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Unlocking Investment in Ukraine

Ivan Mishchenko,
Supreme Court

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EBA INVESTMENT ATTRACTIVENESS INDEX 2023



Research Partner



↓ **2,44**
points
out of 5 possible

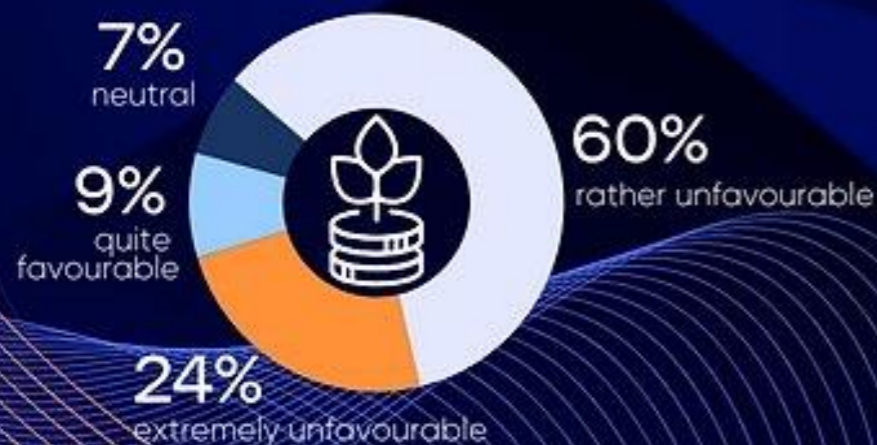
32% believe that new investments in Ukraine will be profitable

46% believe that new investments in Ukraine will not be profitable

57% plan to invest in Ukraine during the war

79% ready to join the reconstruction of Ukraine

INVESTMENT CLIMATE IN UKRAINE



TOP-3 FACTORS THAT NEGATIVELY AFFECT THE INVESTMENT CLIMATE

Russia's full-scale military aggression

Corruption

Weak judiciary

TOP-3 FACTORS THAT POSITIVELY AFFECT THE INVESTMENT CLIMATE

Ukraine's EU candidate status

Deregulatory initiatives

Digitalization of public services



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Possible options to improve judiciary

- 1. New Investment court**
- 2. Strengthening the existing dispute resolution system**
- 3. Arbitration (international) model**
- 4. Mixed model**



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What we should bear in mind:

- ✓ Any model should consider Ukrainian context
- ✓ Ukraine has little experience in the successful creation of new specialized courts (Anticorruption Court vs IP Court)
- ✓ Almost every court in Ukraine deals with investment disputes
- ✓ What is investment dispute – not an easy question for Ukrainian formal legal approach