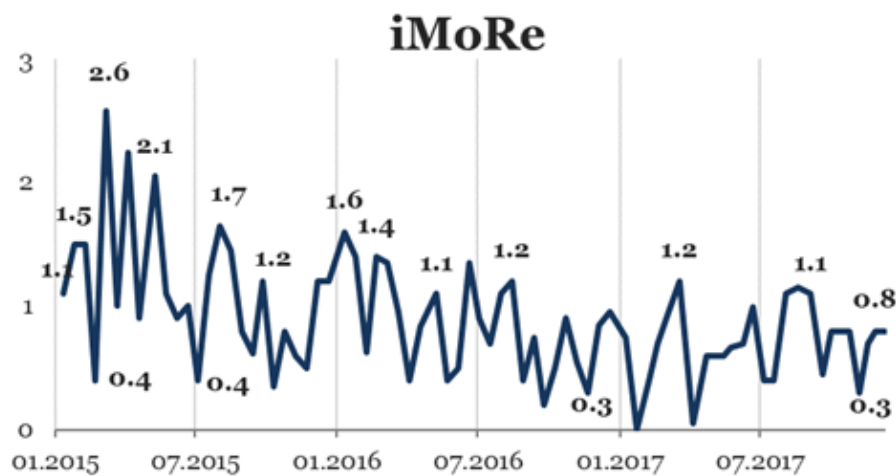


## iMoRe #74 ‘Stop masks-show’ law supports dynamics in the index of reforms

*The index for monitoring of reforms (iMoRe) is +0.8 points for the period from November 27 – December 10, 2017 (+0.8 in the previous round on a scale of -5.0 to +5.0). Certain positive developments were recorded in legislation regarding the sphere of governance, the business environment and the energy sector. There were no reformist legislative changes affecting public finance and the monetary system.*

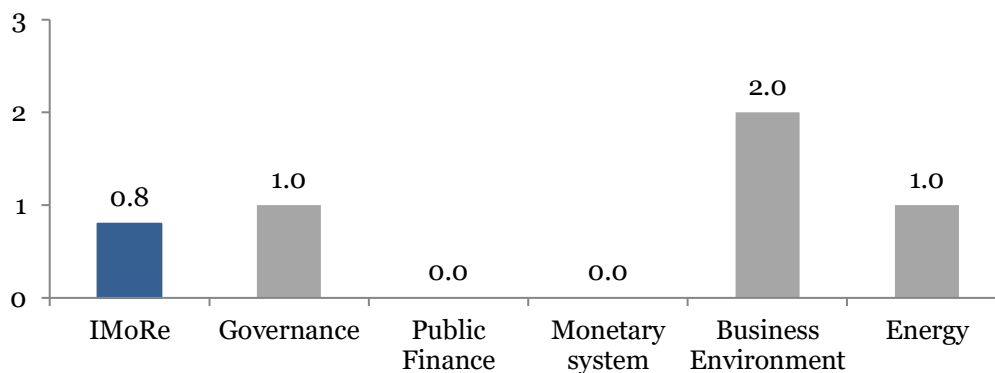
*The major events of the round are the law that restricts pressure of law enforcement agencies on business, the law that changes regulation in the market of housing and utility services, as well as a resolution that improves the mechanism of protecting property rights to land plots.*

Chart 1. iMoRe dynamics\*



iMoRe can take values from -5 to +5  
with value above +2 considered an acceptable pace of reforms

Chart 2. iMoRe and its components in the current round



Main media partners



Project partners



### **The major events of the release**

#### **1. The law limiting the pressure of the law enforcement agencies on business, +4.0 points**

According to the polls of foreign investors, the repressive actions of the law enforcement agencies are one of the key obstacles to attracting capital to Ukraine. In particular, the law enforcement agencies often paralyze the work of enterprises, when during a pre-trial investigation they conduct searches, withdrawing equipment and documents. In 2016, the Business Ombudsman's Council received 172 complaints about the actions of the law enforcement agencies, and 107 complaints in the first half of 2017.

Law 2213-VIII prevents the law enforcement agencies from abusing the business during the pre-trial investigation.

#### ***Expert's Comments***

"The law on ensuring the observance of the rights of participants in criminal proceedings by the law enforcement agencies during the pre-trial investigation introduces:

- obligatory video recording of search procedures and withdrawal of property;
- inadmissibility of using search results as evidence in the event of the absence of a lawyer;
- withdrawal restriction of servers, computers and other equipment by the investigation authorities;
- the possibility of challenging the length of the investigation by interested persons, etc.

These provisions have already come into force and they are definitely progressive, as they reduce opportunities for abuse by the law enforcement agencies. Such abuse created significant barriers to business. Also, since the beginning of 2019, the state has to ensure video recording of all court hearings on criminal cases.

At the same time, the provisions of the new law may have unpredictable consequences. The existence of a repealed decree on closing the case is an obstacle to a new investigation in this case. This will contribute to the spread of impunity and meet with the high risk of corruption, as the authorities can abuse this. They may close proceedings to help a person avoid liability and deprive victims of justice. "

***Roman Kuibida, Center for Political and Legal Reforms***

#### **2. The Law on housing and utility services, +2.0 points**

The housing and utility market today is monopolized and overly regulated. Consumers can not freely choose utility providers. New suppliers face numerous barriers to enter the market. Quality of services is low.

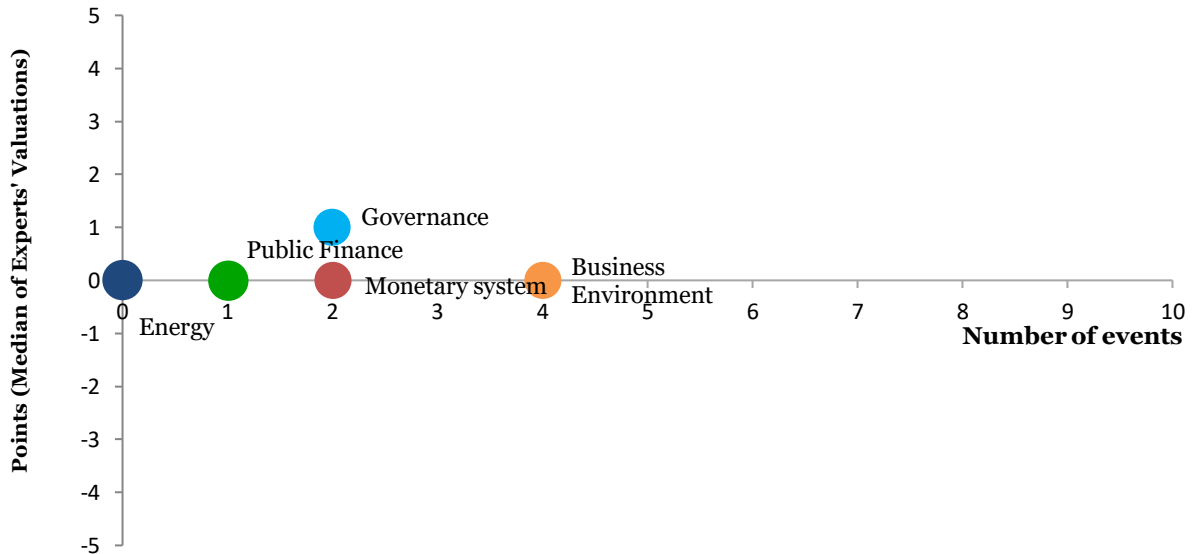
Law 2189-VIII should solve these problems. It has regulated the relations of consumers and utility providers.

#### **3. Law on the improvement of the mechanism for the protection of property rights to land plots, +2.0 points**

According to polls, fears of landowners regarding raider attacks and fraud are important obstacles to the introduction of a free agricultural land market.

The Government Decree of December 6, 2017 # 925 improves the procedures for registration of rights to land plots, which should reduce the possibilities for fraudulent activities.

### Chart 3. Value of iMoRe components and number of events



(Please see other charts on the website [http://imorevox.in.ua/?page\\_id=577](http://imorevox.in.ua/?page_id=577), [http://imorevox.in.ua/list\\_rounds.php](http://imorevox.in.ua/list_rounds.php))

**Note:** Index for Monitoring Reforms (iMoRe) from VoxUkraine aims to provide a comprehensive assessment of reform efforts by Ukraine’s authorities. The Index is based on expert assessments of changes in the regulatory environment in five areas:

1. Governance
2. Public Finance
3. Monetary system
4. Business Environment
5. Energy

For details please visit [imorevox.org](http://imorevox.org).