Early Warning System

# EBRD-15824

## Assistance with Concept for Lifting of SOE Insolvency and Debt Enforcement Moratoria

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### Quick Facts

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| **Countries** | Ukraine |
| **Financial Institutions** | European Bank for Reconstruction and Development (EBRD) |
| **Status** | Approved |
| **Bank Risk Rating** | U |
| **Borrower** | Government of Ukraine |
| **Sectors** | Law and Government, Technical Cooperation |
| **Investment Type(s)** | Grant |

# Assistance with Concept for Lifting of SOE Insolvency and Debt Enforcement Moratoria

## Project Description

According to the bank website, the EBRD (Legal Transition and Governance and Political Affairs Teams) is presently providing support to the Ministry of Economy in development and adoption of the cornerstone legislation piece on corporate governance of SOEs (registered in the Parliament as "5593" and formerly known as "6428" ).

SOE insolvency and enforcement moratoria undermine the success of the overall SOE governance reform. Such regulatory exemptions fall in direct contradiction with the principles of level playing field and fair competition in the market place set out in the OECD Guideline III . Moratoria create unfair market advantage to SOEs with negative impacts extending across whole state sector of economy and overall business environment. Accordingly, the project aims to develop a detailed and well researched Concept for lifting the moratoria on enforcement against SOEs for the Government of Ukraine.

The objective of the TC project would be to assist the beneficiary - Ministry of Justice of Ukraine to do the following:

1) Review of moratoria, debt structure and formulating an approach for analysis:* Review of the existing moratoria and mapping of their assumed effects on groups of SOEs and the economy;* Analysis of SOE debt volumes, types and structures associated with specific types of moratoria;* Setting the objectives and principles to guide the process of moratoria review and policy options for lifting ("The Principles and Objectives of the approach to lifting of the moratoria"); * Categorisation of active moratoria based on needed analysis for consideration of policy options and potential timelines for lifting;* Overview of available policy alternatives to SOE enforcement and insolvency moratoria.

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## Investment Description

- European Bank for Reconstruction and Development (EBRD)

No information available at the time of disclosure

## Contact Information

*No contacts available at the time of disclosure*

ACCESS TO INFORMATION

You can request information by emailing: accessinfo@ebrd.com or by using this electronic form: https://www.ebrd.com/eform/information-request

ACCOUNTABILITY MECHANISM OF EBRD

The Project Complaint Mechanism (PCM) is the independent complaint mechanism and fact-finding body for people who have been or are likely to be adversely affected by an European Bank for Reconstruction and Development (EBRD)-financed project. If you submit a complaint to the PCM, it may assess compliance with EBRD's own policies and procedures to prevent harm to the environment or communities or it may assist you in resolving the problem that led to the complaint through a dialogue with those implementing the project. Additionally, the PCM has the authority to recommend a project be suspended in the event that harm is imminent.

You can contact the PCM at: pcm@ebrd.com or you can submit a complaint online using an online form at: http://www.ebrd.com/eform/pcm/complaint_form?language=en

You can learn more about the PCM and how to file a complaint at: http://www.ebrd.com/work-with-us/project-finance/project-complaint-mechanism.html