

CHAPTER 24 BENCHMARKS

(Full list, provided to Ukraine at explanatory meeting)

CHAPTER 24 – JUSTICE, FREEDOM AND SECURITY

Ukraine makes tangible progress in the fight against serious and organised crime

IBM 24.1 – EU *acquis* alignment on the fight against organised crime, including money laundering and asset recovery

Further aligned with the EU *acquis* on the fight against organised crime, including on the investigation and criminalisation of money laundering, as well as asset freezing and confiscation.

IBM 24.1.1

Make tangible progress with aligning the legislation with the EU *acquis* on the fight against organised crime.

IBM 24.1.2

Make tangible progress with aligning the legislation with the EU *acquis* on the investigation and criminalisation of money laundering.

IBM 24.1.3

Make tangible progress with aligning the legislation with the EU *acquis* on asset freezing and confiscation.

IBM 24.2 – Track record in all fields of serious and organised crime

Made tangible progress towards demonstrating a solid track record of investigations, prosecutions and final convictions in all fields of serious and organised crime (including trafficking in human beings and child sexual abuse, cybercrime, trafficking of firearms, drugs production and trafficking, money laundering and the fight against terrorism).

IBM 24.2.1

Demonstrate solid increase in the investigations, prosecutions and convictions in cases related to organised crime, trafficking in human beings, child sexual abuse, cybercrime, trafficking of firearms, drugs production and trafficking, and money laundering, including increasing capacities to investigate, prosecute and adjudicate cases of standalone money-laundering, and the fight against terrorism, demonstrated by solid data as encoded in the e-platform.

IBM 24.2.2

Establishing a data collecting system on all fields of serious and organised crime allowing to maintain and analyse aggregated data and conducting an analysis of relevant data to enhance the performance of law enforcement agencies and the prosecution to improve the track record of investigations, prosecutions and final convictions in all fields of serious and organised crime.

IBM 24.2.3

Make tangible progress with conducting effective pre-trial investigations, reducing trial timelines and the backlog of unresolved cases, including money laundering cases, leading to an improved track record of final convictions.

IBM 24.2.4

Enhance the capacity of LEAs, prosecution authorities, and other relevant actors for combating organised crime and other serious crimes.

IBM 24.3 – Reform of the State Bureau of Investigation

Made tangible progress in the comprehensive reform of the State Bureau of Investigation, with the meaningful involvement of independent experts nominated by international partners

IBM 24.3.1

Develop, adopt and start implementing a comprehensive reform law of the State Bureau of Investigation with the meaningful involvement of independent experts nominated by international partners.

IBM 24.4 – Track record in financial investigation

Demonstrated a credible and systematic practice of launching financial investigations when dealing with serious and organised crime, including money laundering.

IBM 24.5 – Asset Seizure, Asset Freezing and Financial Sanctions

Made tangible progress towards demonstrating a solid track record in seizure and final confiscation of assets and enhancing the asset recovery and management system, including by strengthening and advancing the reform of the Asset Recovery and Management Agency with the meaningful involvement of independent experts nominated by international partners.

IBM 24.5.1

Make tangible progress towards demonstrating a solid track record in seizure and final confiscation of assets.

IBM 24.5.2

Enhance the asset recovery and management system.

IBM 24.5.3

Strengthen and advance the reform of the Asset Recovery and Management Agency with the meaningful involvement of independent experts nominated by international partners.

IBM 24.6 – Fight against trafficking in human beings and illicit possession and trafficking of firearms

Made tangible progress in dismantling networks of trafficking in human beings and preventing and combatting the illicit possession and trafficking of firearms, including by operationalising the National Focal Point on Small Arms and Light Weapons.

IBM 24.6.1

Developing a national action plan in the form of roadmap to fight against the misuse and trafficking of firearms and other small arms and light weapons; strengthening the capacity of the National Focal Point on firearms and other Small Arms and Light Weapons, and developing a state program for the voluntary surrender of firearms by the public.

IBM 24.6.2

Developing, approving and implementing the **State Program for Combating Human Trafficking until 2030** in line with the EU *acquis* and the EU Strategy combating trafficking in human beings and the relevant international recommendations; **introducing the institution of the National Independent Rapporteur on Human Trafficking**; developing and approving a Procedure for information exchange and coordination among entities involved in combating human trafficking; improving the training of law enforcement officers and other relevant specialists on identification of trafficking victims, their support and assistance, protection of rights, as well as human trafficking investigations and prosecution of traffickers. Improved identification of victims of trafficking in human beings, including demonstrated through statistical data encoded yearly in the e-platform.

IBM 24.7 – Institutional framework

Strengthened its institutional framework, in particular by more clearly defining the powers of law enforcement agencies, enhancing their independence and integrity, operational, analytical and IT capacities, inter-agency cooperation and training for law enforcement staff.

IBM 24.7.1

Making tangible and measurable progress with the implementation of the Action Plan aimed at executing the Overarching Strategic Plan for the Reform of Law Enforcement Agencies as part of Ukraine's security and defence sector for 2023-2027.

IBM 24.7.2

Adopting the amendments to the Criminal Procedure Code of Ukraine and other laws regarding the improvement of the institution of investigative jurisdiction among pre-trial investigation bodies.

IBM 24.7.3

Developing and adopting a law on the law enforcement agencies.

IBM 24.7.4

Make tangible progress in further strengthening the capacities, status and independence of the Bureau of Economic Security.

IBM 24.7.5

Make tangible progress in reforming the State Security Service of Ukraine (SSU).

IBM 24.7.6

Implementing a comprehensive action plan to combat organised crime based on the results of the SOCTA threat assessment (2019-2022), and adopting a new 2026-2030 strategy to combat organised crime following the threat assessment under the 2021-2024 SOCTA methodology along with an action plan for its implementation, based on the EMPACT methodology.

IBM 24.7.7

Making tangible progress with building institutional capacity of law enforcement agencies.

IBM 24.7.8

Further development of international law enforcement cooperation with EU member states and EU agencies in line with *EU acquis* and best international practices.

IBM 24.7.9

Developing and adopting a law on the creation of a national coordinator for combating organised crime.

IBM 24.7.10

Developing and making steps to implement a strong and consistent approach to preventing and combating corruption in LEAs and strengthening the integrity and accountability of the competent authorities involved in the fight against organised crime.

IBM 24.7.11

Developing and adopting a law on improving the mechanisms of democratic civilian control and parliamentary oversight over the decision-making process in law enforcement agencies and the prosecutor's office, in line with best international practices.

IBM 24.8 – Judicial cooperation

Strengthened administrative capacity to meet EU requirements on judicial cooperation in criminal, civil and commercial matters and to ensuring effective cooperation with Eurojust and the EPPO.

IBM 24.8.1

Improving the legal framework for international judicial cooperation in criminal, civil and

commercial matters in line with the EU *acquis*, including on implementing the European Arrest Warrant procedure (Council Framework Decision 2002/584/JHA of 13.06.2002 on the European arrest warrant and the surrender procedures between Member States); amending the legislation to allow extradition of Ukrainian citizens, and to bring the legislation on international legal assistance and extradition into line with FATF standards.

IBM 24.8.2

Strengthening the institutional capacity of the authorities providing international judicial cooperation in criminal, civil and commercial matters in line with EU *acquis* and requirements; ensuring effective cooperation with Eurojust and the EPPO and ensuring effective participation in Joint Investigation Teams (JITs).

CHAPTER 24 – COOPERATION IN THE FIELD OF DRUGS

IBM 24.9 – Drug Prevention

Established a functioning and sufficiently resourced National Early Warning System, strengthened the National Drugs Observatory and progressed with alignment of its legislation with the EU *acquis* on drugs and drug precursors, as well as drug destruction.

IBM 24.10 – Implementation Capacity and Track Record

Made tangible progress towards a solid track record of drugs seizures, destruction and confiscation of corresponding assets.

IBM 24.10.1

Improved track record of drugs seizures and destruction, as confirmed by yearly statistics submitted through the e-platform.

CHAPTER 24 – LEGAL AND IRREGULAR MIGRATION, ASYLUM, SCHENGEN AND EXTERNAL BORDERS

*Ukraine delivers results in the fields of legal and irregular migration and asylum and on issues related to the Schengen *acquis* and external borders and visa policy.*

IBM 24.11 – EU *acquis* alignment

Improved alignment with the EU *acquis* regarding migration, asylum, visa policy and border management, including further alignment with the European IBM methodology.

IBM 24.11.1

Make tangible progress with aligning the legislation with the Schengen *acquis*, including by establishing national Schengen Governance and by developing an Action Plan for the implementation of the Schengen system (Schengen Action Plan).

IBM 24.11.2

Make tangible progress with aligning the legislation on migration with the EU *acquis*.

IBM 24.11.3

Make tangible progress with alignment with the EU *acquis* regarding asylum including by conducting a needs analysis related to the future implementation of the new Pact on Migration and Asylum and taking into account the Action Plan on Integration and Inclusion 2021-2027.

IBM 24.11.4

Make tangible progress with alignment with the EU *acquis* regarding visa policy.

IBM 24.11.5

Make tangible progress with aligning the legislation on border management with the EU *acquis*, including with IBM methodology.

IBM 24.12 – Institutional capacities, cooperation and coordination mechanisms

Enhanced its institutional capacities, cooperation and coordination mechanisms among authorities involved in the management of migration, borders and asylum and reinforced the fight against irregular migration and migrant smuggling.

IBM 24.12.1

Strengthening the capacities of the State Border Guard Service.

IBM 24.12.2

Strengthening interagency cooperation and coordination among all stakeholders in IBM; including establishing a mechanism for interagency coordination during a migration crisis and developing accompanying methodological and training materials.

IBM 24.12.3

Increasing the capacity of Ukrainian authorities to counter migrant smuggling and detect fraudulent documents proving citizenship, identity, or special status.

IBM 24.12.4

Improved track record in cases related to migrant smuggling, confirmed by statistical data encoded yearly in the e-platform.

IBM 24.13 – Asylum System

Improved its asylum system, including procedures guaranteeing the rights to apply for asylum and to appeal decisions.