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Ukraine

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Efficiency of process

During 2017 and in the first half of 2018 in Ukraine, we have seen the continuation of the process referred to as the "Judicial reform". It started in 2016 with the introduction of several fundamental restatements and innovations in the laws regulating the judicial system organisationally – in particular: amendments to the Constitution of Ukraine relating to justice functions; the Law "On High Council of Justice" (which is perceived to be a primary guard of judicial independence); restatement of the Law "On Justice System and Judges" – and had been developing further by restatement of the major laws on procedures. Thus, the Codes of Civil Procedure, of Administrative Procedure and of Commercial Procedure, have undergone complete restatements. Moreover, in June 2018 the long-expected law on the "High Anticorruption court" has been passed by the Parliament and signed off by the president.

This process of reforming the judicial system and procedures has resulted in some substantial changes in the respective areas, and appears to have been aimed at improving justice efficiency, independence and transparency of the courts, the optimisation of judicial procedures and raising their productivity.

According to the Ukrainian Constitution, the courts of Ukraine have jurisdiction over all and any disputes arising in the country. Therefore, a situation where a claimant has no competent court to consider a case is unlikely to arise. However, the prevailing opinion among the Ukrainian public for years has been that courts in the country are often biased and even corrupt, and are not an effective instrument to exercise justice. Parties that face litigation usually prepare for a prolonged process with an outcome that is hardly predictable, even for those who have reason to feel they are on the right side.

There are courts of five jurisdictions in Ukraine, divided by specialisation (Constitutional, Civil, Commercial, Administrative and Criminal) that hear cases, depending on subject matter and location, plus the recently established (but not yet operative) High Anticorruption court and the High Court on Intellectual Property, which are supposed to have separate competence over corruption charges brought against high-ranking state officers and IP disputes respectively. All jurisdictions have their instance levels and territorial competence, except for the Constitutional Court of Ukraine, which is a separate (and the only) judicial authority to hear constitutional cases, and whose resolutions are not the subject of review by the Supreme Court of Ukraine or any other authority. Establishment of a separate anti-corruption court is a part of the Judicial Reform and anti-corruption efforts, prompted more by the international institutions, such as the IMF and the World Bank, than by domestic stakeholders. Though Ukrainian policymakers were fast at assuming the merits of passing

the law on the Anti-corruption court, both local and international communities have observed anxiously the consistent efforts of the legislature to stall the process of the law passing and dilute the law itself. Moreover, the mere fact that the Anti-corruption court has been perceived as a necessary instrument to fight corruption in the country speaks of the inability of all the other numerous courts to counter corruption.

Judicial consideration of most disputes starts in the courts of the first instance. Administrative courts consider disputes arising out of public-private relations, i.e. when a private law person or entity has a conflict with a public law entity. Commercial courts consider cases arising out of commercial activity, where disputing parties may be entities as well as individuals, engaged in some sort of business activity, plus some specific cases, e.g. corporate disputes, insolvency cases, disputes relating to titles on securities, anti-trust disputes and some others. Civil courts have competence over all other disputes, some administrative disputes and also have departments that handle criminal cases. Proceedings in courts are governed by their respective Codes of procedure, the named Codes and the Criminal Process Code. The law prohibits extraordinary courts of any kind. Courts of appeal consider cases that have been heard by the courts of the first instance and based on the evidence and arguments presented by the parties during the first-instance hearing, unless it is proven that presentation of the new materials had been impossible earlier for sound reasons. Courts of cassation consider cases only within the limits of the submitted statement of cassation. The Judicial Reform has led to the three formerly existing courts of cassation being eliminated and transfer of all cassation authority to the Supreme Court of Ukraine.

The ultimate level for cassation appeals in the country is the Supreme Court of Ukraine and appeals are admissible there only for a specific type of cases, which do not include, for example, so-called "insignificant cases". There is also a possibility to initiate judicial review of a case after the final judgment has been made and even enforced, if new circumstances pertaining to the case have been discovered and such circumstances would have influenced the outcome of the hearing substantially had they been found at the time of the hearing – this procedure has its specific rules and limitations, set forth by the process laws. As a rule, judgments of the courts of the first instance come into force and become enforceable either upon lapse of the time for appeal or, if appealed, after a court of appeals upholds the resolution on the case, or issues its definitive judgment.

Ukrainian courts have broad authorities as to the management of the cases they consider. In particular, courts may adjourn hearings in some cases, determine a procedure for hearing a case, suspend a proceeding, hold a hearing outside of the court premises, join or split proceedings, etc. The restated Codes of procedures have structured the process more strictly. In particular, the concept of a preparatory proceeding has received more weight and become more important in the process. While the Codes set forth three months as the maximum term for hearing a case in the court of the first instance, preparatory procedure took up two of these three months, and the idea is that with the end of the preparatory procedure, the parties will lose the right to submit new arguments related to the substance of the case, unless grounded in arguments that were unavailable to a party during the preparatory procedure. At the same time, courts may act in strict compliance with the process laws only, and cannot operate in a way that is not set forth directly by the law of procedure. While hearing cases, the courts issue: a) definitive resolutions that settle disputes, order actions or confirm facts that have legal consequences; and b) procedural orders, rulings, etc. that are instruments of proceedings-management. Ukrainian names for resolutions and orders depend on the kind of proceeding, court jurisdiction, the composition of the court (one judge or a panel) and the instance of proceeding (First, Appeal or Cassation). Apart from that, some courts are

authorised to issue "separate rulings" that may be addressed to any person regarding whom a court has identified an illegal activity, and requesting such person to terminate violations of the law. Moreover, by issuing a separate ruling, a court can initiate the start of a criminal investigation.

Process laws set forth quite short run-through terms for consideration of disputes (except criminal process, where an appropriate run-through term in the first instance is determined as "reasonable") – typically, maximum three months following commencement of the procedure in the first instance. Theoretically, most disputes may be resolved in first, appellate and cassation instances during a four-to-five month period; however, in practice, this usually takes from two to three years.

Notwithstanding recent changes in Ukraine and reform aimed at raising the standards of justice, the courts are still seen by the majority of Ukrainians as corrupt and incompetent (following various public opinion polls). The Judicial Reform, at its beginning, was viewed as a chance to improve the situation and raise trustworthiness of the judicial system. According to the new version of the Law "On courts system and status of judges", which came into effect in September 2016, a special non-governmental organ has been created as an aid to the High Qualification Commission of Judges – its name can be translated from Ukrainian as the "Community Council of Righteousness". This Council has been composed of representatives of NGOs, advocates, scholars and journalists who respond to certain criteria and have gone through the defined selection procedure. The Council's function is to evaluate judges in the process of qualification testing and give recommendations to the High Qualification Commission of Judges.

In March 2018, the Community Council of Righteousness declared that it was terminating cooperation with the High Qualification Commission of Judges because the latter systematically overruled, by qualified majority recommendations of the Council and admitted through the tests, judges who did not qualify according to the Council's criteria of righteousness. In other words, the effort to make judges' qualification system transparent to society has obviously failed. It is also worth mentioning that courts overall continue to violate terms of consideration of cases. Usually, a dispute is heard by a Civil court for a period of a year instead of three months; Commercial and Administrative courts are somewhat faster, but it is a very rare occasion when a court considers a case faster than within six months.

It would be inappropriate to say that the courts of Ukraine are entirely malfunctioning. A good attorney, usually can, if not fully eliminate the flaws of the judiciary, then substantially reduce these flaws by accurate and consistent actions.

Integrity of process

The laws of Ukraine provide that the courts form a separate, independent branch of the state authority and resolve disputes based on comprehensive, impartial and independent consideration of cases. There is a possibility to seek recusal of judges if grounds arise to suggest that a judge cannot exercise an unbiased approach to the case. In each court, cases are required to be allocated to judges automatically by a special software system. The purpose of automatic allocation is to provide for impartial consideration of disputes and to resist corruption, as well as using it as a workload-management tool. There is also an online register of courts' resolutions in place, where the public can view court resolutions, definitive as well as procedural, throughout the court system; however, this register still operates with some flaws and does not guarantee absolute completeness. Some of the

court resolutions may be recognised as classified, in part or in whole, in which case such resolutions are not accessible to public observation.

In general, court proceedings in Ukraine are public, which means that the public, and reporters, have a right to attend and observe the process unless a court specifically rules on a closed proceeding. However, in practice, many courts, especially in the countryside districts, do not have enough capacity to accommodate public observers to the proceedings.

Though the Constitution of Ukraine is an act that can be directly implemented by the courts while hearing cases, and the Ukrainian law doctrine recognises all values of the modern concept of human rights, quite often in practice, Ukrainian courts, as compared to other European countries, deliver judgments that lack proper interpretation of laws and raise questions as to their impartiality – this is reflected not only in professional opinions but also in the media reports. The statute law has overriding priority over natural justice; therefore litigating parties are highly dependent on the literal provisions of applicable regulations.

To some extent, judicial discretion is balanced by the operation of the High Council of Justice and its Disciplinary Chamber and the High Qualification Commission of Judges which is involved in the appointment, dismissal and sanctioning of judges. The public has very little influence on the process of judges' appointment and dismissal. As a consequence, in the European Court of Human Rights appeals from Ukraine form one of the largest categories of cases. Efforts are being made currently by Ukrainian society and some state authorities to improve the operation of the country's judiciary. One of the positive results of the 2017 restatements of the procedure Codes is that provisions of the European Convention on Human Rights, and practice of the European Court of Human Rights, have been made a source of law for courts with even more certainty than before, by reflecting strict provisions to this effect in the Codes.

Privilege and disclosure

There is no concept entirely analogous to disclosure in the Ukrainian court procedures; however, there is a procedure of provision of evidence, where courts issue mandatory rulings to parties to a dispute or third parties. The party to a case may file a motion to the court compelling any person to produce evidence and specify the piece of evidence, substantiate why such piece of evidence is relevant, and indicate who possesses such piece of evidence. In general, a principle of competition between the disputing parties is set forth for all proceedings – civil, commercial, administrative, and criminal as well – whereby each party takes the burden of proof regarding parties' positions in the dispute, and courts are not obliged to investigate on their initiative the circumstances of the cases they hear.

Courts are authorised to decide whether a piece of evidence is admissible and relevant to the proceeding, and they can decide whether or not to sanction mandatory provision of evidence. In administrative proceedings, courts may also request evidence at their initiative. Courts may order the parties or third parties to submit evidence directly to the court or through one of the parties to the proceeding. State courts may compel any person, notwithstanding whether they are participants to the case or not, to produce necessary evidence. It is also required that a party that initiates provision of evidence substantiates the impossibility of obtaining such evidence without the involvement of the court.

Some categories of information are treated by Ukrainian law as information with restricted access, or privileged. The best examples are the client-advocate privilege, military information with restricted access, and personal medical information. In cases where it is necessary to obtain and consider such information in a court proceeding, a court would

issue a special ruling sanctioning necessary actions including the conduct of a closed (with no admission to the public) court hearing. In general, any person who has obtained a document, or has been acquainted with information with restricted access or under privilege, is obliged to preserve it from unauthorised disclosure and otherwise treat it as provided by the applicable laws, irrespective of whether this was received during a court proceeding or otherwise.

Costs

The costs of court proceedings consist of court duty and the expenses of the litigating parties. Expenses include legal fees and other factual spending which can be compensated to the winning party on account of the losing party according to the court ruling, in amounts that may be appropriately substantiated and recognised as reasonable by a court. While amounts of court duties are set forth by the law, expenses vary from case to case. The court duties are usually payable by the party that initiates a proceeding or some procedural actions in advance and differ depending on court jurisdiction, instance and the nature of the claim or motion. For example, a pecuniary lawsuit in the general Civil, Administrative or Commercial court of the first instance, filed by a legal entity, would be subject to a court duty of 1.5% of the claimed value, but not less than equivalent of €57 and not more than €20,000 (as of 1 June 2018). Statements of appeals and cassation are mostly subject to a percentage of the court duty of the first instance (150 and 200%, accordingly).

In general, court duties have risen substantially in the course of the last years. As a rule, courts allocate officially confirmed costs of proceedings between the parties depending on the final judgment and in proportion to upheld claims. A court may decide not to recognise some expenses of a party as a cost of proceeding, thus refusing to reimburse them on account of a failing party. The restated Codes on Civil and Commercial Procedure introduced a concept of preliminary determination of litigation cost and guaranteed deposit of cost. With filing a lawsuit and response to the lawsuit, the claimant and the defendant, respectively, must submit to the court a preliminary estimate of cost. The court, in some cases, may oblige the claimant to deposit an estimated cost in the court's bank account in order to protect the defendant's rights to regain the cost should the judgment be in favour of the defendant. Some actions during the process, e.g. involvement of third-party expertise, may be conditioned by a provision of the cost deposit by the initiating party.

Litigation funding

There are no particular rules on litigation funding in Ukrainian law, except for state legal aid, where those eligible for the aid may receive it from the assigned state authorities. Any fee structure, including hourly rates, fixed fees, conditional or success fees, are permitted in Ukraine. All of these fee structures are used in practice. Third-party funding is allowed. However, it is impossible to have legal fees and other litigation-related expenses compensated unless they are factually paid, specifically by the party to the proceedings and no earlier than the day when the proceeding is finalised, which usually means the date of the court decision.

Interim relief

In any type of proceedings, various interim measures aimed at securing the claim are available after the claim is filed and, in some cases, prior to that, such as seizure of assets, provision of proof, prohibition of certain actions, obligation to perform certain actions (the

named may be treated as Ukrainian analogues for attachment and injunction), suspension of a public agency's decision, etc. Examples of interim relief applications that parties may file are motions for the involvement of third parties; preliminary injunctions or orders; requests for obtaining evidence; requests for expert opinions; summoning and questioning of witnesses, etc.

Usually, a party filing an interim relief application covers the costs that arise as a result of this. For example, the party requesting an expert opinion would be required to make an advance payment for the services of the expert or expert institution. These costs are to be finally allocated between the parties by the court when rendering judgment. Restatements of the Codes of the civil, administrative and commercial procedure provide for pre-action interim remedies on a broader basis than before the restatements. These remedies may be such as the provision of evidence, observation of premises related to the disputed matter, prohibition to perform specific actions, arrest of assets. In civil and commercial proceedings, courts may apply interim remedies not explicitly mentioned by law if it is considered most appropriate in a particular case. Litigating parties in civil and commercial procedure may also avail of counter-remedies, whereby a party that is granted by the court with interim relief is at the same time obliged by the court to procure possible compensation of losses to the other party.

In order to obtain pre-action interim remedies, the interested party should file a motivated motion to the court; the latter has the authority to uphold the motion as well-grounded or to dismiss it as not sufficiently grounded. A claimant must file a statement of claim within a limited number of days following the court ruling on granting pre-action interim remedies. If the claimant fails to do so, the pre-action remedies terminate.

As regards interim relief within international arbitration, the Act of Ukraine "On International Commercial Arbitration" provides that: "it is not incompatible with an arbitration agreement for a party to request, before or during arbitral proceedings, a court to order interim measures of protection and for a court to take a decision granting such measures". A court may request a party to provide security to cover possible losses on the other's party side as a result of imposing interim measures. Some instruments used in other jurisdictions, e.g. freezing orders or some kinds of an injunction, are not known in the Ukrainian procedure regulations, but in most cases, there are possibilities with similar effect and problems that arise in using them, which stem more from the weak law-enforcement system in Ukraine than from lack of legislative instruments.

Enforcement of judgments

The Ministry of Justice of Ukraine is the governmental body that is responsible for the operation of the state enforcement service and the regulation of private bailiffs. There are specific regulations that govern enforcement proceedings. The most significant recent legislative novation in this area has been the passing in June 2016 of the new Law "On entities that enforce judgments" which, along with several other fundamental changes, sanctioned operations of private bailiffs.

As a rule, a holder of a court award needs to apply to the state enforcement service with a statement of enforcement or to assign a private bailiff, and if such application or assignment is done in accordance with the regulation, the state enforcement service or a bailiff will commence an enforcement proceeding. In the course of the enforcement proceeding, parties to it (the claimant and the defendant) and, in some cases, third parties, may apply to courts, or vertically up the Ministry of Justice functions, with appeals and statements regarding

protection of their interests. Foreign judgments are subject to enforcement proceedings in the same manner as domestic judgments, but after their recognition by a local court, per the Ukrainian civil procedure and applicable international treaties that govern such recognition, or on a reciprocity basis. The general term for the presentation of a foreign judgment for recognition in Ukraine is three years from the day of the judgment issue.

Foreign arbitral awards can be enforced in Ukraine pursuant to the international treaties, such as the United Nations Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958) and the European Convention on International Commercial Arbitration (Geneva, 1961), as well as under the reciprocity principle. In the latter case, it shall be presumed that a basis for reciprocity exists unless it is proven otherwise. Provisions of the Code of Civil Procedure apply to the enforcement of foreign judgments at all times when there is no superior international treaty on the matter at hand. The Code provides that enforcement of a foreign court resolution can be rejected when any of the explicitly listed circumstances exist, but the state courts do not have the competence to review foreign judgments or arbitral awards in their substance.

There is a list of grounds for rejection of enforcement of foreign judgments, set forth by the Code of Civil Procedure, which may be appended by international treaties. The basic grounds for dismissal include: breach of exclusive competence of Ukrainian courts; unawareness of a party to the dispute about the procedure; unenforceability of the judgment in accordance with the laws of the place of trial; existence of a conflicting judgment or active procedure in Ukrainian courts; lapse of the term for recognition; inadmissibility of the subject-matter of the dispute for consideration in the Ukrainian courts; existence of an earlier judgment on the same subject between the same parties; possible violation of the Ukrainian public order or national interests by the requested enforcement. It is also possible to obtain interim measures from the state courts at the stage of recognition and enforcement of an arbitral award in Ukraine. Garnishment measures are provided for by law, and they are perceived mainly as an enforcement measure in cases where there are no assets located in the possession of the defendant.

Cross-border litigation

The Code of Civil Procedure and the Code of Commercial Procedure of Ukraine set forth that foreign parties can sue and be sued in Ukraine in the same way as residents. Some exceptions from this general rule can be provided explicitly by law, but this has not been done to any substantial extent so far, except by the sanctions introduced in relation to the conflict in eastern Ukraine. In addition to the local laws, regulations of international treaties apply to the procedural status of foreign parties to the litigation. In the Administrative jurisdiction, foreign parties generally may act as claimants in the same manner as the local parties, while the defendant side may be represented by the Ukrainian public bodies according to the subject-matter of this jurisdiction, with some exclusions from this rule, specifically mentioned by law. For example, compulsory extradition of a foreign citizen from Ukraine requires an administrative lawsuit to be filed by a competent authority versus an individual.

There is a concept of "legal assistance" used in the Ukrainian process regulations, which means cooperation between judicial and enforcement authorities of different countries. In the process of litigation, a Ukrainian court can interact with authorities from other countries where there is a treaty governing international legal assistance in order to receive help in the litigation process, such as summoning of parties, provision of evidence, service of documents, etc. In the same manner, Ukrainian courts and other authorities may assist

foreign courts in litigation proceedings that involve Ukrainian elements. In particular, starting from 2001, Ukraine is a party to the Hague Convention on the obtaining of evidence abroad in civil and commercial proceedings of 1970, and is a successor-party to the Hague Convention on Civil Procedure of 1954. Legal assistance is available to litigating parties also in the absence of international treaties, however in this case, interaction between judicial authorities would be exercised via the Ministry of Foreign Affairs offices and therefore would be considerably slower and restricted in its efficiency.

International arbitration

In addition to the state courts, Ukrainian law recognises domestic arbitration and permanent or *ad hoc* international commercial arbitration. There is a category of disputes that fall within the exclusive jurisdiction of the Ukrainian state courts and the Constitutional Court of Ukraine, which includes, as a rule, relationships with the involvement of the state interest. For example, civil disputes falling under the jurisdiction of the Administrative or Criminal courts may not be resolved under arbitration or ADR procedures. The primary rules governing international arbitration with the seat of the tribunal in Ukraine are set forth by the Law of Ukraine "On International Commercial Arbitration". Some rules concerning international arbitration are also found in the Code of Civil Procedure, the Law of Ukraine "On Enforcement Proceedings". The permanent Ukrainian arbitration courts operate according to their by-laws.

Under the general rule, a national court may not intervene in arbitral proceedings except for very few reasons specifically provided by the law. If any of the parties so requests, a state court shall stay its proceedings and refer parties to arbitration in disputes that are covered by an arbitration agreement, unless it finds that the latter is not applicable. In some cases, a party may also request a competent court to consider the issue of arbitral tribunal jurisdiction. According to the Ukrainian law, arbitration awards are binding upon the parties and enforceable through the state courts and the enforcement service or private bailiffs. To get enforcement of an arbitration award, a claimant needs to apply to a general Civil court to get an enforcement order within three years from the date of the arbitration award.

An arbitral award may be set aside by a local court of appeals if reasons for that, explicitly listed in the law, exist. Disputes regarding the competence of an arbitration, situated in Ukraine, fall within the jurisdiction of the respective courts of appeals. The application for setting-aside an award of arbitration should be made by the complainant within three months from the date of the award, and reasons for setting aside an award include: undermined competence of the arbitration tribunal; correctness of the arbitration procedure; and conformity with the public order. There are two main international commercial arbitration institutions in Ukraine: the International Commercial Arbitration Court; and the Maritime Arbitration Commission of the Ukrainian Chamber of Commerce and Industry. Also, there are a number of arbitration institutions at various industry organisations and professional associations, however many of them do not function actively.

Mediation and ADR

Litigation remains the prevailing method of dispute resolution in Ukraine, though arbitration is also frequently used. Generally, cross-border commercial disputes, with few exceptions, may be referred to either local or foreign commercial arbitration. Mediation is emerging but is rarely used, except for financial relations between corporate borrowers and banks, who can benefit from the Law "On Financial restructuring" which came into force in October 2016 and set forth in detail the organisation and procedure for the restructuring of

non-performing loans. There is also a concept of settlement agreement used in the civil and commercial process codes, and disputing parties may agree on any procedure of reaching a settlement agreement unless it contradicts the applicable laws.

As regards settlement of disagreements between business entities and public offices, the office of the Business Ombudsman is worth mentioning – it was established in 2014 and its core body, the Council, operates as the mediator between businesses and regulators. Negotiations are generally recognised as a helpful means of dispute resolution, but the involvement of outside experts is uncommon. When concluding commercial contracts, domestic businesses mostly rely on litigation as a dispute-resolution method in case of a conflict with their contractors. As an exception from this general trend, banks rather frequently insist on referring disputes with retail borrowers to the competence of arbitration tribunals, but this is mainly because these tribunals operate on the basis of banking associations.

Regulatory investigations

There are several public agencies operating in Ukraine whose functions may be characterised as "investigatory"; however, the term itself is not embedded into any of the regulations governing the activity of these agencies. Amongst the most active agencies that combine regulation and controls over compliance with rules are: the National Bank of Ukraine (the NBU); the Anti-Monopoly Committee (the AMC); and the State Fiscal Service (the SFS) of Ukraine. The AMC has authority to investigate anti-trust and anti-competition violations, and its authority covers almost all areas of commercial activity in the country and a wide range of public regulatory activity. The NBU started investigatory action in 2015, commencing with thorough banking industry diagnostics, aimed at identification and resolution of malfunctioning, non-transparent and non-compliant banks. A substantial part of these diagnostics consisted of procedures based on investigatory methodologies. Moreover, the investigatory element has been interwoven into many regulations of the NBU related to banking supervision and AML control, which are likely to stay for a long time. The SFS's purpose is to investigate tax avoidance, and this agency uses instruments both unique, as well as similar to those used in the investigation of other white-collar crimes and violations.

According to all applicable laws, any regulatory investigation in Ukraine may only be conducted in strict compliance with the procedural rules that specifically apply to the particular survey. Therefore, any deviation from the applicable regulations, wrong action or inaction, is a ground for applying to the competent court (in most such cases, to the Administrative courts) for protection of rights.

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Oleksandr Zavadetskyi started his career in 1996 and received the advocacy licence in 2001. Oleksandr has gained substantial hands-on experience in Litigation, White-Collar Crime and Finance Regulation. Zavadetskyi Advocates Bureau, which was founded by Oleksandr in 2009, has been assigned to handle litigation and white-collar crime cases, as well as to provide advice in various areas of business and civil law, by high-profile international corporations. Upon introduction of the US and the EU sanctions, related to the conflict in eastern Ukraine, Oleksandr has also been dealing with sanctions-delisting assignments.

Along with practising as an advocate, Oleksandr in different times has occupied several managerial positions in multinational banking groups such as Raiffeisen, Citigroup, Svedbank and Kommerzbank, where he managed legal affairs and recovery of non-performing loans. Moreover, in 2015 and 2016 Oleksandr was engaged with the National Bank of Ukraine to fulfil several of the NBU's obligations under the MEFP between the IMF and Ukraine. There Oleksandr worked as Head of Licensing and Related Parties Monitoring, simultaneously being the first-ever Chairman of the NBU Qualification Commission and member of the Banking Supervision Committee.

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