



# COMPETITIVE SELECTION TO THE SUPREME COURT

- ❖ **On the 7<sup>th</sup> of November 2016 the High Qualification Commission of Judges of Ukraine announced the beginning of competition to the Supreme Court.**

**FOUNDATIONS:** entry into force of amendments to the Constitution of Ukraine and new version of the Law “On the Judiciary and Status of Judges”



# THE PURPOSE: Judicial System of Ukraine after 31 March 2017

**Supreme Court**

**Courts Of Appeal**

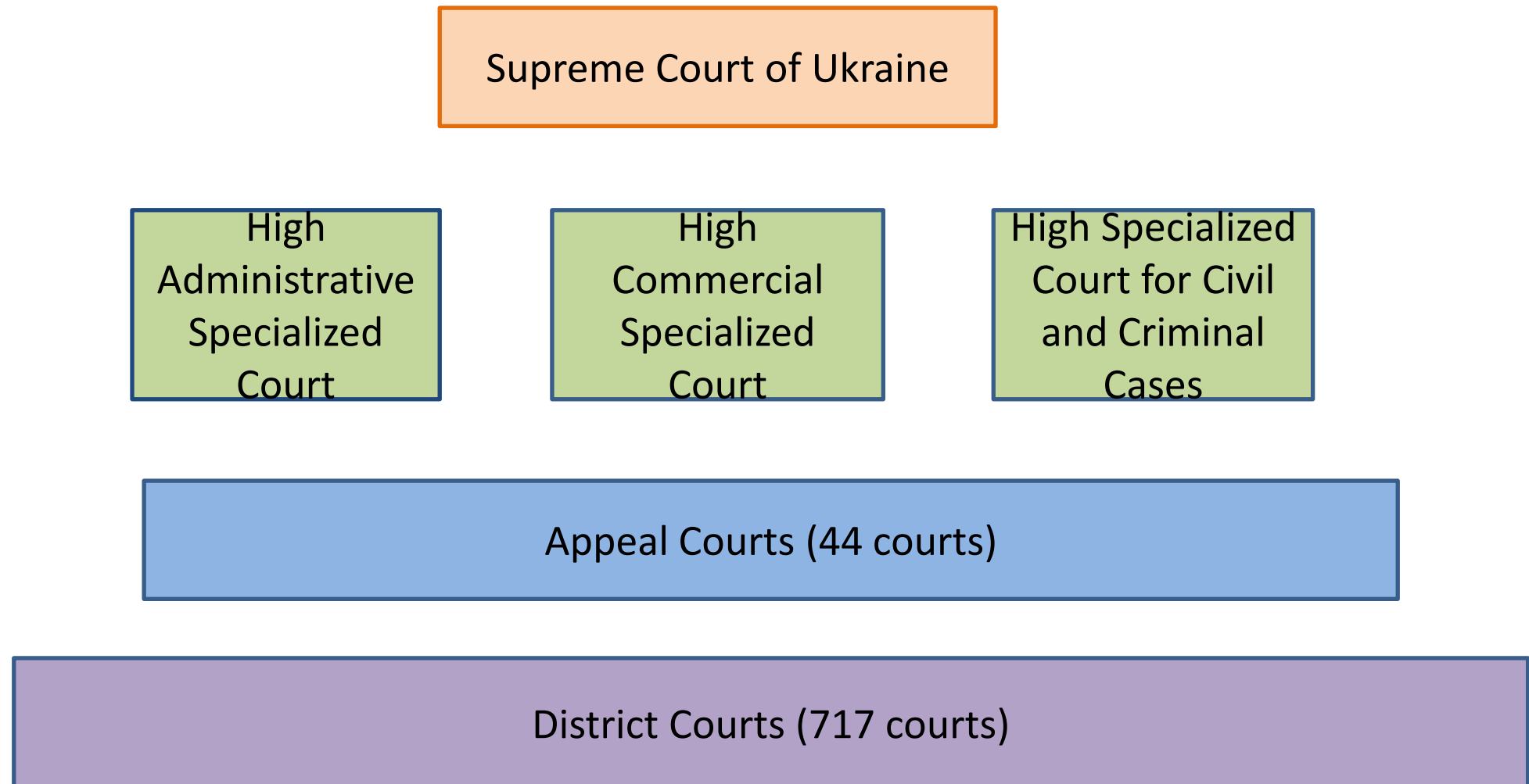
**High Court Of Intellectual  
Property**

**High  
Anti-corruption  
Court**

**District Courts**



# Judicial system of Ukraine BEFORE entering into force of Constitutional amendments as of 30 September 2016 and before 31 March 2017





# STRUCTURE OF THE NEW SUPREME COURT

## GRAND CHAMBER OF THE SUPREME COURT

ADMINISTRATIVE  
CASSATION COURT

COMMERCIAL  
CASSATION COURT

CRIMINAL  
CASSATION COURT

CIVIL  
CASSATION COURT

Staffing number of judges is 120 (30 judges per the Chamber)

**UP TO 200 JUDGES FORESEEN IN THE LAW**

## THE MAIN STAGES OF COMPETITION ARE:

1. Receiving of documents and checking the compliance of a person with the requirements to a candidate for the position of a Supreme Court judge;
2. Background check;
3. Qualification assessment:
  - Exam (practical task and anonymous written test);
  - Test for personal moral and psychological qualities and general mental abilities (includes interview with a psychologist);
  - Obtaining from Public Council of Integrity information and opinions concerning judges (candidates for position of a judge);
  - Examination of dossiers and holding the interview;
4. Rating formation and determining the Winners;
5. Submission of recommendations to the High Council of Justice on appointment of candidates to the position of a judge of Supreme Court;
6. Issuance by the President of Ukraine of Decree on appointment of the competition Winners to the positions of Supreme Court judges.

# WITHIN THE PREPARATION TO THE QUALIFICATION ASSESSMENT THE COMMISSION:



1. Consulted with Council of Judges of Ukraine on determination of the procedure of forming and maintaining the judicial dossier (dossier of a candidate for the position of a judge);
2. Developed and approved following local Regulations:
  - Regulation on the Procedure and methodology of qualification assessment, eligibility indicators according to qualification assessment criteria and means of their determination;
  - Regulation on the Procedure of exam taking and methodology of its assessment during qualification assessment;
  - Procedure of forming and maintaining the judicial dossier;
  - Procedure of forming and maintaining dossier of a candidate for the position of a judge;
3. Approved forms of such documents:
  - Declaration of family relations;
  - Declaration of Integrity;
  - Statement and Application Form of a candidate for the position of a judge.
4. Determined the program of exam, on the basis of which the test questions are being developed;
5. Provided training for Developers and Reviewers of test questions and practical tasks;
6. Developed Professiogram of a judge, on the basis of indicators of which the testing for personal moral and psychological qualities and general mental abilities were developed;
7. Developed Exam Process Automation System.

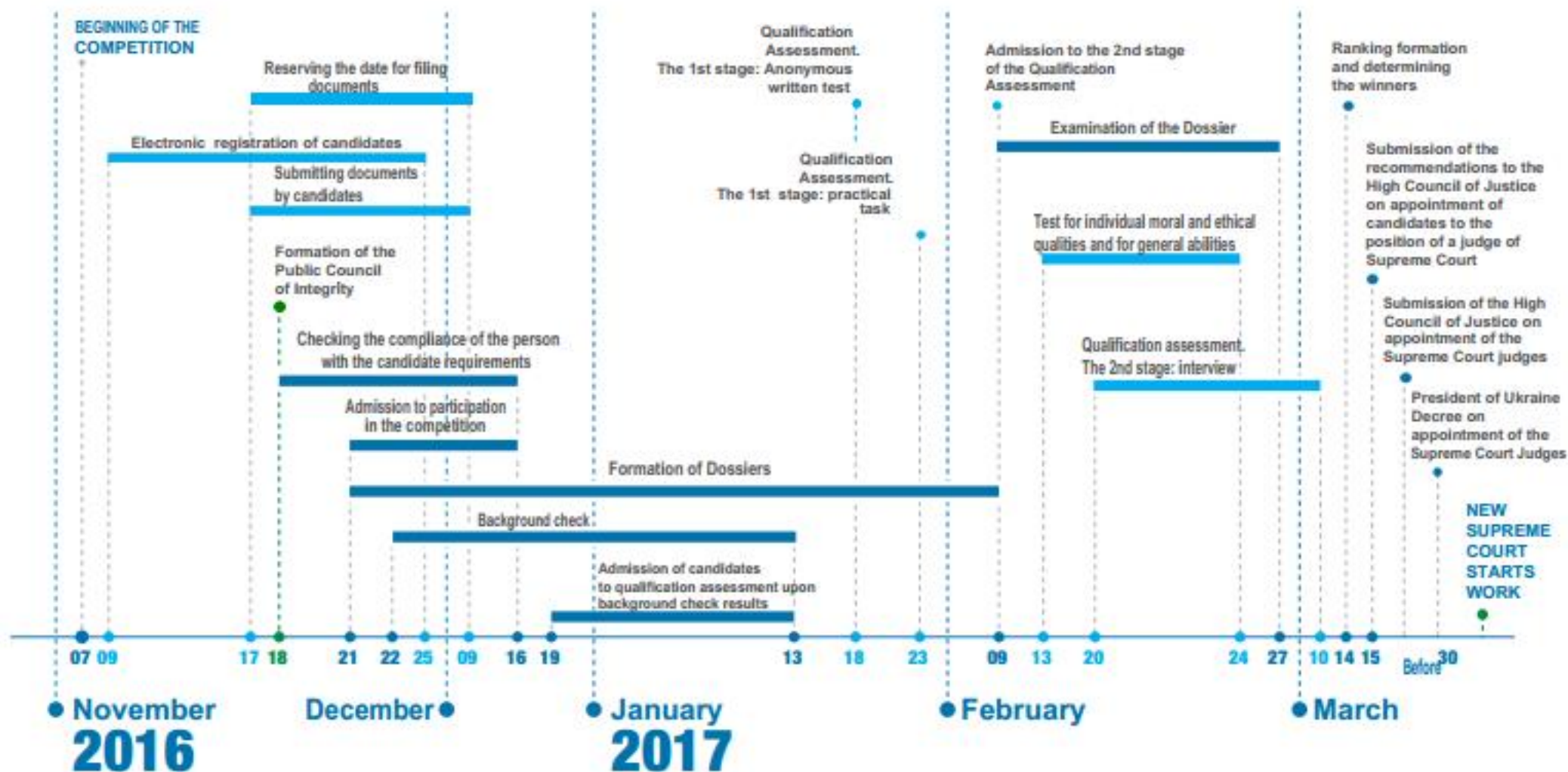
# HIGH QUALIFICATION COMMISSION OF JUDGES OF UKRAINE

[www.vkksu.gov.ua](http://www.vkksu.gov.ua)



## COMPETITION FOR POSITIONS OF THE SUPREME COURT JUDGES

PRELIMINARY SCHEDULE





# QUALIFICATION ASSESSMENT CRITERIA FOR THE CANDIDATE TO POSITION OF THE SUPREME COURT JUDGE ARE:

- (1) competence (professional, personal, social, etc.);
  - (2) professional ethics; and
  - (3) integrity.
- *Maximum total score: 1000.*

The High Qualification Commission of Judges of Ukraine **shall to ensure transparency of the exam.** All persons concerned may be present at all the qualification assessment stages and during evaluation of the results.

# ESTABLISHING THE PUBLIC COUNCIL OF INTEGRITY

- **OBJECTIVE:**

- assist the Commission in determining the consistency of a judge (judicial candidate) to professional ethics and integrity criteria for the qualification assessment purposes.

- **TASK:**

- to collect and check the information on the judge (judicial candidate)
- to provide the information about the judge or an opinion on inconsistency of a judge (candidate to judicial position) to criteria of professional ethics and integrity.

- **STRUCTURE:**

- 20 Members of the Public Council of Integrity (NGO representatives);
- 4 Boards (5 Members of the Public Council of Integrity in every Board).

# PUBLIC COUNCIL OF INTEGRITY

- **REQUIREMENTS TO THE ORGANIZATION:**
  - activities aimed at fighting the corruption, support for institutional reform - at least 2 years
  - successful experience of cooperation with international organization having the unchallenged reputation.
- **REQUIREMENTS TO THE MEMBER OF THE PUBLIC COUNCIL OF INTEGRITY:**
  - a representative of a human rights organization, legal scholar, advocate or journalist;
  - a distinguished expert in his/her field;
  - has high professional reputation;
  - political neutrality and integrity.
- **WHO CAN NOT BE A MEMBER OF THE PUBLIC COUNCIL OF INTEGRITY:**
  - disabled or limited-capable persons;
  - persons having criminal record (not canceled or withdrawn);
  - persons committed corruption offenses (within the past year);
  - officials of the law enforcement authorities (at last 5 years in office);
  - judges and retired judges.

## ESTABLISHING THE PUBLIC COUNCIL OF INTEGRITY

- **42** organizations applied the Commission for taking part in the meeting on establishment of Public Council of Integrity, namely:
  - ✓ 41 organizations (documents have been submitted in time);
  - ✓ 1 organization (documents have been submitted in violation of terms);
  - ✓ 1 individual.
- **9** organizations were recognized by the Commission as those who met the requirements, namely:
  - ✓ Centre for Democracy and Rule of Law (CEDEM);
  - ✓ Center of Policy and Legal Reform;
  - ✓ “All-Ukrainian Civil Platform “New Country””;
  - ✓ “Transparency International Ukraine”;
  - ✓ “Public Lustration Committee”;
  - ✓ “Ukrainian Bar Association” (UBA);
  - ✓ “European dimension”;
  - ✓ “Centre of United Actions” (CentreUA);
  - ✓ “All-Ukrainian Union “Automaidan”.
- **24** candidates were nominated by mentioned organizations to compose Public Council of Integrity;
- **20** candidates have been elected as Members of Public Council of Integrity.

# ESTABLISHING THE PUBLIC COUNCIL OF INTEGRITY



# ESTABLISHING THE PUBLIC COUNCIL OF INTEGRITY





# SUPREME COURT COMPETITION PROCESS

INFORMATION UPDATE ON **16 DECEMBER 2016**

- 9 December 2016 the High Qualification Commission of Judges of Ukraine completed the process of documents acceptance due from the candidates for participation in the competition for occupying vacant positions of the Supreme Court judges.
- Within the period from 17<sup>th</sup> November to 9<sup>th</sup> December 2016 the Commission has accepted the files from **846** candidates.
- The process of taking the decision on admissibility of candidates to the qualification assessment upon background check results is pending.
- As of 14 December 2016 the Commission has examined the files of **617** candidates.
- **122** candidates have been rejected to participate in the competition by the Commission's decision (general improper paperwork).





# SUPREME COURT COMPETITION PROCESS



1,436 candidates declared the intention to take part in the competition for the position of a Supreme Court judge, however 846 of them submitted required documents only

**The Commission accepted the files from 846 candidates, including:**

ADMINISTRATIVE  
CASSATION COURT

**170 candidates**

COMMERCIAL  
CASSATION COURT

**177 candidates**

CRIMINAL  
CASSATION COURT

**232 candidates**

CIVIL  
CASSATION COURT

**267 candidates**

# COMPETITION OF THE SUPREME COURT JUDGES

[WWW.VKKSU.GOV.UA](http://WWW.VKKSU.GOV.UA)



THE LAST DAY OF THE ELECTRONIC REGISTRATION OF CANDIDATES



**1436**

AS OF  
10:00 a.m.

NOVEMBER

**25**

**49%**

JUDGES

**22%**

ADVOCATES

**14%**

SCIENTISTS

**15%**

CANDIDATES WITH AGGREGATE  
WORK EXPERIENCE



**THANK YOU FOR  
ATTENTION!**