

Towards a Coherent State Policy on the Enforcement of Decisions: A Comprehensive Analysis of Draft Law No. 14005

In this material, we examine Draft Law No. 14005 in the context of Ukraine's fulfilment of its European integration commitments.

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One of the indicators under the [Ukraine Facility Plan](#) — specifically within the implementation of the reform of the enforcement of court decisions in the 'Judicial System' section — is the entry into force of legislation on the digitalisation of enforcement proceedings. The Plan itself serves as the basis for receiving financial support from the European Union and constitutes the main instrument for recovery and European integration. The deadline for meeting this indicator is the second quarter of 2025. The implementing authority is the Ministry of Justice of Ukraine.

It is envisaged that the implementation of measures aimed at the digitalisation of processes in the field of enforcement of court decisions will deliver the following results:

- › as of the fourth quarter of 2025 — a system for collecting data on the enforcement of court decisions is operational;
- › as of the second quarter of 2026 — an upgraded IT system for enforcement proceedings is operational, facilitating the enforcement process, the tracing of debtors' assets, the blocking of bank accounts and debt recovery.

The reform is expected to result in more effective procedures for the compulsory enforcement of court decisions, which would help Ukraine improve its international reputation as a reliable jurisdiction for doing business.

However, due to the failure to adopt this law, inter alia, within the established timeframe, [Ukraine did not receive the planned funding](#) from the European Union.

On 4 November 2025, the Verkhovna Rada adopted at first reading the European integration draft Law of Ukraine '[On Amendments to Certain Laws of Ukraine on Simplifying Enforcement Proceedings through Digitalisation](#)', registration No. 14005 of 4 September 2025 (Draft Law No. 14005), which is currently being prepared for second reading by Parliament.

Following this, a number of media publications appeared claiming that Draft Law No. 14005 changes the procedure for levying enforcement on property and may lead to a significant narrowing of debtors' rights, as it envisages the possibility of depriving them of their only home in the event of arrears in housing and communal services payments.

Following an analysis of Draft Law No. 14005, experts from the Agency for Legislative Initiatives identified a number of key conclusions.

The non-enforcement of decisions of national courts remains a systemic problem, as indicated, inter alia, by shadow reports prepared for the European Commission by a coalition of civil society organisations led by the Agency for Legislative Initiatives.¹

The total amount of debt under enforcement proceedings in 2024 amounted to UAH 2.2 trillion. Between December 2024 and March 2025, Ukrainians accumulated more than 164,000 new debts. In 2024, the State Enforcement Service bodies and private enforcement officers

¹ [Shadow report to Chapter 23, 'Justice and Fundamental Rights,' of the European Commission's Report on Ukraine in 2023, p. 109; Shadow report to Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's progress within the European Union Enlargement Package in 2024, p. 157.](#)

recovered UAH 25 billion under enforcement proceedings, which constitutes 1.2% of the total amount that was to be recovered from debtors. In addition, 6.5 million enforcement documents were subject to execution, of which only 1.9 million were actually enforced.²

As of 1 June 2025,³ enforcement authorities across the country had effectively executed more than 800,000 enforcement documents, recovering over UAH 6 billion. Overall, at the beginning of June 2025, the State Enforcement Service was handling more than 4 million documents with a total value exceeding UAH 1.5 trillion.⁴

In order to address this problem, in January 2025, the Government [extended the implementation period](#) of the National Strategy for Addressing the Problem of Non-Enforcement of Court Decisions, adopted in September 2020, where the debtor is a state authority or a state-owned enterprise, institution, or organisation — until 2027 and approved an Action Plan for its implementation.

According to this document, the key reasons for the non-enforcement of court decisions include an insufficient level of automation of enforcement proceedings, as well as the absence of a unified system of electronic interaction between registers of court decisions and the automated enforcement proceedings system, including documents necessary to ensure the analysis and collection of information on the enforcement of court decisions.

The purpose of Draft Law No. 14005, as stated in its explanatory note, is to ensure the enforcement of court decisions and decisions of other authorities (officials) through the digitalisation of certain stages of enforcement proceedings, as well as the optimisation of their phases and the time limits for carrying out enforcement actions.

According to its authors — a group of Members of Parliament (Motovylovs A. V. et al.) — the amendments proposed by this draft law are intended to streamline the stages of enforcement proceedings, shorten the timeframes for enforcement actions and enhance the overall effectiveness of enforcement proceedings.

² [Shadow report to Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's progress within the European Union Enlargement Package in 2024, p. 157.](#)

³ Due to the fact that the Ministry of Justice of Ukraine does not publish statistics on the enforcement of court decisions in the public domain, more recent data is not available.

⁴ [Shadow report to Chapter 23 'Justice and Fundamental Rights' and Chapter 24 'Justice, Freedom and Security' of the European Commission's Report on Ukraine's progress within the European Union Enlargement Package in 2024, p. 157.](#)

Draft Law No. 14005 Proposes to

Introduce amendments to the Laws of Ukraine 'On Road Traffic', 'On Notaries', 'On Banks and Banking', 'On the Depository System of Ukraine', 'On State Registration of Rights to Immovable Property and Their Encumbrances', 'On State Registration of Legal Entities, Individual Entrepreneurs and Public Associations', 'On Enforcement Proceedings' (the Law), 'On Capital Markets and Organised Commodity Markets' and 'On Compulsory State Social Insurance', which would provide for the following.

1. **To expand the functional capacity of the Automated Enforcement Proceedings System**, which is intended to ensure the automation of operational processes of the State Enforcement Service bodies, private enforcement officers and the conduct of enforcement proceedings as such. Specifically, the system is intended to provide parties to enforcement proceedings with access to relevant information and documents, as well as the ability to submit such documents in electronic form.

The system is also intended to ensure electronic interaction between State Enforcement Service bodies and private enforcement officers, on the one hand, and state authorities, banks, other financial institutions, non-bank payment service providers and electronic money issuers, on the other. Enforcement officers will obtain access to information on debtors, their property, income, and funds (including electronic money), including confidential information contained in state electronic databases, registers, and other automated information systems.

In this regard, **the proposal to grant enforcement officers unrestricted access to an undefined range of information about debtors, including confidential data, raises concern.**

This runs counter to the Constitution and the laws of Ukraine, which provide that the collection, storage, use, and dissemination of confidential information about an individual without their consent are not permitted, except in cases expressly provided for by law and only in the interests of national security, economic well-being and the protection of human rights. Confidential information relating to an individual includes, inter alia, data on their nationality, education, family status, religious beliefs and state of health, as well as their address, date, and place of birth.⁵ Moreover, this provision of the draft law does not comply with international

⁵ Article 32 of the Constitution of Ukraine, Article 11 of the Law of Ukraine 'On Information', Article 6 of the Law of Ukraine 'On Protection of Personal Data'.

legal instruments, in particular Article 8 of the [Convention for the Protection of Human Rights and Fundamental Freedoms](#).

Accordingly, the draft law creates risks of excessive interference by enforcement officers in the sphere of debtors' personal data and of potential violations of their right to the protection of such data.

Granting enforcement officers access to information contained in state electronic databases and registers has the potential to significantly accelerate enforcement proceedings and enhance their transparency. At the same time, the draft law does not define a specific list of electronic databases and registers to which such access is to be granted, nor does it specify the categories of data or information — including whether such data exist or not — that enforcement officers would be entitled to request.

The lack of regulation in this area creates legal uncertainty as to the scope and limits of access to information.

The draft law also proposes the introduction of the automatic lifting of seizures from a debtor's accounts once the debt has been fully repaid, without the need for an additional application to the enforcement officer. Thus, where funds are credited to the relevant account of the State Enforcement Service or a private enforcement officer in an amount sufficient to satisfy the creditor's claims, pay the enforcement fee, enforcement costs, fines and the basic remuneration of the private enforcement officer, the automated enforcement proceedings system would generate a notification serving as grounds for removing the debtor's details from the Unified Register of Debtors (URD) and lifting the seizure from the debtor's funds, electronic money and securities in electronic form.

This notification will be sent, on the day it is generated, to banks, other financial institutions, non-bank payment service providers, electronic money issuers and depository institutions for the purpose of lifting the seizure from the debtor's relevant assets.

[According to the Ministry of Justice of Ukraine](#), this innovation is expected to significantly simplify the procedure for debtors and reduce the workload of the enforcement service.

At the same time, the automatic generation of such notifications will not apply in all cases, as the categories of enforcement documents in respect of which they will be generated are proposed to be defined additionally in a subordinate legal act of the Ministry of Justice of Ukraine.

Moreover, the draft law does not provide for the automatic lifting of seizure from movable and immovable property.

2. To ensure electronic interoperability of the Unified Register of Debtors (URD), which forms part of the automated enforcement proceedings system, with other electronic databases and registers

The URD has been operational since January 2017 and constitutes a systematised database of debtors, available in open access on the official website of the Ministry of Justice, where information on debtors' unfulfilled pecuniary obligations can be verified.

3. To expand the grounds for entering and removing information on debtors in/from the URD

The draft law expands the grounds for **entering information on a debtor into the URD**. Specifically, information is to be entered simultaneously with the issuance of a ruling on:

- the opening of enforcement proceedings (*already provided for by the current Law*);
- the resumption or renewal of enforcement proceedings;
- the revocation of rulings or other documents that served as the basis for removing information on a debtor from the register;
- the imposition of a fine on a debtor in cases involving non-pecuniary decisions (*the current Law provides for this only in relation to decisions on establishing contact with a child and removing obstacles to such contact*);
- the entry of information on a debtor into the register pursuant to a decision on the recovery of periodic payments (alimony), where the amount of arrears exceeds the amount of the relevant payments for three months (*already provided for by the current Law*).

In addition to the existing grounds for **removing debtors from the URD**, which provide for the issuance of decisions on: the return of the enforcement document to the creditor; the completion of enforcement proceedings; the lifting of enforcement measures under an enforcement document on the recovery of periodic payments on the day the absence of arrears is established; as well as the issuance of a decision provided for in Part Four of Article 40 of the Law, **the draft law additionally proposes to include the following grounds:**

- the generation of an automatic notification confirming repayment of the debt;
- the issuance of a decision cancelling the decisions on the basis of which information on the debtor was entered in the Register;
- based on a court decision.

4. To introduce additional restrictions on debtors' rights to dispose of their own property

If the draft law is adopted, the following restrictions will apply to property owners whose details are included in the URD:

- › *Refusal to carry out registration actions in respect of a motor vehicle*

Territorial bodies of the Ministry of Internal Affairs of Ukraine and bodies responsible for departmental registration of motor vehicles, as under the current legislation, will be obliged to refuse a debtor's request for the re-registration of a motor vehicle or its removal from the register.

At the same time, the draft law provides for exceptions. Such refusal will not apply in the following cases: where re-registration is not related to the disposal of the motor vehicle; acquisition of a motor vehicle or its receipt in satisfaction of a debt; acquisition of a motor vehicle in accordance with the procedure set out in Article 30 of the Law of Ukraine 'On Securing Creditors' Claims and Registration of Encumbrances'; or the gratuitous transfer of a confiscated motor vehicle.

- › *Refusal to carry out actions in respect of the debtor's property*

State authorities, local self-government bodies, notaries and other entities exercising public powers, as well as investment firms, will be obliged to refuse to carry out actions related to the disposal or pledging of property owned by the debtor.

Exceptions: the property has been transferred to the creditor; gratuitous transfer of confiscated property; conclusion of a transaction providing for the acquisition of ownership of the property

by the mortgagee, pledgee, or a third party under a transaction concluded by the mortgagee or pledgee.

› *Refusal to perform notarial acts*

Notaries and officials authorised to perform notarial acts will refuse to carry them out not only in cases involving the disposal of property (as provided for under current legislation), but also where such property is transferred as collateral (mortgage).

› *Refusal of state registration of rights*

In addition to the existing prohibition on state registration of ownership rights based on a transaction involving the disposal of property by a debtor, the draft law proposes, subject to certain exceptions, to additionally prohibit the debtor from state registration of:

- a special property right based on a transaction involving its disposal;⁶
- a mortgage over immovable property, an unfinished construction object, or a future immovable property object, where the owner of such property or the holder of the special property right is the debtor.

› *Restrictions on the disposal of rights to securities and rights under securities*

A debtor will not be permitted to dispose of their rights to securities or rights under securities in paper form. Likewise, the disposal of rights to securities and rights under securities in electronic form will not be allowed if restrictions on their circulation are indicated in the securities depository accounting system.

5. To retain the existing procedure for enforcement against a debtor's funds and other property

As under the current legislation, enforcement will first be levied against the debtor's funds, electronic money and other valuables held in accounts, electronic wallets or in custody with banks and other financial institutions, non-bank payment service providers and electronic money issuers.

⁶ A type of property right that consists of owning and disposing of an unfinished construction project, a future real estate property.

If such funds or other valuables are insufficient, enforcement will be levied against other property belonging to the debtor, including cash, with the exception of property that is exempt from enforcement under the law.

The debtor may propose which types of property or items should be realised as a priority; however, the final decision is taken by the enforcement officer.

Enforcement shall be carried out in the amount necessary to satisfy the enforcement document, considering the recovery of the enforcement fee, enforcement proceedings costs, fines imposed on the debtor during enforcement proceedings and the principal remuneration of the private enforcement officer.

The seizure of the debtor's funds and other valuables held in accounts with banks or other financial institutions, as well as electronic money stored in electronic wallets, shall be imposed by the enforcement officer no later than the next working day after their identification, by issuing the relevant decision. The seizure shall be imposed in an amount corresponding to the sum subject to recovery, including the enforcement fee, enforcement proceedings costs, fines and the principal remuneration of the private enforcement officer.

The draft law also reiterates the existing provision prohibiting enforcement against a debtor's sole dwelling and the land plot on which it is located where the amount of debt subject to recovery under enforcement proceedings does not exceed 20 minimum wages (as of 2025 — UAH 160,000). In such cases, the enforcement officer is required to take measures to recover the debt from other property belonging to the debtor (Part Seven of Article 48 of the Law).

The draft law contains no other provisions that would allow for the deprivation of a debtor's sole dwelling.

Accordingly, the draft law does not expand the possibilities for depriving debtors of their sole dwelling and the land plot on which it is situated. Enforcement is primarily directed at the debtor's funds and other property. A sole dwelling and the land plot beneath it may become subject to enforcement only in cases already provided for by law — where the amount of debt, as of 2025, exceeds UAH 160,000 and subject to compliance with the established order of enforcement.

The draft law also does not alter the existing procedure for determining the value of a debtor's property, conducting its valuation, arranging its storage, or selling property against which enforcement has been levied.

6. To introduce changes to terminology

The draft law proposes, in most cases, to replace the term 'seizure of property' with 'levying enforcement on property' in the Law.

At the same time, it defines levying enforcement on a debtor's property as encompassing its identification, inventory and seizure, removal (or debiting of funds from accounts) and compulsory sale (including the presentation of electronic money for redemption in exchange for funds transferred to the relevant account of the State Enforcement Service or a private enforcement officer).

Accordingly, the concept of 'levying enforcement on property' is broader, as it comprises several stages, including the seizure of property.

At the same time, the text of the draft law repeatedly uses these concepts side by side ('enforcement against property and seizure') or applies individual elements of enforcement in parallel. For example, it provides that, during enforcement proceedings, the enforcement officer has the right 'to enforce against the debtor's property, seal it, seize it, transfer such property for safekeeping and realise it'.

In our view, an example of incorrect terminological revision is the proposed wording of Article 58 of the Law, which in its current version regulates the procedure for the safekeeping of property subject to seizure. Under the existing regulation, property on which seizure has been imposed is transferred for safekeeping to the debtor or to other persons designated by the enforcement officer in the ruling on the description and seizure of the debtor's property, against signature. By contrast, the draft law proposes to provide for the safekeeping of property against which enforcement has been levied. However, the term 'property against which enforcement has been levied', as used in the draft law, covers not only the stages of identification, description and seizure, but also the subsequent stages of removal and compulsory sale (realisation) of the property. In effect, this refers to property to which the entire enforcement procedure has already been applied, rather than merely property subject to seizure.

At the same time, Part Five of the new version of Article 56 of the Law states that, when conducting the inventory and seizure of property, the enforcement officer may, inter alia, transfer the property for safekeeping to other persons, which must be indicated in the decision on the inventory and seizure of the debtor's property.

Considering the above, the proposed new title of Article 61 of the Law — ‘Sale of property under enforcement proceedings’ — also appears to be incorrect. Such a conflation of terms creates legal uncertainty, complicates the understanding of the provisions, and may lead to difficulties in their subsequent practical application.

It should be noted that Draft Law No. 14005 is not the first attempt to reform the system of compulsory enforcement of court decisions and to introduce digitalisation in the field of enforcement proceedings.

The version of Draft Law No. 14005 adopted at first reading is almost identical to Government [Draft Law No. 9363](#) of 7 June 2023, which was adopted as a basis in November 2024 but, following consideration at second reading, was rejected by Parliament in August 2025 and removed from consideration. That draft law attracted a degree of criticism from the Private Enforcement Officers Association of Ukraine.⁷

In addition, issues related to the digitalisation of enforcement proceedings, among others, were also addressed in [Draft Law No. 5660](#) of 14 June 2021, which, after being adopted at first reading, was never considered by Parliament at second reading. Given its proposed innovations and potential positive impact on the enforcement of court decisions, that draft law was supported by the Verkhovna Rada Committee on Legal Policy, the Private Enforcement Officers Association of Ukraine and the International Union of Judicial Officers (UIHJ).⁸

Recommendations

1. Further refine Draft Law No. 14005, taking into account the provisions of previous draft laws (No. 5660 and No. 9363) and the comments expressed in relation to them, with a view to unifying approaches and shaping a coherent state policy in the field of enforcement of court decisions that reflects the positions of both the Private Enforcement Officers Association of Ukraine and the Ministry of Justice of Ukraine.
2. Revise the provisions of Draft Law No. 14005 that provide for unrestricted access of enforcement officers to an undefined range of information about debtors from registers and databases, including confidential information, to bring them into compliance with the Constitution of Ukraine, the laws of Ukraine and international legal instruments.

⁷ [Shadow report to Chapter 23 ‘Justice and Fundamental Rights’ and Chapter 24 ‘Justice, Freedom and Security’ of the European Commission’s Report on Ukraine’s progress within the European Union Enlargement Package in 2024, p. 161.](#)

⁸ [Shadow report to Chapter 23 ‘Justice and Fundamental Rights’ and Chapter 24 ‘Justice, Freedom and Security’ of the European Commission’s Report on Ukraine’s progress within the European Union Enlargement Package in 2024, p. 159.](#)

3. Define an exhaustive list of electronic databases and registers to which enforcement officers are to be granted access and specify the categories of data, or information on the presence or absence of such data, in the relevant databases and registers that may be requested by enforcement officers within enforcement proceedings.
4. Within the framework of the digitalisation of the judiciary, ensure electronic interoperability between the Unified Register of Debtors and the modules of the Unified Judicial Information and Telecommunication System.
5. Harmonise the terminology used in Draft Law No. 14005 to eliminate legal uncertainty and ensure consistency in law enforcement practice.
6. Consider the introduction of mechanisms to incentivise debtors to voluntarily comply with court decisions of an obligation-based nature.
7. Provide for an effective administrative mechanism for appealing against decisions, actions or omissions of enforcement officers in cases where errors, including technical errors, occur in the URD, given the existing restrictions on individuals' rights to dispose of their property.