

According to the current geopolitical and socio-economic situation, Ukraine has significantly increased its cooperation with international partners in the criminal justice sphere.

This development has been facilitated by Ukraine obtaining the status of an EU candidate state. Requests from Ukrainian law enforcement authorities are now perceived by foreign counterparts as requests from their European colleagues.

1. Statistics on Mutual Legal Assistance and Extradition for 2021 – 2024

Incoming requests to Ukraine for Mutual Legal Assistance

	2021	2022	2023	2024
Received	4 522	1 633	1 374	1 396
Processed	4 147	1 770	1 402	1 386

Outgoing requests from Ukraine for Mutual Legal Assistance

	2021	2022	2023	2024
Sent	490	396	462	581
Processed	430	331	408	420

Incoming Extradition requests to Ukraine

	2021	2022	2023	2024
Received	126	28	26	44

Outgoing Extradition requests from Ukraine

	2021	2022	2023	2024
Sent	60	606	150	224

Thus, the presented data demonstrate that Ukrainian law enforcement bodies actively use the mechanisms of mutual legal assistance and extradition. At the same time, they show discipline in executing requests from foreign counterparts.

2. The Practice of Extradition to Ukraine

In recent years, the number of Ukraine's extradition requests has sharply increased. 2022 / 2023 were marked by high-profile refusals, primarily due to security concerns, particularly regarding detention facilities. In 2023 / 2024, the situation changed — European states began extraditing individuals to Ukraine following the provision of detailed individual diplomatic assurances.

Key grounds for extradition refusal in 2022 / 2023:

- Ukraine's derogation from a number of obligations under the European Convention on Human Rights, including Art. 5 (right to liberty and security) and Art. 6 (right to a fair trial).

The derogation applies to the entire territory of Ukraine, not only occupied areas.

- Expansion of the powers of the prosecution and narrowing of the limits of judicial control in connection with martial law.

Amendments to Art. 615 of the CPC of Ukraine granted the prosecution extraordinary powers in cases where investigative judges were unable to perform certain functions.

- Detention conditions not compliant with Article 3 of the ECHR.

Inconsistency of conditions of detention in pretrial detention centers and places of execution of punishments with international standards is a systemic problem of Ukraine, established by the ECtHR.

- Risk to life and health due to the ongoing war.

Despite the fact that active hostilities are taking place in a limited territory of Ukraine, missile and drone attacks target the entire territory of the state.

- Inability of Ukraine to guarantee the right to a fair trial and the right to defense.

Nota Bene

The position that extradition to Ukraine is impossible during wartime was not absolute among EU Member States. Several countries continued to extradite individuals to Ukraine despite the war, particularly in cases involving general crimes (violent offences, drug-related crimes, etc.).

Key grounds for allowing extradition in 2024 / 2025:

- Ensuring safety and adequate detention conditions.

The Ministry of Justice of Ukraine designated 17 institutions — pre-trial detention centers and prisons — where extradited persons may be held. These facilities are located in central and western regions, away from active hostilities.

Five facilities in western Ukraine have special improved-condition cells designated for extradited individuals.

- Representatives of the German Embassy in Ukraine and the Austrian Embassy in Ukraine visited certain institutions that have cells for extradited persons. As a result of the visits, compliance of the conditions of detention with international standards was established.

- Guaranteeing the right to defense and a fair trial.

Ukraine states that in case of extradition, a person will have the right to use legal assistance, participate in court sessions (either by video conference, or will be brought to court); the case will be considered by an independent and impartial court determined by an automated system.

Nota Bene

A significant part of the decisions of foreign courts on permission for extradition is issued in the order of a simplified procedure — when a person voluntarily agrees to extradition to Ukraine. Accordingly, the courts did not provide an assessment of the defence's position and did not investigate the existence of grounds for refusal of extradition.

3. Practice of EU countries regarding extradition to Ukraine

Austria

Austrian courts take a stable position regarding the impossibility of extradition to Ukraine during the war. Key cases:

- The case of the ex-head of the National Bank of Ukraine regarding the seizure of funds of JSCB «UkrGasbank» in the amount of UAH 206 million. In February 2024, it became known that the court of Vienna refuses to extradite a banker who has been living in Austria since the fall of 2022.
- The case of the ex-head of the Constitutional Court of Ukraine regarding the provision of false testimony and bribery of witnesses.

In March 2022, after the start of a full-scale war, the official illegally left abroad. The Ministry of Justice of Ukraine appealed to the Austrian authorities for his extradition, but the Austrian court refused to grant the request.

- The case of the VAB Bank shareholder regarding the embezzlement of UAH 1.2 billion of refinancing received from the NBU.

Since 2019, the Ukrainian businessman lives in Austria. At the end of 2022, the Austrian court began hearings in the case of his extradition to Ukraine, and in January 2023 the court decided to refuse the request.

France

There is no established practice — since 2022 French courts have both refused and allowed extradition.

Key cases involving a Ukrainian businessman (Forbes Top-5) and shareholder of Bank «Finance and Credit», alleged embezzlement of UAH 2.5 billion.

- First refusal.

In December 2022, he was detained upon the request from the Ukrainian side. Appeal Court of Chambéry applied extradition arrest and set bail in the amount of 1 million euros. In March 2023, the court refused to grant the extradition request. This decision was upheld by the French Court of Cassation.

- Second refusal.

In October 2025, the Appeal Court of Paris refused to extradite in the proceedings being investigated by NABU. The Court concluded that extradition would be contrary to Art. 6 of the Convention (right to a fair trial).

Spain

The practice regarding the possibility of extradition to Ukraine is unstable. The trend towards allowing extradition prevails (although refusals also occur).

The last decision is in the case of a well-known Ukrainian developer on the fact of organizing the embezzlement of property belonging to another and official forgery. He has been wanted since May 2020. As a result of consideration of the extradition request issued to Ukraine in March 2025.

Poland

One of Ukraine's key partners in the direction of extradition. In 2024, 44 people were extradited to Ukraine — the largest indicator. At the same time, the vast majority of persons extradited from Poland are prosecuted in Ukraine for violent crimes or crimes related to illegal trafficking of narcotic substances.

Germany

Courts support the position regarding the possibility of extradition to Ukraine during the war (regardless of the nature of the crime). In 2024, 17 people were extradited from Germany to Ukraine.

Key cases:

- The case regarding the ex-deputy head of the Main Directorate of the State Tax Service in Poltava region on the facts of abuse of official position and official forgery, as a result of which the budget did not receive UAH 1.3 million in taxes.

The suspect was detained in December 2024, and in March 2025 he was already extradited to Ukraine.

- The case regarding the ex-official of the maternity hospital in Kyiv on the fact of misappropriation of budget funds and forgery of official documents.

Since February 2022, the suspect has been wanted. Detained in Germany in January 2025; extradited to Ukraine in March.

- The case regarding the ex-head of the Main Directorate of the State GeoCadastré in the Kyiv region on the fact of appropriation more than 1,200 hectares of agricultural land.

In March 2025, the suspect was placed on the international wanted list and was arrested in Germany that same month. She was extradited to Ukraine already in May.

Cyprus

Cypriot courts currently refuse extradition to Ukraine.

Key decision — in the case of a top manager of the «Finance and Credit» Bank involving the embezzlement of the bank's funds in the amount of UAH 2.5 billion. The former Deputy Chairman of the Bank's Management Board was detained in Cyprus in July 2023. The court applied extradition arrest and the person was in custody. In February 2024, the Nicosia District Court refused extradition.

Finland

The State's position follows from the analysis of the case of a Russian war criminal accused of torturing and killing Ukrainian prisoners of war and civilians.

In July 2023, the Finnish authorities detained a Russian national — the leader of a neo-Nazi group suspected of committing terrorist crimes in Ukraine in 2014–2015. In December 2023, the Supreme Court of Finland refused to extradite the detainee.

4. Trends in Mutual Legal Assistance and Extradition, 2021 – 2025: Key Findings Based on Experience and Practice Analysis

- The geography of international cooperation is expanding significantly.
In addition to the «traditional jurisdictions» (European countries, the United Kingdom, Turkey, Georgia, the United Arab Emirates, etc.), mutual legal assistance is now being requested from countries in Central America, Africa, and Asia.
- «Safe» jurisdictions have begun to actively cooperate with Ukrainian law-enforcement authorities, including Cyprus and the United Arab Emirates.
For a long time, these states were perceived as those that do not cooperate with Ukrainian law-enforcement bodies. Experience from the past year demonstrates that the competent authorities of Cyprus and the UAE duly consider requests from Ukrainian law-enforcement agencies and provide all the assistance requested.
- The speed at which foreign authorities process Ukraine's requests for mutual legal assistance and extradition has increased substantially.
Previously, execution of such requests took a considerable amount of time. Currently, this timeframe has been reduced to several weeks or, at most, several months.
- Competent authorities of foreign states are showing initiative in providing legal assistance to Ukraine.
Law-enforcement bodies of foreign countries, on their own initiative, launch criminal proceedings against persons suspected in Ukraine of corruption, seize their assets, and transfer the case materials to Ukraine.
- Law enforcement agencies to investigate crimes, including corruption, began to use the tool of joint investigative teams (cross-border).
This format enables: (a) rapid and direct information exchange with foreign counterparts without bureaucratic procedures; (b) synchronous and / or joint investigative actions on each other's territory; (c) collection of evidence in the territory of a foreign state.
From September 2023 to September 2024, Ukraine established 21 JITs, 15 of which were with EU Member States. At present, there are 30 JITs with EU Member States.
- There is growing activity by the National Anti-Corruption Bureau of Ukraine in the field of international legal cooperation.
NABU is one of the most effective Ukrainian law-enforcement bodies, including in the use of mutual legal assistance for investigative purposes.
In 2024, NABU sent 82 MLA requests and extradition; within a single criminal proceeding, dozens of requests may be sent.

- The Ukrainian side actively uses an alternative to international legal assistance — direct bilateral memoranda with foreign law enforcement agencies, specialized groups and networks.

Among Ukraine's partners are: the FBI; the European Public Prosecutor's Office; Europol; Poland's Central Anti-Corruption Bureau; the Latvian State Police; the Czech General Inspection Authority; Finland's National Police Board; and the Swiss Agency for Development and Cooperation under the Swiss MFA, etc.

Another alternative to mutual legal assistance is cooperation within specialized networks and platforms (for example, GlobE, CARIN, ICIN, SIENA, etc.).

- The State is taking active measures to ensure extradition to Ukraine: improving detention conditions in penitentiary facilities; establishing separate cells for extradited persons; and engaging in targeted political-level communication.

These steps have already changed the practice of certain EU Member States regarding the possibility of extradition to Ukraine.

The research was conducted by :



Denys Bugay
Attorney, Co-Founding Partner
d.bugay@vbpartners.ua



Liliia Kuznets
Attorney, Counsel
l.kuznets@vbpartners.ua

VB Partners is the #1 boutique law firm in White-Collar Crime practice and a leader in Interpol / Extradition in Ukraine.

VB Partners lawyers represent clients' interests both nationally and internationally. Our experts provide effective protection in matters relating to Interpol and extradition.

We have the most extensive practice in Ukraine in preventing extradition. Our expertise covers key jurisdictions, including Poland, Germany, Austria, the United Kingdom, France, Cyprus, Spain, Slovakia, and Lithuania.

Our lawyers are regularly engaged by international colleagues as experts on Ukrainian law in the consideration of extrajudicial cases in various countries.



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