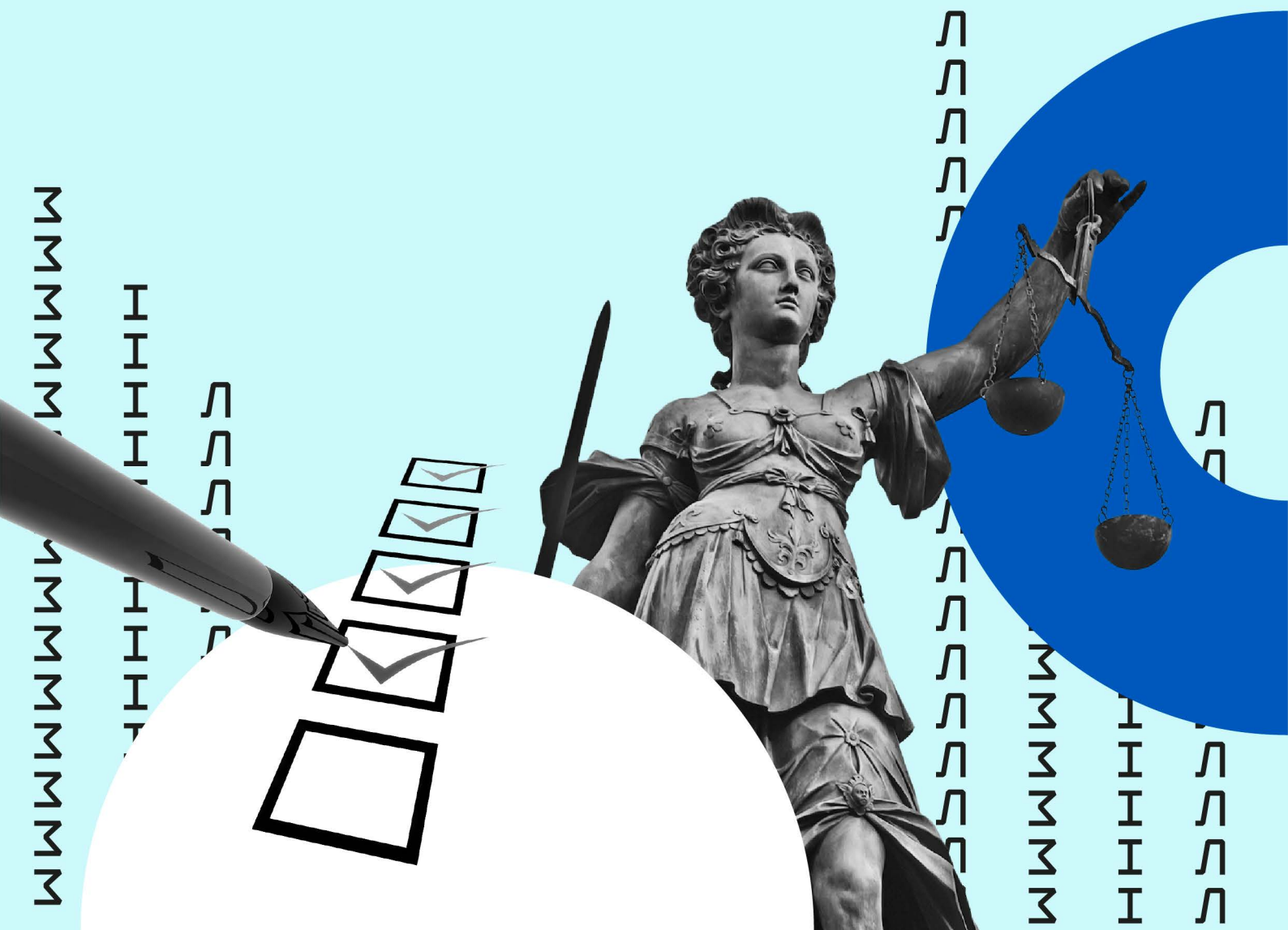


Analytical Report

Competition Commissions with the Participation of International (Foreign) Experts (Judicial Authorities and the Constitutional Court of Ukraine)



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Contents

List of Abbreviations	5
Summary	7
Methodology	10
Introduction	12
Chapter 1. Competition Commissions with the Participation of International (Foreign) Experts in Judicial Authorities and the Constitutional Court of Ukraine: General Overview and Comparative Analysis of Their Types, Legal Framework, Powers and Assessment Criteria.	13
1.1. Ethics Council	14
1.2. Competition Commission for the Selection of Candidates for the Positions of Members of the High Qualification Commission of Judges of Ukraine (HQCJ Competition Commission).	16
1.3. Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector (SDI Competition Commission)	20
1.4. Advisory Group of Experts (AGE)	22
1.5. Public Council of International Experts (PCIE)	24
1.6. Expert Council.	26
1.7. Public Integrity Council	28
1.8. Conclusions to the Section	39
1.9. Recommendations	44
Chapter 2. Analysis of the Activities of Competition Commissions with the Participation of International (Foreign) Experts in Judicial Authorities and the Constitutional Court of Ukraine in Assessing Candidates' Compliance with the Established Criteria: Interviews Conducted with Candidates, Decisions Adopted in Respect of Them and the Outcome of Election or Appointment of Candidates	46
2.1. Ethics Council	46
2.2. HQCJ Competition Commission	58
2.3. SDI Competition Commission	65
2.4. AGE	73
2.5. PCIE	83
2.6. Expert Council	90
2.7. PIC	90
2.8. Conclusions to the Section	92
2.9. Recommendations	95

Chapter 3. Supreme Court Practice in Cases Concerning Appeals Against Decisions of Competition Commissions with the Participation of International (Foreign) Experts in Judicial Authorities and the Constitutional Court of Ukraine: Legal Framework and Overview of the Supreme Court’s Legal Positions	97
3.1. Ethics Council	97
3.2. HQCJ Competition Commission	101
3.3. SDI	102
3.4. AGE	103
3.5. PCIE	106
3.6. PIC	108
3.7. Conclusions to the Section	110
3.8. Recommendations	111
Annex 1	112

List of Abbreviations

ACC SC — Administrative Cassation Court within the Supreme Court

AGE — Advisory Group of Experts

BCU — Bar Council of Ukraine

CAPU — Code of Administrative Procedure of Ukraine

CCU — Constitutional Court of Ukraine

CJU — Council of Judges of Ukraine

CMU, Government — Cabinet of Ministers of Ukraine

Competition Commissions — competition commissions/auxiliary/advisory bodies for the selection of candidates for the positions of members of the High Qualification Commission of Judges of Ukraine, High Council of Justice, Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors, disciplinary inspector and judges of the Constitutional Court of Ukraine, High Anti-Corruption Court, Specialised District Administrative Court and Specialised Administrative Court of Appeal

CPU — Council of Prosecutors of Ukraine

Established criteria — criteria defined by law which candidates for the positions of member of the High Qualification Commission of Judges of Ukraine, High Council of Justice, Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors, disciplinary inspector, as well as judges of the Constitutional Court of Ukraine, High Anti-Corruption Court, Specialised District Administrative Court and Specialised Administrative Court of Appeal must meet

European Commission — European Commission

GC SC — Grand Chamber of the Supreme Court

HACC — High Anti-Corruption Court

HCIP — High Court on Intellectual Property

HCJ — High Council of Justice

HQCJ — High Qualification Commission of Judges of Ukraine

ITA — international technical assistance

NALS of Ukraine — National Academy of Legal Sciences of Ukraine

PCIE — Public Council of International Experts

PIC — Public Integrity Council

President — President of Ukraine

SACA — Specialised Administrative Court of Appeal

SC — Supreme Court

SDAC — Specialised District Administrative Court

SDI — Service of Disciplinary Inspectors

SJA — State Judicial Administration of Ukraine

Unified Indicators — Unified Indicators for Assessing the Integrity and Professional Ethics of a Judge (Judicial Candidate)

Venice Commission — European Commission for Democracy through Law

VRU, Parliament — Verkhovna Rada of Ukraine

Summary

Competitive principles for forming public authorities, including judicial authorities and the Constitutional Court of Ukraine, are of particular importance, since it is the judiciary that ensures the respect for the rule of law and, accordingly, protection against arbitrariness, while the Constitutional Court of Ukraine safeguards the supremacy of the Constitution of Ukraine.

National legislation provides that judicial positions, including those of judges of the High Anti-Corruption Court, the Constitutional Court of Ukraine, the Specialised District Administrative Court and the Specialised Administrative Court of Appeal, as well as the positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors, disciplinary inspectors, members of the High Qualification Commission of Judges of Ukraine and the High Council of Justice, are filled following competitive selection.

Since 2018, international (foreign) experts have been actively involved in competition commissions within judicial authorities and the Constitutional Court of Ukraine. Their participation was introduced, on the one hand, in response to low public trust in the judiciary and the Constitutional Court of Ukraine. On the other hand, it was driven by Ukraine's international commitments, including under the Ukraine Facility Plan, European Commission reports and the Rule of Law Roadmap.

At the same time, the analysis identified certain problems in the functioning of such competition commissions, including:

No.	Problem	Recommended action
1.	The absence of an effective unified procedure (model) for involving international (foreign) experts in competition procedures within judicial authorities and the Constitutional Court of Ukraine leads to inconsistency in approaches to their involvement in competition commissions and in their influence on the adoption of final decisions. Different approaches are applied to the formation of competition commissions with the participation of international (foreign) experts within judicial authorities and the Constitutional Court of Ukraine.	Develop a unified approach to the formation and operation of competition commissions, for example by creating a single model for such commissions and developing universal rules of procedure and an assessment methodology for their work.
2.	The application of different approaches to the organisational, logistical and technical support of competition commissions creates unequal conditions for their functioning and adversely affects the capacity of some of them to exercise the powers conferred on them.	Consider the possibility of financing the activities of competition commissions from the special fund of the State Judicial Administration of Ukraine, except for the Advisory Group of Experts, and financing the Advisory Group of Experts from the expenditures allocated to the Constitutional Court of Ukraine to ensure their independence. During martial law, funds from international technical assistance projects may be used to support the functioning of the secretariats of competition commissions.

No.	Problem	Recommended action
3.	There is no procedure for involving additional experts, assistants, interpreters and other specialists in the work of competition commissions, or for regulating the performance of their tasks.	Define the procedure and grounds for involving additional experts, assistants, interpreters and other specialists to support the work of competition commissions, provide for a mechanism for their selection, qualification requirements for such persons, the scope of their powers and the limits of their access to competition documents.
4.	Differences in the qualification requirements for members of competition commissions result in commissions being formed with varying levels of competence, experience and expertise, which affects the quality of candidate assessment.	Structure and unify the qualification requirements for members of competition commissions.
5.	The use by competition commissions of different established criteria and indicators when assessing candidates, as well as the absence of a unified approach to defining the methodology for assessing such indicators and criteria, leads to their ambiguous and subjective interpretation.	Unify the list of assessment criteria and indicators applied by competition commissions, with detailed explanations of their meaning.
6.	The absence of requirements for members of competition commissions and support staff regarding access to information about candidates who are service members, as well as the lack of transparency for candidates regarding the full list of persons who have access to competition documents.	Define the limits of access of members of competition commissions and support staff to data concerning candidates who are service members, where access to information about them, including their place of service, scope of duties and other details, is either restricted by law or may potentially harm national security. Provide candidates with full information on the list of persons to whom competition documents have been transferred.
7.	The absence of a unified methodology for conducting interviews with candidates, different approaches to forming lists of questions and inconsistency in their discussion negatively affect compliance with the principles of equality and transparency in competitions.	Develop and approve a universal methodology for conducting interviews by competition commissions, including specific arrangements for interviews with service members.
8.	The application of different approaches to voting and decision-making by competition commissions, including the structure and reasoning of decisions, as well as the approach to establishing voting results and so-called negative opinions. The lack of publicly available voting results, together with insufficient reasoning and justification of such decisions, undermines trust in the functioning of these commissions and in the competition procedure as a whole.	Develop consistent decision-making practice, including the structure and reasoning of decisions, within each commission. Develop and approve a unified, structured decision template and accompanying guidance.
9.	In some cases, divergent practice in approaches and standards for assessing candidates' compliance with the established criteria leads to different interpretations of such criteria and reduces the effectiveness of their verification.	Develop uniform practice in the standards for assessing candidates' compliance with the established criteria.

No.	Problem	Recommended action
10.	<p>Inconsistent consideration and application by competition commissions of such principles as the materiality, cumulative nature and systematic nature of integrity violations when determining compliance with the criterion of integrity adversely affects decision-making and candidates' further participation in competition procedures.</p>	<p>Include clear criteria/indicators in the Unified Indicators for Assessing the Integrity and Professional Ethics of a Judge (Judicial Candidate) for determining the materiality of integrity violations, with a view to ensuring a unified approach by competition commissions to determining the materiality, cumulative nature and systematic nature of integrity violations applied when assessing candidates.</p>
11.	<p>Numerous cases have been recorded where the same person may submit their candidacy for different competitions, both within the same body and across different bodies under different quotas of different appointing/electing authorities. As a result, the absence of a unified database of candidates participating in competition procedures gives rise to divergent decision-making practice regarding the compliance or non-compliance of the same candidate with the established criteria.</p>	<p>Develop and introduce a unified database of candidate profiles with a standard CV format, while ensuring the protection of candidates' personal data, including by establishing appropriate rules for the storage, transfer and use of data concerning candidates who are service members. Grant access to this database to members of the relevant competition commissions, the Public Integrity Council and the bodies to which candidates are appointed/elected, while maintaining restricted access to information concerning candidates who are service members.</p>
12.	<p>There are no unified approaches to determining the finality of decisions in respect of candidates who, as a result of decisions by competition commissions finding them non-compliant with the established criteria, effectively cease their participation in the competition. For such candidates, these decisions are in fact final — and the absence of a possibility to challenge them in legislation and subordinate regulations and in the practice of the Supreme Court deprives them of the right to judicial protection.</p>	<p>Enshrine in legislation clear grounds for judicial appeal against decisions of competition commissions exclusively on the basis of procedural violations, in particular for candidates for whom decisions of such commissions finding them non-compliant with the established criteria effectively mean the termination of their participation in the competition and are therefore final.</p> <p>A negative decision of a competition commission in respect of a candidate in one competition should not in all cases operate as a 'black mark' against participation in other competitions, including subsequent ones.</p> <p>Legislation should specify the period for which a competition commission assesses a candidate's compliance with the integrity criterion.</p>

Methodology

The purpose of this report is to independently assess the activities of competition commissions with the participation of international (foreign) experts in judicial authorities and the Constitutional Court of Ukraine (competition commissions), conduct a comparative analysis of their work, assess their effectiveness, the consistency of their approaches and candidate assessment practices and propose solutions to the identified problems.

For the purposes of this study, the activities of competition commissions were assessed for the period from January 2022 to November 2025 inclusive. As regards competition procedures, updated data as of December 2025 were used.

To achieve this objective, the study used a desk research method, namely an analysis of documents and other open sources and data containing information on the activities of competition commissions, including:

- 1) national acts, including laws, acts of the President of Ukraine, the Cabinet of Ministers of Ukraine (CMU), central executive authorities, judicial authorities, competition commissions and other institutions, as well as international acts, including conventions, statutes, resolutions and principles;
- 2) draft normative legal acts of Ukraine;
- 3) case law of the Supreme Court (SC);
- 4) studies, reports, other analytical materials and statistical information of public authorities and civil society institutions;
- 5) media materials and social media information on the relevant subject matter.

In particular, the study included an analysis of interviews conducted with candidates, including special joint meetings of the High Qualification Commission of Judges of Ukraine (HQCJ) and the Public Council of International Experts (PCIE), for the positions of judges of the High Anti-Corruption Court (HACC), the Constitutional Court of Ukraine (CCU), Head of the Service of Disciplinary Inspectors (SDI), Deputy Head of the SDI, disciplinary inspectors, members of the HQCJ and the High Council of Justice (HCJ). In total, 143 interviews with candidates were reviewed and analysed. The study also included an analysis of decisions of competition commissions concerning these candidates. In addition, interviews were conducted with members of some competition commissions.

The focus of this study is on analysing the consistency of candidate selection criteria and the consistency of approaches applied by competition commissions in determining candidates' compliance with the assessed criteria. The work of competition commissions was assessed in terms of the mechanism for forming their composition, the number of international (foreign) representatives among their members, qualification requirements, scope of powers, assessment criteria and other relevant aspects.

In relevant procedures, the work of competition commissions was also compared separately with the activities of the Public Integrity Council (PIC).

The study was based on the relevant assessment methodologies, procedures and rules of procedure of the competition commissions concerned.

The conclusions drawn from the study are based, *inter alia*, on statistical data from these competition commissions concerning the results of their activities.

A separate part of the report contains specific recommendations for addressing the problems identified in the course of the study, which may serve as guidance for the further development of public policy in this area.

The findings of this report may raise the issue of changing the bodies responsible for forming the composition of certain competition commissions, although this issue falls outside the scope of this study.

Introduction

European integration and justice system reform in Ukraine have drawn increased attention to the mechanisms for the appointment of judges of courts of general jurisdiction, judges of the CCU and members of judicial governance bodies. One of the most debated, yet innovative, instruments in this area has been the introduction of competition commissions with the participation of international (foreign) experts, designed to ensure transparency, impartiality and the alignment of national procedures with international rule of law standards.

The participation of international (foreign) experts in competition commissions within judicial authorities and the CCU emerged as a response to systemic problems, namely:

- › the inability of judicial governance bodies, primarily the HCJ, as well as the CCU, to adopt decisions under conditions of political pressure;
- › attempts by certain judges to interfere in judicial decision-making processes;
- › a consistently low level of public trust in the courts, according to sociological surveys conducted by the Razumkov Centre,¹ the National Agency on Corruption Prevention² and others.

Taken together, these factors ultimately resulted in an inability to respond effectively to the crises that regularly occurred within the judiciary and the CCU. Requirements for the involvement of international (foreign) experts were also enshrined in Ukraine's commitments to international organisations and partners. Such participation was regarded as a safeguard providing additional oversight of compliance with the principles of judicial independence, professional integrity and the prevention of corruption risks.

The relevance of this study lies in the fact that examining the results of the activities of competition commissions with the participation of international (foreign) experts makes it possible not only to assess their effectiveness in the context of judicial reform but also to formulate well-founded proposals for improving their work.

Therefore, the study of the activities of competition commissions with the participation of international (foreign) experts in judicial authorities and the CCU is important. It is aimed at deepening the understanding of modern mechanisms for forming the judiciary and the CCU, as well as developing approaches to the further development of Ukraine's judicial system and the CCU.

¹ [Assessment of the Situation in the Country, Trust in Social Institutions, Assessment of Problems Existing in Ukrainian Society \(November 2025\)](#). Razumkov Centre: website. 2025.

² [Corruption in Ukraine 2024: Understanding, Perception, Prevalence: analytical report based on the results of a survey of the population and business / National Agency on Corruption Prevention, Info Sapiens. Kyiv, 2024, 146 p.](#)

Chapter 1

Competition Commissions with the Participation of International (Foreign) Experts in Judicial Authorities and the Constitutional Court of Ukraine: General Overview and Comparative Analysis of Their Types, Legal Framework, Powers and Assessment Criteria

As of 30 November 2025, the commissions involving international (foreign) experts in judicial authorities and the CCU include: 1) the Ethics Council; 2) the HQCJ Competition Commission; 3) the SDI Competition Commission; 4) the Advisory Group of Experts (AGE); 5) the Public Council of International Experts (PCIE); 6) the Expert Council.

At the same time, legislation³ provides that, at the request of these competition commissions, additional experts, assistants and interpreters may be engaged to provide organisational and technical support for the exercise of their powers.

For comparison purposes, this study will also examine the activities of the PIC, whose membership does not include international experts among its members, since, under the Law of Ukraine 'On the Judiciary and the Status of Judges', after the expiry of the terms of office of the PCIE and the Expert Council, their functions will be transferred to the PIC.

³ On the High Council of Justice: Law of Ukraine No. 1798-VIII of 21.12.2016, Part 23 Article 91; Section III 'Final and Transitional Provisions', paragraph 13 of clause 2312; On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016, Section XII 'Final and Transitional Provisions', paragraph 14 of clause 50, clause 77; On the Constitutional Court of Ukraine: Law of Ukraine No. 2136-VIII of 13.07.2017, Part 27 Article 102; On the High Anti-Corruption Court: Law of Ukraine No. 2447-VIII of 07.06.2018, Section VI 'Final and Transitional Provisions', clause 10.

1.1. Ethics Council

Legal framework:

- › Law of Ukraine 'On the High Council of Justice',⁴
- › Rules of Procedure of the Ethics Council;⁵
- › Methodology for Assessing the Compliance of a Candidate for the Position of Member of the HCJ and Members of the HCJ with the Criterion of Professional Ethics and Integrity.⁶

Status and powers: The Ethics Council is established to assist the bodies that elect (appoint) members of the HCJ in determining whether a **candidate for the position of HCJ member** meets the criteria of professional ethics and integrity.⁷ The Ethics Council was also tasked with conducting a one-off assessment of whether the sitting members of the HCJ, as of 2022, met the criteria of professional ethics and integrity for holding these positions.⁸

Composition: 6 members.

The first and current composition of the Ethics Council was formed according to the following principle: three persons from among judges or retired judges proposed by the Council of Judges of Ukraine (CJU), and three persons proposed by international and foreign organisations which, under international or intergovernmental agreements, have provided Ukraine with international technical assistance (ITA) in the field of judicial reform and/or prevention and counteraction of corruption over the past five years.⁹

On 9 November 2021, the first composition of the Ethics Council began its work,¹⁰ and its first meeting was held on 1 December.¹¹

The next composition of the Ethics Council will be formed according to a different principle: three persons from among judges or retired judges proposed by the CJU; and one person each proposed by the Council of Prosecutors of Ukraine (CPU), the Bar Council of Ukraine (BCU)

⁴ [On the High Council of Justice: Law of Ukraine No. 1798-VIII of 21.12.2016.](#)

⁵ [Rules of Procedure of the Ethics Council: approved by Decisions of the Ethics Council No. 1 of 01.12.2021 and No. 4 of 09.12.2021, as amended.](#)

⁶ [Methodology for Assessing the Compliance of a Candidate for the Position of Member of the High Council of Justice and Members of the High Council of Justice with the Criterion of Professional Ethics and Integrity: approved by Decision of the Ethics Council No. 5 of 09.12.2021.](#)

⁷ [On the High Council of Justice: Law of Ukraine No. 1798-VIII of 21.12.2016, Part 1 Article 91.](#)

⁸ [On Amendments to Certain Legislative Acts of Ukraine Regarding the Procedure for Election \(Appointment\) to the Positions of Members of the High Council of Justice and the Activities of Disciplinary Inspectors of the High Council of Justice: Law of Ukraine No. 1635-IX of 14.07.2021, Section II 'Final and Transitional Provisions', clause 4.](#)

⁹ [On the High Council of Justice: Law of Ukraine No. 1798-VIII of 21.12.2016, Section III 'Final and Transitional Provisions', paragraph 1 of clause 231.](#)

¹⁰ [On 9 November 2021, the first composition of the Ethics Council began its work: Facebook post of 09.11.2023 / Ethics Council. Facebook. 2023.](#)

¹¹ [The Ethics Council has officially started its work. Ethics Council: website. 2021.](#)

and the National Academy of Legal Sciences of Ukraine (NALS of Ukraine) represented by its Presidium.¹² This means that international experts will not be involved.

Term of office: The term of office of a member of the Ethics Council is six years, without the right to be reappointed.¹³

Criteria assessed: professional ethics and integrity.¹⁴

Decision-making threshold: A decision of the Ethics Council is deemed adopted if at least four members of the Ethics Council vote in favour of it.¹⁵ A decision of the first composition of the Ethics Council is adopted by a majority of votes of the members of the Ethics Council present, provided that it is supported by two votes of the Ethics Council members proposed by international and foreign organisations. In the event of an equal number of votes for and against, a repeat vote is held. If the same situation arises during the repeat vote, the votes of Ethics Council members, two of whom were proposed by international and foreign organisations, are decisive.¹⁶

Qualification requirements: Members of the Ethics Council may be persons who have: 1) an impeccable business reputation; 2) high professional qualities; 3) high moral qualities; 4) public reputation; 5) meet the criteria of professional ethics; 6) meet the criterion of integrity; 7) have at least 15 years of experience in administering justice, practising law, prosecutorial work or academic work in the field of law.¹⁷

Organisational, logistical and technical support: Organisational and technical support for the activities of the Ethics Council is provided by the State Judicial Administration of Ukraine (SJA). Members of the Ethics Council exercise their powers on a pro bono basis and, for the duration of their work in the Ethics Council, are released from their official duties at their main place of work while retaining their average salary.¹⁸

Personal data protection: In order to exercise its powers, the Ethics Council collects, verifies and analyses information about candidates for the position of HCJ member, including confidential information containing personal data received from public authorities and local self-government bodies, information received from individuals and legal entities, the media and other sources necessary for the exercise of the Ethics Council's powers. A member of the Ethics Council is

¹² On the High Council of Justice: Law of Ukraine No. 1798-VIII of 21.12.2016, Part 3 Article 91. Clause 23-1 of Section III 'Final and Transitional Provisions' of the Law of Ukraine 'On the High Council of Justice' defines the specific features of forming the first composition of the Ethics Council. The main feature of this procedure is that three of the six members of the Ethics Council are proposed by international and foreign organisations which, under international or intergovernmental agreements, have provided Ukraine with international technical assistance in the field of judicial reform and/or prevention and counteraction of corruption over the past five years.

¹³ Ibid. Part 8 Article 9¹.

¹⁴ Ibid. Part 18 Article 9¹.

¹⁵ Ibid. Part 19 Article 9¹.

¹⁶ Ibid. Section III 'Final and Transitional Provisions', paragraph 11 of clause 23¹.

¹⁷ Ibid. Part 2 Article 9¹.

¹⁸ Ibid. Parts 22, 24 Article 9¹.

obliged to take measures to protect personal data and other information that has become known to them in connection with the exercise of the powers of a member of the Ethics Council.¹⁹

1.2. Competition Commission for the Selection of Candidates for the Positions of Members of the High Qualification Commission of Judges of Ukraine (HQCJ Competition Commission)

Legal framework:

- › Law of Ukraine 'On the Judiciary and the Status of Judges';²⁰
- › Rules of Procedure of the HQCJ Competition Commission;²¹
- › Regulation on Conducting a Competition for the Position of HQCJ Member;²²
- › Methodology for the Assessment by the Competition Commission of a Candidate's Compliance with the Criteria of Integrity and Professional Competence for Candidates for the Position of HQCJ Member, Indicators of Compliance with the Criteria for Such Assessment and Means of Establishing Them;²³
- › Methodology for Assessing the Compliance of a Candidate for the Position of Member of the Competition Commission with the Requirements of Impeccable Business Reputation,

¹⁹ [On the High Council of Justice: Law of Ukraine No. 1798-VIII of 21.12.2016, Parts 20, 21 Article 9¹.](#)

²⁰ [On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016.](#)

²¹ [Rules of Procedure of the Competition Commission for the Selection of Candidates for the Positions of Members of the High Qualification Commission of Judges of Ukraine: approved by the Competition Commission at its official meeting on 21.01.2022 \(as amended\) / Competition Commission for the Selection of Candidates for the Positions of Members of the HQCJ of Ukraine. 2022.](#)

²² [Regulation on Conducting a Competition for the Position of Member of the High Qualification Commission of Judges of Ukraine: approved by the Competition Commission at its official meeting on 21.01.2022 \(as amended\) / Competition Commission for the Selection of Candidates for the Positions of Members of the HQCJ of Ukraine. 2022.](#)

²³ [Methodology for the Assessment by the Competition Commission of a Candidate's Compliance with the Criteria of Integrity and Professional Competence for Candidates for the Position of Member of the High Qualification Commission of Judges of Ukraine, Indicators of Compliance with the Criteria for Such Assessment and Means of Establishing Them: approved by the Competition Commission at its official meeting on 21.01.2022 / Competition Commission for the Selection of Candidates for the Positions of Members of the HQCJ of Ukraine. 2022.](#)

High Professional Qualities, Public Reputation and the Criterion of Integrity²⁴ (applied since July 2025).

Status and powers: The HQCJ Competition Commission is an auxiliary body of the HCJ established to conduct a competition for the position of HQCJ member and to form a list of **candidates for the position of HQCJ** member who meet the criteria of integrity and professional competence.²⁵

Composition: 6 members.

The first composition of the HQCJ Competition Commission was formed according to the following principle: three persons from among judges or retired judges proposed by the CJU and three persons proposed by international and foreign organisations which, under international or intergovernmental agreements, have provided Ukraine with ITA in the field of judicial reform and/or prevention and counteraction of corruption over the past five years.²⁶ The first composition of the HQCJ Competition Commission was appointed on 17 September 2021.²⁷ The HQCJ Competition Commission began its work on 21 January 2022.²⁸

On 1 June 2023, the HCJ appointed the fully authorised composition of the HQCJ.²⁹

On 1 June 2025, the mandate of the HQCJ Competition Commission ended, since, under legislation, the term of office of the first composition of the Competition Commission and its members terminates two years after the appointment of the authorised composition of the HQCJ.³⁰

The next composition of the HQCJ Competition Commission will be formed according to a different principle: three persons from among judges or retired judges proposed by the CJU and one person each proposed by the CPU, the BCU and the NALS of Ukraine represented by its Presidium.³¹ In other words, without the involvement of international experts.

In July 2025, the HCJ announced a competition to form a new composition of the HQCJ Competition Commission.³² In this connection, the CJU, the CPU and the BCU began selecting

²⁴ [On Approval of the Methodology for Assessing the Compliance of a Candidate for the Position of Member of the Competition Commission with the Requirements of Impeccable Business Reputation, High Professional Qualities, Public Reputation and the Criterion of Integrity: Decision of the High Council of Justice No. 1542/0/15-25 of 22.07.2025.](#)

²⁵ [On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016, Part 1 Article 951.](#)

²⁶ *Ibid.* Section XII 'Final and Transitional Provisions', paragraph 1 of clause 50.

²⁷ [Acting Head of the High Council of Justice Viktor Hryshchuk signed an order of 17 September 2021 appointing the first composition of the Competition Commission that will select members of the HQCJ of Ukraine. High Council of Justice: website. 2021.](#)

²⁸ [Minutes of the Meeting of the Competition Commission for the Selection of Candidates for the Positions of Member of the High Qualification Commission of Judges of Ukraine of 21.01.2022.](#)

²⁹ [The HCJ appointed members of the High Qualification Commission of Judges of Ukraine. High Council of Justice: website. 2023.](#)

³⁰ [On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016, Section XII 'Final and Transitional Provisions', paragraph 15 of clause 50.](#)

³¹ *Ibid.* Part 4 Article 95¹.

³² [Announcement on the launch of a competition to fill vacant positions of members of the Competition Commission. High Council of Justice: website. 2025.](#)

candidates under their respective quotas.³³ On 30 July of the same year, the NALS of Ukraine, represented by its Presidium, also adopted a decision to nominate candidates to the composition of this competition commission.³⁴ As of 3 October 2025, the CJU had proposed three candidates,³⁵ the CPU had proposed two candidates³⁶ and the BCU had proposed three candidates.³⁷

At the same time, this structure of the HQCJ Competition Commission has been subject to strong criticism from the civil society sector due to the unreformed nature of the entities responsible for forming it.³⁸

In June 2025, Draft Law No. 1338³⁹ was submitted to the Verkhovna Rada of Ukraine (VRU, Parliament). It proposes extending the participation of international experts in the selection of HQCJ members for another three years. If adopted, the next composition of the HQCJ, which is to begin exercising its powers in June 2027, will be formed with the participation of international experts with a decisive vote, which is a logical step at this stage of judicial reform. As of 30 November 2025, this draft law is being considered by the VRU Committee on Legal Policy.⁴⁰

In contrast to this draft law, at the end of August 2025, Draft Law No. 13697 was registered in the VRU, proposing the exclusion of foreign experts from the process of forming Ukrainian judicial and law enforcement bodies, as well as from the management of Ukraine's state-owned property. As of 30 November 2025, this draft law is also being considered by the VRU Committee on Legal Policy.⁴¹

It is important to note that on 4 November 2025, the European Commission presented its annual report as part of the European Union's 2025 Enlargement Package, covering all candidates for membership of the European Union, including Ukraine. The report's observations and recommendations also address the participation of international experts in competition

³³ Announcement of the Council of Judges of Ukraine on the competition for positions of members of the Competition Commission. Council of Judges of Ukraine: website. 2025; The Council of Prosecutors of Ukraine announced the start of acceptance of applications for participation in the competition for the position of member of the Competition Commission. Council of Prosecutors of Ukraine: website. 2025; Acceptance of applications from candidates to the Competition Commission for the selection of HQCJ members under the BCU quota has begun. Ukrainian National Bar Association: website. 2025.

³⁴ An extraordinary meeting of the Presidium of the National Academy of Legal Sciences of Ukraine was held. National Academy of Legal Sciences of Ukraine: website. 2025.

³⁵ A meeting of the Council of Judges of Ukraine was held in Kyiv. Council of Judges of Ukraine: website. 2025.

³⁶ On submitting proposals regarding candidates for the Competition Commission: Decision of the Council of Prosecutors of Ukraine No. 122-25r of 08.08.2025.

³⁷ The BCU selected candidates for membership of the Competition Commission for the selection of HQCJ members. Ukrainian National Bar Association: website. 2025.

³⁸ CSOs Urge to Preserve and Continue the Involvement of International Experts in Competition Commissions. Transparency International Ukraine: website. 2025.

³⁹ On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' Regarding Improvement of the Competition Procedure for the Position of Member of the High Qualification Commission of Judges of Ukraine: draft Law of Ukraine, registration No. 13382 of 18.06.2025.

⁴⁰ Ibid.

⁴¹ On Amendments to Certain Legislative Acts of Ukraine Regarding the Restoration of State Sovereignty of Ukraine: draft Law of Ukraine, registration No. 13697 of 25.08.2025.

commissions for the selection of candidates for the highest judicial positions. The European Commission clearly calls for the involvement of international experts to be continued not only in the selection of future HQCJ members but also in the selection of new judges of the Supreme Court (SC).⁴²

Term of office: The term of office of a member of the HQCJ Competition Commission is four years from the date of appointment, without the right to be reappointed,⁴³ except for the term of office of the first composition of the Commission and its members, which is two years.

Criteria assessed: integrity and professional competence⁴⁴.

Decision-making threshold: A decision of the HQCJ Competition Commission is adopted if at least four of its members vote in favour of it.⁴⁵ A decision of the first composition of the Commission is deemed adopted if at least four of its members vote in favour of it, two of whom were proposed by international and foreign organisations. In the event of an equal number of votes for and against, the votes of three Commission members, two of whom were proposed by international and foreign organisations, are decisive.⁴⁶

Qualification requirements: Candidates for the position of member of the HQCJ Competition Commission may be persons who have: 1) an impeccable business reputation; 2) high professional qualities; 3) public reputation and 4) meet the criterion of integrity.⁴⁷

Organisational, logistical and technical support: Organisational, logistical and technical support for the activities of the HQCJ Competition Commission is provided by the Secretariat of the HCJ. Members of the HQCJ Competition Commission exercise their powers on a pro bono basis and, for the duration of their work in the HQCJ Competition Commission, are released from performing their official duties at their main place of work while retaining their average salary. At the request of a member of the first composition of the HQCJ Competition Commission, the HQCJ Competition Commission may engage assistants and interpreters to provide organisational and technical support for the exercise of their powers. The work of such assistants and interpreters may be financed through ITA funds. Members of the HQCJ Competition Commission proposed by international and foreign organisations who do not permanently reside in the city of Kyiv are entitled to compensation for accommodation and travel expenses from the State Budget of Ukraine. The procedure and maximum amounts of compensation for such expenses are determined by the CMU.⁴⁸

⁴² [Ukraine 2025 Report: Commission staff working document / European Commission. Brussels, 2025. 111 p.](#)

⁴³ [On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016, Part 9 Article 95¹.](#)

⁴⁴ [Ibid. Part 20 Article 95.](#)

⁴⁵ [Ibid. Part 13 Article 95¹.](#)

⁴⁶ [Ibid. Section XII 'Final and Transitional Provisions', paragraphs 12, 13 of clause 50.](#)

⁴⁷ [Ibid. Part 4 Article 95¹.](#)

⁴⁸ [On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016, Parts 19, 20 Article 95¹; Section XII 'Final and Transitional Provisions', clauses 50, 51; Procedure for Compensating Accommodation and Travel Expenses of Members of the Ethics Council and the Competition Commission Established to Conduct the Competition for the Position of Member of the High Qualification Commission of Judges of Ukraine Proposed by International and Foreign Organisations: Resolution of the Cabinet of Ministers of Ukraine No. 629 of 27.05.2022.](#)

Personal data protection: Members of the HQCJ Competition Commission and persons authorised by it collect, verify and analyse information about candidates for the position of HQCJ member, including confidential information and personal data, and obtain information from state bodies and local self-government bodies, enterprises, institutions and organisations necessary for the exercise of the powers of the HQCJ Competition Commission. Members of the HQCJ Competition Commission and persons authorised by it are obliged not to use personal data and other information that has become known to them during their work in the HQCJ Competition Commission for purposes other than the performance of duties related to the work of the HQCJ Competition Commission, and to ensure that measures are taken to protect personal data and confidential information that has become known to them in the performance of duties related to the work of the HQCJ Competition Commission.⁴⁹

1.3. Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector (SDI Competition Commission)

Legal framework:

- › Law of Ukraine 'On the High Council of Justice',⁵⁰
- › Procedure for Conducting the Competition for SDI Positions;⁵¹
- › Rules of Procedure of the SDI Competition Commission.⁵²

⁴⁹ On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016, Parts 16, 17 Article 951.

⁵⁰ On the High Council of Justice: Law of Ukraine No. 1798-VIII of 21.12.2016.

⁵¹ The Procedure for Conducting the Competition for Positions in the Service of Disciplinary Inspectors has been published. High Council of Justice: website. 2024; Procedure for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector: approved by the Minutes of the Meeting of the Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector No. 2 of 02.04.2024.

⁵² Rules of Procedure of the Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector: approved by the Minutes of the Meeting of the Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector No. 1 of 05.02.2024, as amended.

A separate methodology for assessing candidates for the positions of Head of the SDI, Deputy Head of the SDI and disciplinary inspector against the criteria of professional competence, integrity and the ethical standards established for judges has not been developed. At the same time, the above-mentioned Procedure for Conducting the Competition for SDI Positions contains Section VIII 'Verification of Compliance with the Criterion of Integrity and the Ethical Standards Established for Judges' as well as Section IX 'Interview with Candidates', which sets out the indicators of the criterion of professional competence.

Status and powers: The SDI Competition Commission, established by the HCJ,⁵³ verifies candidates for the positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and disciplinary inspector⁵⁴ against the criteria of professional competence, integrity and the ethical standards established for judges.

Composition: 6 members, three of whom are appointed by the HCJ on the proposals of international and foreign organisations which, under international or intergovernmental agreements, have provided Ukraine with ITA in the field of judicial reform and/or prevention and counteraction of corruption over the past three years. A member of the HCJ may be appointed as a member of the SDI Competition Commission.⁵⁵

On 7 December 2023, the HCJ established the SDI Competition Commission.⁵⁶

Term of office: Its powers terminate seven years from the date of entry into force of Law No. 3378-IX, namely on 19 October 2030.⁵⁷

Criteria assessed: professional competence, integrity and the ethical standards established for judges.⁵⁸

Decision-making threshold: The SDI Competition Commission adopts decisions by at least four votes of its members, at least two of whom were proposed by international and foreign organisations. In the event of an equal number of votes for and against, a repeat vote is held. If the same voting deadlock occurs during the repeat vote, the votes of three members of the competition commission, at least two of whom were proposed by international and foreign organisations, are decisive.⁵⁹

⁵³ On the High Council of Justice: Law of Ukraine No. 1798-VIII of 21.12.2016, Section III 'Final and Transitional Provisions', clause 2311.

⁵⁴ Ibid. Clause 6 Part 1 Article 294; Section III 'Final and Transitional Provisions', clause 23¹¹.

⁵⁵ Ibid. Section III 'Final and Transitional Provisions', clause 23¹¹.

⁵⁶ The HCJ established a competition commission for selection to the positions of disciplinary inspectors. High Council of Justice: website. 2023; On the Establishment of the Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector: Decision of the High Council of Justice No. 1235/0/15-23 of 07.12.2023.

⁵⁷ On the High Council of Justice: Law of Ukraine No. 1798-VIII of 21.12.2016, Section III 'Final and Transitional Provisions', clause 2311; On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' and Certain Laws of Ukraine Regarding Changes to the Status and Procedure for Forming the Service of Disciplinary Inspectors of the High Council of Justice: Law of Ukraine No. 3378-IX of 06.09.2023.

⁵⁸ On the High Council of Justice: Law of Ukraine No. 1798-VIII of 21.12.2016, Clause 6 Part 1 Article 294.

⁵⁹ Ibid. Section III 'Final and Transitional Provisions', clause 23¹¹.

Qualification requirements: Members of the SDI Competition Commission may be persons who have: 1) an impeccable business reputation; 2) high professional qualities; 3) high moral qualities; 4) public reputation and 5) meet the criterion of integrity.⁶⁰

Organisational, logistical and technical support: Organisational and technical support for the activities of the SDI Competition Commission is provided by the Secretariat of the HCJ. Organisational, technical, logistical and expert support for the activities of the SDI Competition Commission may be provided using ITA funds.⁶¹

Personal data protection: The SDI Competition Commission has the right to collect, verify and analyse information, including information with restricted access, concerning candidates for the positions of Head of the Service of Disciplinary Inspectors of the HCJ, Deputy Head of the Service of Disciplinary Inspectors of the HCJ and disciplinary inspectors of the HCJ in accordance with the procedure established by law. A member of the SDI Competition Commission is obliged not to use, transfer or disclose personal data and other information that has become known to them in connection with the exercise of the powers of a member of the SDI Competition Commission for any purpose other than the performance of their duties as a member of the SDI Competition Commission and to take measures to protect personal data and other information that became known in connection with the exercise of the powers of a member of the SDI Competition Commission.⁶²

1.4. Advisory Group of Experts (AGE)

Legal framework:

- › Law of Ukraine 'On the Constitutional Court of Ukraine',⁶³
- › Regulation on the AGE;⁶⁴
- › Methodology for Assessing Moral Qualities and the Level of Competence in the Field of Law.⁶⁵

⁶⁰ [On the High Council of Justice: Law of Ukraine No. 1798-VIII of 21.12.2016, Part 5 Article 29⁴.](#)

⁶¹ [Ibid. Part 7 Article 29⁴; Section III 'Final and Transitional Provisions', clause 23¹¹.](#)

⁶² [Ibid. Section III 'Final and Transitional Provisions', clause 23¹¹.](#)

⁶³ [On the Constitutional Court of Ukraine: Law of Ukraine No. 2136-VIII of 13.07.2017.](#)

⁶⁴ [Regulation on the Advisory Group of Experts: approved by Minutes No. 1 of the Meeting of the Advisory Group of Experts of 12.11.2023, as amended.](#)

⁶⁵ [Methodology for Assessing Moral Qualities and the Level of Competence in the Field of Law: approved by Minutes No. 2 of the Meeting of the Advisory Group of Experts of 04.12.2023, as amended by Minutes No. 10 of the Meeting of the Advisory Group of Experts of 30.05.2024; The AGE also amended this Methodology on 15.09.2025: On Amendments to the Methodology: Facebook post of 15.09.2025 / Advisory Group of Experts. Facebook. 2025.](#)

Status and powers: The AGE is established to assist the appointing entities of CCU judges in assessing the moral qualities and level of competence in the field of law of candidates for **the position of CCU judge**.⁶⁶

Composition: 6 members.

At present, the AGE (first composition) operates with six members: one member each was delegated by the appointing entities (the President of Ukraine (President), Parliament and the Congress of Judges of Ukraine), while three are representatives of international partners.⁶⁷

The first composition of the AGE became authorised on 13 October 2023 after the appointment of its members,⁶⁸ and the AGE began its work one month later.⁶⁹

Term of office: Members of the AGE are appointed for a term of three years and may not serve more than two consecutive terms.⁷⁰

Criteria assessed: high moral qualities and level of competence in the field of law.⁷¹

Decision-making threshold: The AGE adopts decisions by at least four votes, except in certain cases.⁷² The first composition of the AGE adopts decisions by at least four votes of its members, at least two of whom were proposed by international organisations or the European Commission for Democracy through Law (Venice Commission). In the event of an equal number of votes for and against, the AGE cannot adopt a decision and conducts a repeat vote. If the same voting situation arises during the repeat vote, the votes of three AGE members, at least two of whom were proposed by international organisations or the Venice Commission, are decisive.⁷³

Qualification requirements: A member of the AGE may be a person who: 1) has reached the age of 45 on the date of appointment; 2) has a Master's degree in law obtained in Ukraine and/or a legal education degree of the corresponding level obtained abroad; 3) has at least 20 years of professional experience in the field of law; 4) has high moral qualities; 5) is a legal professional with a recognised level of competence and 6) meets the criterion of political neutrality.⁷⁴

Organisational, logistical and technical support: Organisational and technical support for the activities of the AGE is entrusted to the body responsible for providing organisational support for the activities of the CCU (the Secretariat of the CCU), within the expenditures provided for in the State Budget of Ukraine for the relevant year to finance the activities of the CCU. Organisational and technical support for the activities of the AGE may be provided using ITA funds.⁷⁵

⁶⁶ [On the Constitutional Court of Ukraine: Law of Ukraine No. 2136-VIII of 13.07.2017, Part 1 Article 102.](#)

⁶⁷ [Ibid. Section IV 'Transitional Provisions', clause 5.](#)

⁶⁸ [General Information: Advisory Group of Experts. Constitutional Court of Ukraine: website.](#)

⁶⁹ [Competitive selection of CCU judges: the Advisory Group of Experts has begun its work. Centre of Policy and Legal Reform: website. 2023.](#)

⁷⁰ [On the Constitutional Court of Ukraine: Law of Ukraine No. 2136-VIII of 13.07.2017, Part 3 Article 102.](#)

⁷¹ [Ibid. Article 10³.](#)

⁷² [Ibid. Part 24 Article 10².](#)

⁷³ [Ibid. Section IV 'Transitional Provisions', clause 20.](#)

⁷⁴ [Ibid. Part 4 Article 10².](#)

⁷⁵ [On the Constitutional Court of Ukraine: Law of Ukraine No. 2136-VIII of 13.07.2017, Part 31 Article 102; Part 1 Article 44; Section IV 'Transitional Provisions', clause 19.](#)

Personal data protection: The AGE's powers include reviewing, verifying and analysing documents submitted to it by candidates for the position of CCU judge, including confidential information and personal data, as well as obtaining other information necessary for the exercise of its powers from public authorities and local self-government bodies, enterprises, institutions and organisations, citizens of Ukraine and other persons. An AGE member is obliged not to use personal data or other information that has become known to them during their work in the AGE for any purpose other than the performance of duties related to the AGE's work, and to ensure that measures are taken to protect personal data and confidential information that has become known to them in connection with the performance of duties related to the work of the AGE.⁷⁶

1.5. Public Council of International Experts (PCIE)

Legal framework:

- › Law of Ukraine 'On the High Anti-Corruption Court';⁷⁷
- › Rules of Procedure of the PCIE;⁷⁸
- › PCIE Guidelines on Assessing the Integrity, Knowledge and Practical Skills of Candidates for the Positions of Judges of the High Anti-Corruption Court (HACC).⁷⁹

Status and powers: The PCIE is established by the HQCJ to assist it in preparing decisions on the appointment of HACC judges and is its auxiliary body. The PCIE assists in assessing whether **candidates for the positions of HACC judges** meet the criterion of integrity and possess the knowledge and practical skills required to hear cases falling within the jurisdiction of the HACC.⁸⁰

Composition: 6 members, appointed by the HQCJ exclusively based on proposals from international organisations with which Ukraine cooperates in the field of preventing and counteracting corruption under international treaties of Ukraine.⁸¹

The first composition of the PCIE was appointed on 6 November 2018.⁸²

⁷⁶ [On the Constitutional Court of Ukraine: Law of Ukraine No. 2136-VIII of 13.07.2017, Part 25, 29 Article 10².](#)

⁷⁷ [On the High Anti-Corruption Court: Law of Ukraine No. 2447-VIII of 07.06.2018.](#)

⁷⁸ [Rules of Procedure of the Public Council of International Experts: Decision of the Public Council of International Experts of 19.12.2024 \(Annex No. 1 to Minutes No. 1 of 19.12.2024\); Rules of Procedure of the Public Council of International Experts: approved by Decision of the Public Council of International Experts of 04.01.2019, valid until 19.12.2024.](#)

⁷⁹ [Guidelines of the Public Council of International Experts on Assessing the Integrity, Knowledge and Practical Skills of Candidates for the Positions of Judges of the High Anti-Corruption Court: approved by Minutes of the PCIE No. 4 of 28.12.2018.](#)

⁸⁰ [On the High Anti-Corruption Court: Law of Ukraine No. 2447-VIII of 07.06.2018, Part 4 Article 8; Part 1 Article 9.](#)

⁸¹ [Ibid. Part 2 Article 9.](#)

⁸² [The HQCJ approved the composition of the Public Council of International Experts. Judiciary of Ukraine: website. 2018.](#)

The second composition of the PCIE was selected on 29 April 2024.⁸³

Term of office: The PCIE is established for a term of six years. Its members are appointed for a term of two years and may not be reappointed.⁸⁴ On 8 November 2024, the term of office of the PCIE was extended by 18 months, that is, until May 2026.⁸⁵

Criteria assessed: integrity (morality, honesty and incorruptibility), namely: the lawfulness of the sources of origin of property, the consistency of the standard of living of the candidate or their family members with declared income, the consistency of the candidate's lifestyle with their status, as well as the possession of the knowledge and practical skills required to hear cases falling within the jurisdiction of the HACC.⁸⁶ However, in October 2024, the VRU adopted Law No. 3996-IX, which amended the Law of Ukraine 'On the High Anti-Corruption Court' to retain only the criterion of integrity among the assessment criteria. The relevant amendments will enter into force in May 2026.⁸⁷

Decision-making threshold: The issue of whether any candidate for the position of HACC judge meets the above criteria is considered at a special joint meeting of the HQCJ and the PCIE, initiated by at least three PCIE members. Before such a meeting, a preliminary interview with candidates for the position of HACC judge may be conducted, at the request of at least three PCIE members, with the participation of at least six HQCJ members. A decision on whether such a candidate meets these criteria is adopted by a majority of the joint composition of the HQCJ and PCIE members, provided that at least half of the PCIE members vote in favour. If such a decision is not adopted, the candidate is deemed to have terminated their participation in the competition.⁸⁸

Qualification requirements: Citizens of Ukraine or foreign nationals may be appointed as members of the PCIE if they have: 1) an impeccable business reputation; 2) high professional qualities; 3) high moral qualities; 4) public reputation and 5) at least five years of experience in other countries in procedural supervision, conducting public prosecutions in court or administering justice in cases related to corruption.⁸⁹

Organisational, logistical and technical support: Organisational and technical support for the activities of the PCIE is provided by the SJA. The activities of the PCIE may be financed with the involvement of ITA. For the period of participation of PCIE members in procedures for selecting candidates for the positions of HACC judges, they are paid remuneration in the amount of the official salary of an SC judge. PCIE members who do not permanently reside in Ukraine are entitled to compensation for accommodation in Ukraine and travel expenses. A PCIE member may waive

⁸³ [The HQCJ selected members of the Public Council of International Experts. Public Council of International Experts: website. 2024.](#)

⁸⁴ [On the High Anti-Corruption Court: Law of Ukraine No. 2447-VIII of 07.06.2018, Parts 1, 5 Article 9.](#)

⁸⁵ [On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' and the Law of Ukraine 'On the High Anti-Corruption Court' Regarding the Public Council of International Experts: Law of Ukraine No. 3996-IX of 08.10.2024.](#)

⁸⁶ [On the High Anti-Corruption Court: Law of Ukraine No. 2447-VIII of 07.06.2018, Part 4 Article 8.](#)

⁸⁷ [On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' and the Law of Ukraine 'On the High Anti-Corruption Court' Regarding the Public Council of International Experts: Law of Ukraine No. 3996-IX of 08.10.2024.](#)

⁸⁸ [On the High Anti-Corruption Court: Law of Ukraine No. 2447-VIII of 07.06.2018, Part 5 Article 8.](#)

⁸⁹ [Ibid. Part 3 Article 9.](#)

remuneration and compensation of expenses. At the request of the PCIE, additional experts and specialists of international organisations may be engaged to support its activities at the expense of such organisations.⁹⁰

Personal data protection: The PCIE takes measures to protect personal data and information with restricted access that became known to the PCIE and its members in connection with the exercise of their powers. A PCIE member is obliged not to use, for purposes other than the performance of their duties as a PCIE member, personal data and other information that has become known to them in connection with their participation in the work of the PCIE. A breach of this requirement entails liability under the law.⁹¹

1.6. Expert Council

Legal framework:

› Law of Ukraine 'On the Judiciary and the Status of Judges'.⁹²

As of 30 November 2025, neither the Rules of Procedure of the Expert Council nor separate acts on assessment criteria had been adopted.

Status and powers: The Expert Council is established by the HQCJ to assist it in determining whether **candidates for the positions of judges of the Specialised District Administrative Court (SDAC) and the Specialised Administrative Court of Appeal (SACA)** meet the criteria of integrity and professional competence for the purposes of qualification assessment. It is an auxiliary and advisory body of the HQCJ.⁹³

Composition: 6 members, comprising three persons proposed by the CJU and three persons proposed by international and foreign organisations which, under international or intergovernmental agreements, have provided Ukraine with ITA in the field of judicial reform and/or prevention and counteraction of corruption over the past five years.⁹⁴

The Expert Council was established on 15 September 2025.⁹⁵

Term of office: A member of the Expert Council is appointed for a term of three years.⁹⁶

Criteria assessed: integrity and professional competence.⁹⁷

⁹⁰ [On the High Anti-Corruption Court: Law of Ukraine No. 2447-VIII of 07.06.2018, Parts 6, 12 Article 9; Section VI 'Final and Transitional Provisions', clauses 10, 13.](#)

⁹¹ Ibid. Parts 9, 11 Article 9.

⁹² [On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016.](#)

⁹³ Ibid. Section XII 'Final and Transitional Provisions', clauses 64, 65.

⁹⁴ Ibid. Section XII 'Final and Transitional Provisions', clause 66.

⁹⁵ [The HQCJ announces the establishment of the Expert Council.](#) Judiciary of Ukraine: website. 2025.

⁹⁶ [On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016, Section XII 'Final and Transitional Provisions', clause 72.](#)

⁹⁷ Ibid. Section XII 'Final and Transitional Provisions', clause 64.

Decision-making threshold: An opinion of the Expert Council on the non-compliance of a candidate for the position of judge of the SDAC or SACA with the criteria of integrity and/or professional competence is adopted if at least four of its members vote in favour, at least two of whom were proposed by international and foreign organisations.⁹⁸

Qualification requirements: A member of the Expert Council may be a citizen of Ukraine or a foreign national who: 1) has reached the age of 35 on the date of appointment; 2) has a Master's degree in law obtained in Ukraine and/or a legal education degree of the corresponding level obtained abroad; 3) has at least five years of professional experience in the field of law; 4) has high moral qualities; 5) has an impeccable business reputation; 6) is a legal professional with a recognised level of competence and 7) meets the criterion of political neutrality.⁹⁹

Organisational, logistical and technical support: Organisational, logistical and technical support for the activities of the Expert Council is provided by the SJA. The activities of the Expert Council may be financed with the involvement of ITA. Members of the Expert Council exercise their powers on a pro bono basis. Members of the Expert Council who do not permanently reside in the city of Kyiv are entitled to compensation for accommodation and travel expenses from the State Budget of Ukraine. The procedure and maximum amounts of compensation for such expenses are determined by the CMU.¹⁰⁰

Personal data protection: The Expert Council takes measures to protect personal data and information with restricted access that became known to the Expert Council and its members in connection with the exercise of their powers. A member of the Expert Council is obliged not to use, for purposes other than the performance of their duties as a member of the Expert Council, personal data and other information that has become known to them in connection with their participation in the work of the Expert Council. Violation of this requirement entails liability established by law.¹⁰¹

⁹⁸ [On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016, Section XII 'Final and Transitional Provisions', clause 80.](#)

⁹⁹ [Ibid. Section XII 'Final and Transitional Provisions', clause 67.](#)

¹⁰⁰ [Ibid. Section XII 'Final and Transitional Provisions', clauses 78, 79; Procedure for Compensating Accommodation and Travel Expenses of Members of the Expert Council: Resolution of the Cabinet of Ministers of Ukraine No. 609 of 27.05.2025.](#)

¹⁰¹ [On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016, Section XII 'Final and Transitional Provisions', clauses 75, 76.](#)

1.7. Public Integrity Council

Legal framework:

- › Law of Ukraine 'On the Judiciary and the Status of Judges';¹⁰²
- › Regulation on the Procedure and Methodology of Qualification Assessment, Indicators of Compliance with the Qualification Assessment Criteria and Means of Establishing Them;¹⁰³
- › Rules of Procedure of the PIC;¹⁰⁴
- › Indicators for Determining the Non-Compliance of Judges (Judicial Candidates) with the Criteria of Integrity and Professional Ethics.¹⁰⁵

Status and powers: The PIC is established to assist the HQCJ in determining whether a **judge or judicial candidate** meets the criteria of professional ethics and integrity for the purposes of qualification assessment.¹⁰⁶

Composition: The PIC consists of 20 members,¹⁰⁷ without any representatives of the international community.

The fourth composition of the PIC has been exercising its powers since August 2025,¹⁰⁸ while the first composition of the PIC began its activities in November 2016.¹⁰⁹

Term of office: PIC members are appointed by the assembly of representatives of civil society associations for a term of two years and may be reappointed.¹¹⁰

Criteria assessed: professional ethics and integrity.¹¹¹

¹⁰² [On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016.](#)

¹⁰³ [Regulation on the Procedure and Methodology of Qualification Assessment, Indicators of Compliance with the Qualification Assessment Criteria and Means of Establishing Them: approved by Decision of the High Qualification Commission of Judges of Ukraine No. 143/zp-16 of 03.11.2016; By HQCJ Decision No. 20/zp-18 of 13.02.2018, the Regulation was restated; It was amended by HQCJ Decisions No. 22/zp-18 of 16.02.2018, No. 57/zp-18 of 21.03.2018, No. 166/zp-23 of 07.12.2023 and No. 108/zp-24 of 24.04.2024. By HQCJ Decision No. 20/zp-25 of 22.01.2025, a new Regulation on the Procedure and Methodology of Qualification Assessment, Indicators of Compliance with the Qualification Assessment Criteria and Means of Establishing Them was approved, as amended.](#)

¹⁰⁴ [Rules of Procedure of the Public Integrity Council: approved by Decision of the Public Integrity Council No. 1/2016 of 23.11.2016, as amended.](#)

¹⁰⁵ [Indicators for Determining the Non-Compliance of Judges \(Judicial Candidates\) with the Criteria of Integrity and Professional Ethics: approved by Decision of the Public Integrity Council of 11.01.2019, as amended.](#)

¹⁰⁶ [On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016, Part 1 Article 87.](#)

¹⁰⁷ [Ibid. Part 2 Article 87.](#)

¹⁰⁸ [Fourth composition of the Council. Public Integrity Council: website.](#)

¹⁰⁹ [First composition of the Council. Public Integrity Council: website.](#)

¹¹⁰ [On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016, Part 9 Article 87.](#)

¹¹¹ [Ibid. Part 1 Article 87.](#)

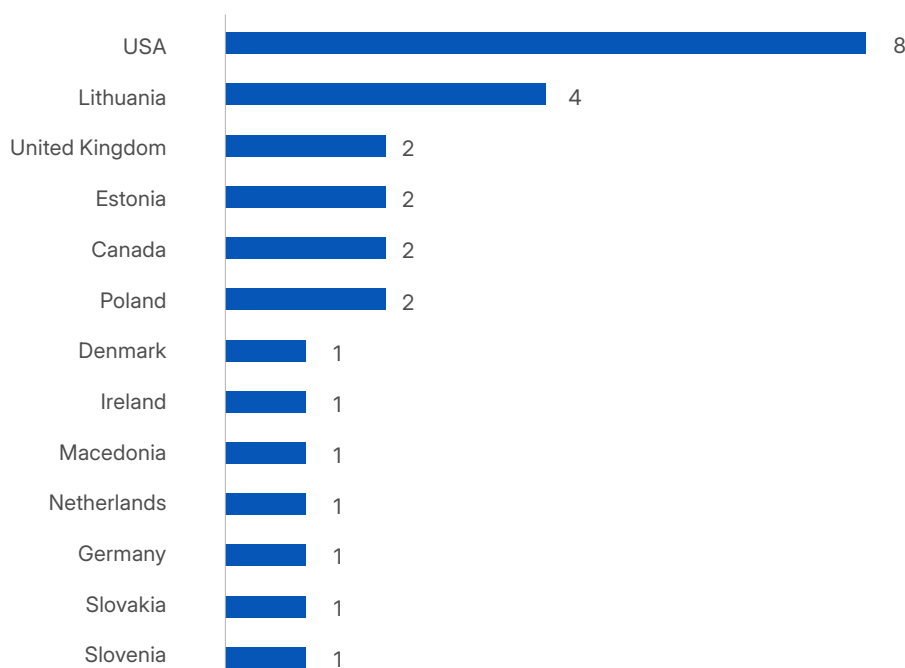
Decision-making threshold: Decisions of the PIC at panel meetings are adopted by a majority vote of the PIC members who are members of the relevant panel.¹¹²

Qualification requirements: PIC members may include representatives of human rights civil society associations, legal scholars, lawyers and journalists who are recognised specialists in their professional field, have a strong professional reputation and meet the criteria of political neutrality and integrity.¹¹³

Organisational, logistical and technical support: PIC members act on a pro bono basis.¹¹⁴

Personal data protection: For the exercise of their powers, PIC members have the right of full access to the materials of the judicial dossier or the dossier of a candidate for the position of judge. Where special or specific access requirements are established by law for information contained in the judicial dossier or the dossier of a candidate for the position of judge, access to such information is granted in accordance with the procedure provided for by the relevant law.¹¹⁵

During the period under review, 46 persons took part in the work of competition commissions, including 19 Ukrainian representatives and 27 international (foreign) experts. Five international (foreign) experts served on different competition commissions at different times. For example, *Jessica Lott Thompson* is a member of the PCIE and the Expert Council; *Pavol Žilinčík* was a member of the SDI Competition Commission and the Ethics Council; *Robert Hein Broekhuijsen* was a member of the HQCJ Competition Commission, the PCIE and the Expert Council; *Ted Zarzeczny* was a member of the HQCJ Competition Commission and the PCIE; and *Sir Anthony Hooper* was a member of the Ethics Council and the PCIE. The largest number of international (foreign) experts was delegated from the United States of America (USA) — 8 and Lithuania — 4.



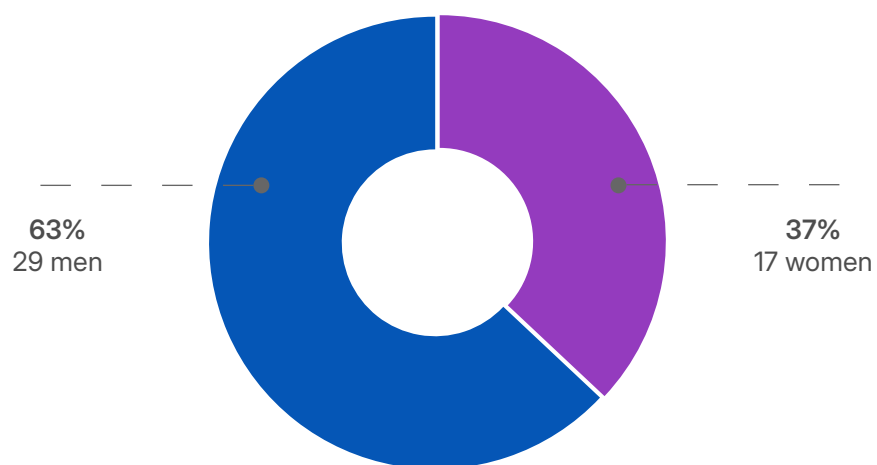
¹¹² Rules of Procedure of the Public Integrity Council: approved by Decision of the Public Integrity Council No. 1/2016 of 23.11.2016, as amended, Article 16.

¹¹³ On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016, Part 3 Article 87.

¹¹⁴ Ibid. Part 7 Article 87.

¹¹⁵ Ibid. Part 7 Article 85.

As regards the gender composition of competition commissions, taking into account both Ukrainian representatives and international (foreign) experts, men account for 63% of their members and women for 37%.



Comparative table of the powers of competition commissions¹¹⁶

Powers of competition commissions	Ethics Council	HQCJ competition commission	SDI competition commission	AGE	PCIE	Expert Council	PIC
Review, verification and analysis of documents submitted by candidates, as well as collection, verification and analysis of information about candidates/judges, including confidential information/information with restricted access	yes	yes	yes	yes	yes	yes	yes
Requests to candidates, public authorities, local self-government bodies, their officials, individuals or legal entities to provide explanations, documents or information for the purpose of assessing a candidate's compliance with the established criteria	yes	yes	yes	yes	yes	yes	yes
Formation of a list of candidates to be interviewed, conducting interviews with selected candidates/participation in interviews and assessment of candidates' compliance with the established criteria	yes	yes	yes	yes	yes	yes	yes
Provision of information on a judge or candidate for the position of judge/an opinion on the non-compliance of a judge or candidate for the position of judge with the established criteria/adoption of a decision or opinion on candidates' compliance with the established criteria	yes	no	no	yes ¹¹⁷	yes	yes	yes
Drawing up and publication of a list of recommended candidates, as well as submitting them to the appointing/electing entities	yes	yes	yes	yes	no	no	no

¹¹⁶ Prepared on the basis of the Laws of Ukraine 'On the High Council of Justice', 'On the Judiciary and the Status of Judges', 'On the Constitutional Court of Ukraine' and 'On the High Anti-Corruption Court', as well as the rules of procedure and regulations of competition commissions.

¹¹⁷ After forming the general list of all assessed candidates, the AGE also conducts a ranked vote in respect of all assessed candidates and forms their ranked list (Part 7 Article 108 of the Law of Ukraine 'On the Constitutional Court of Ukraine')

A detailed review, comparison and analysis of the criteria assessed by competition commissions and the indicators within those criteria require separate attention (see the table below).

Comparative table of assessment criteria¹¹⁸

No	Competition commission	Assessment subject	Criterion	Indicator
1.	Ethics Council	Candidate for the position of HCJ member	1.1. Professional ethics and integrity	1.1.1. Independence
				1.1.2. Honesty
				1.1.3. Impartiality
				1.1.4. Incorruptibility
				1.1.5. Conscientiousness
				1.1.6. Compliance with ethical standards and impeccable conduct in professional activities and private life

¹¹⁸ Prepared based on:

- 1) Methodology for Assessing the Compliance of a Candidate for the Position of Member of the High Council of Justice and Members of the High Council of Justice with the Criterion of Professional Ethics and Integrity: approved by Decision of the Ethics Council No. 5 of 09.12.2021;
- 2) Methodology for the Assessment by the Competition Commission of a Candidate's Compliance with the Criteria of Integrity and Professional Competence for Candidates for the Position of Member of the High Qualification Commission of Judges of Ukraine, Indicators of Compliance with the Criteria for Such Assessment and Means of Establishing Them: approved by the Competition Commission at its official meeting on 21.01.2022;
- 3) Procedure for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector: approved by Minutes of the Meeting of the Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector No. 2 of 02.04.2024;
- 4) Methodology for Assessing Moral Qualities and the Level of Competence in the Field of Law: approved by Minutes of the Meeting of the Advisory Group of Experts No. 2 of 04.12.2023, as amended by Minutes No. 10 of the Meeting of the Advisory Group of Experts of 30.05.2024; The AGE also amended this Methodology on 15.09.2025: On Amendments to the Methodology introduced on 15.09.2025: Facebook post of 15.09.2025 / Advisory Group of Experts. Facebook. 2025.
- 5) Guidelines of the Public Council of International Experts on Assessing the Integrity, Knowledge and Practical Skills of Candidates for the Positions of Judges of the High Anti-Corruption Court: approved by Minutes of the PCIE No. 4 of 28.12.2018;
- 6) Indicators for Determining the Non-Compliance of Judges (Judicial Candidates) with the Criteria of Integrity and Professional Ethics: approved by Decision of the Public Integrity Council of 11.01.2019, as amended.

No	Competition commission	Assessment subject	Criterion	Indicator
				11.7. Absence of doubts as to the lawfulness of the sources of origin of property, the consistency of the standard of living of the candidate or sitting HCJ member or their family members with declared income and the consistency of the lifestyle of the candidate or sitting HCJ member with their status
2.	HQCJ Competition Commission	Candidate for the position of HQCJ member	2.1. Integrity	2.1.1. Independence
				2.1.2. Honesty
				2.1.3. Impartiality
				2.1.4. Incorruptibility
				2.1.5. Conscientiousness
				2.1.6. Decency
				2.1.7. Impeccable conduct
				2.1.8. Financial affairs
			2.2. Professional competence	2.2.1. Knowledge in the field of law
				2.2.2. Knowledge of the judicial system
				2.2.3. Analytical skills
				2.2.4. Diligence
				2.2.5. Written communication skills
				2.2.6. Oral communication skills
2.2.7. Ability to interact with colleagues				
3.	SDI Competition Commission	Candidate for the position of: <ul style="list-style-type: none"> • Head of the SDI; • Deputy Head of the SDI; • disciplinary inspector 	3.1. Professional competence	3.1.1. Knowledge of national and international legislation and its application in the practice of the European Court of Human Rights and the Supreme Court
				3.1.2. Strategic and analytical thinking
				3.1.3. Understanding of the mission and tasks of the Service of Disciplinary Inspectors of the High Council of Justice
				3.1.4. Understanding of the fundamental principles of professional ethics
				3.1.5. Effective personal, internal and external communication

No	Competition commission	Assessment subject	Criterion	Indicator
			3.2. Integrity and ethical standards established for judges	3.2.1. Independence 3.2.2. Honesty 3.2.3. Impartiality 3.2.4. Incorruptibility 3.2.5. Conscientiousness 3.2.6. Compliance with ethical standards and demonstration of impeccable conduct in professional activities and private life 3.2.7. Property-related integrity
4.	AGE	Candidate for the position of CCU judge	4.1. High moral qualities:	
			4.1.1. Integrity	4.1.1.1. Independence 4.1.1.2. Honesty 4.1.1.3. Impartiality 4.1.1.4. Incorruptibility 4.1.1.5. Conscientiousness 4.1.1.6. Compliance with ethical standards and demonstration of impeccable conduct in professional activities and private life
			4.1.2. Lawfulness of the sources of origin of property, consistency of the standard of living of the candidate or their family members with declared income and consistency of the candidate's lifestyle with their status	The sources of origin of the candidate's property are lawful, the standard of living of the candidate or their family members is consistent with their declared and lawful income and the candidate's lifestyle is consistent with their status, unless there are reasonable doubts to the contrary.

No	Competition commission	Assessment subject	Criterion	Indicator
			4.2. Level of competence in the field of law	Knowledge in the following areas: 4.2.1. Constitutional law 4.2.2. Procedural law 4.2.3. International human rights law 4.2.4. Status of a CCU judge 4.2.5. Legal analysis and decision-making for the purposes of exercising the powers of a CCU judge 4.2.6. Knowledge is reflected in productivity: the candidate is able to comply with timeframes and knows how to achieve high quality in their legal work
5.	PCIE	Candidate for the position of HACC judge	5.1. Integrity (morality, honesty, incorruptibility) 5.2. Knowledge and practical skills required to hear cases falling within the jurisdiction of the HACC	5.1.1. Material lifestyle 5.1.2. Declaration obligations 5.1.3. Independence 5.1.4. Professional ethics 5.1.5. Violation of other rules 5.1.6. Dignity of judicial office 5.2.1. Knowledge of anti-corruption 5.2.2. Complex cases 5.2.3. Work of judges
6.	Expert Council	Candidates for the positions of judges of the SDAC and SACA	6.1. Integrity 6.2. Professional competence	As of 30 November 2025, no assessment methodology had been developed
7.	PIC	Judges/judicial candidates	7.1. Integrity and professional ethics	7.1.1. Independence 7.1.2. Impartiality 7.1.3. Honesty and incorruptibility 7.1.4. Compliance with ethical standards 7.1.5. Equality 7.1.6. Diligence

A comparison of the assessment criteria and the indicators within those criteria used by the Competition Commissions shows that they include both common and distinctive elements.

Common:

- › the indicators of '*independence*', '*honesty*', '*incorruptibility*' and '*impartiality*' (except for the PCIE) are characteristic of at least one of the criteria assessed by the Competition Commissions;
- › property-related integrity, although formulated under different indicator names, is also characteristic of all Competition Commissions.

Despite the presence of some identical indicators, differences can also be observed — both in the definitions of the criteria themselves and in the indicators. For example:

- › in one case, '*professional ethics*' functions as a criterion (*Ethics Council, PIC*) and is elaborated through one of the indicators: '*compliance with ethical standards and impeccable conduct in professional activities and private life*' (*Ethics Council*) or '*compliance with ethical standards*' (*PIC*). In another case, it functions as an indicator that elaborates the integrity criterion (*PCIE*);
- › at the same time, in the AGE, this indicator is formulated as '*compliance with ethical standards and impeccable conduct in professional activities and private life*', while in the SDI Competition Commission it is formulated as '*compliance with ethical standards and demonstration of impeccable conduct in professional activities and private life*';
- › '*honesty*' and '*incorruptibility*' also function as a separate criterion in one case (*PCIE*), while in other cases they are indicators of different criteria (*Ethics Council, HQCJ Competition Commission, SDI Competition Commission, AGE, PIC*);
- › there is no separation of indicators for individual criteria (*Ethics Council, SDI Competition Commission, PIC*);
- › some indicators are not repeated in any other Competition Commission (the indicator of '*decency*' — *HQCJ Competition Commission*; the indicators of '*diligence*' and '*equality*' — *PIC*; the indicator of '*violation of other rules*' — *PCIE*);
- › the indicator of '*conscientiousness*' is present only in the criteria assessed by the *Ethics Council, the HQCJ Competition Commission, the SDI Competition Commission and the AGE*;
- › some Competition Commissions assess the criterion of '*professional competence*' (*HQCJ Competition Commission, SDI Competition Commission, Expert Council*). In the AGE, this criterion is formulated as '*level of competence in the field of law*', while in the *PCIE* it is formulated as '*knowledge and practical skills required to hear cases falling within the jurisdiction of the HACC*'.

Given that the concept underlying the functioning of Competition Commissions envisaged assessing candidates primarily against the integrity criterion, the question arises as to whether it is appropriate for Competition Commissions to assess candidates against the criterion of professional competence.

In addition, at the end of December 2024, the Unified Indicators for Assessing the Integrity and Professional Ethics of a Judge (Judicial Candidate)¹¹⁹ (Unified Indicators) entered into force.¹²⁰ They were adopted to define the criteria of integrity and professional ethics and uniform principles for their application by all assessment entities.

According to the Unified Indicators, the assessment of the integrity and professional ethics of a judge (judicial candidate) consists of assessing the judge's (judicial candidate's) compliance with the following indicators:

- › independence;
- › impartiality;
- › compliance with ethical standards and impeccable conduct in professional activities and private life;
- › honesty;
- › conscientiousness;
- › incorruptibility;
- › lawfulness of the sources of origin of property, consistency of the standard of living of the judge (judicial candidate) or their family members with declared income and consistency of the judge's (judicial candidate's) lifestyle with their status.¹²¹

The Unified Indicators also provide that facts and circumstances that have been duly assessed, in accordance with the procedure established by law, by institutions involving representatives of international and foreign organisations which assist state bodies in competition procedures in determining whether persons meet the criteria of professional ethics and integrity, and where the person has been found to meet or not to meet the criteria of professional ethics and integrity, are not subject to review during the assessment, except where new information of material significance is identified.¹²²

In September 2025, amendments were made to CMU Resolution No. 835,¹²³ which regulates open data in Ukraine. These amendments introduced new datasets to be published in the form of open data, including those concerning judicial authorities and the CCU. In particular, the Ethics Council and the AGE were included in the list of holders of such information. This gives grounds to consider them independent holders of public information and may also help resolve the dispute over the Ethics Council's obligation to publish public information in the form of open data, which

¹¹⁹ [On Approval of the Unified Indicators for Assessing the Integrity and Professional Ethics of a Judge \(Judicial Candidate\): Decision of the High Council of Justice No. 3659/0/15-24 of 17.12.2024, para. 10.](#)

¹²⁰ [The Unified Indicators for Assessing the Integrity and Professional Ethics of a Judge \(Judicial Candidate\) Have Entered into Force. High Council of Justice: website. 2024.](#)

¹²¹ [On Approval of the Unified Indicators for Assessing the Integrity and Professional Ethics of a Judge \(Judicial Candidate\): Decision of the High Council of Justice No. 3659/0/15-24 of 17.12.2024, para. 10.](#)

¹²² [On Approval of the Unified Indicators for Assessing the Integrity and Professional Ethics of a Judge \(Judicial Candidate\): Decision of the High Council of Justice No. 3659/0/15-24 of 17.12.2024.](#)

¹²³ [On Amendments to Resolutions of the Cabinet of Ministers of Ukraine No. 835 of 21.10.2015 and No. 867 of 30.11.2016: Resolution of the Cabinet of Ministers of Ukraine No. 1151 of 10.09.2025.](#)

is currently subject to judicial review before the SC (case No. 320/5034/24¹²⁴). Accordingly, the Ethics Council and the AGE are required to publish, in the form of open data, information on their composition, agendas, adopted decisions and minutes, as well as information on the progress and results of the assessment of candidates submitted to the CCU and the HCJ.

The list of datasets to be published in the form of open data also includes datasets concerning the work of the HQCJ Competition Commission and the SDI Competition Commission, in particular information on the progress and results of competitions for the positions of HQCJ member, Head of the SDI, Deputy Head of the SDI and disciplinary inspectors. The HCJ is designated as the holder of these data.

The information holder must ensure the publication of a new dataset within ten calendar days.¹²⁵ These amendments will not only contribute to greater transparency and accountability of the relevant entities before the public and society but will also simplify the monitoring and analysis of the progress of competitions, assessment results and the reasons why candidates fail to pass different stages of competition procedures. However, information from the new datasets has not yet been published on the Open Data Portal.¹²⁶

It is also important to note that CMU Resolution No. 835¹²⁷ does not regulate in any way the publication of open data concerning the work of the PCIE, the Expert Council and the PIC. By analogy with the HCJ and the HQCJ/SDI Competition Commissions, it would be appropriate to extend to the HQCJ the status of holder of information concerning the PCIE, the Expert Council and the PIC.

At the same time, Competition Commissions are neither public authorities nor entities exercising public powers; they do not have the status of legal entities. Representation of such commissions, even in administrative proceedings, is complicated by the absence of rules for determining a representative authorised to sign procedural documents on behalf of Competition Commissions (their heads do not have such powers), participate in court hearings and perform other related procedural actions.

There is also a need to unify the lists of datasets to be provided by Competition Commissions for publication on the Open Data Portal.

¹²⁴ [Ruling of the Supreme Court of 26.06.2025 in case No. 320/5034/24 \(proceedings No. 11-242zai25\).](#)

¹²⁵ [On Approval of the Regulation on Datasets to Be Published in the Form of Open Data: Resolution of the Cabinet of Ministers of Ukraine No. 835 of 21.10.2015.](#)

¹²⁶ [Unified State Open Data Web Portal: website.](#)

¹²⁷ [On Amendments to Resolutions of the Cabinet of Ministers of Ukraine No. 835 of 21.10.2015 and No. 867 of 30.11.2016: Resolution of the Cabinet of Ministers of Ukraine No. 1151 of 10.09.2025.](#)

1.8. Conclusions to the Section

Different approaches are applied to forming the composition of Competition Commissions:

- › the PCIE consists entirely of international experts;
- › in the SDI Competition Commission, the Ethics Council, the AGE and the Expert Council, international experts make up half of their composition (so-called mixed commissions);
- › the first composition of the HQCJ Competition Commission was formed on a 50/50 basis (an equal number of international and Ukrainian representatives), while its second composition is currently being formed without the participation of international experts. The same situation applies to the Ethics Council — its first composition was formed on a 50/50 basis (an equal number of international and Ukrainian representatives), while its second composition will be formed exclusively from national representatives;
- › the PIC consists exclusively of Ukrainian experts.

At present, the participation of international experts in Competition Commissions remains a matter of debate, reflected in differing positions of state bodies, civil society and the international community,¹²⁸ both as regards continuing their participation in competition procedures and excluding them from the process of forming, in particular, Ukrainian judicial authorities and the CCU.

¹²⁸ [Path to the EU: Civil Society's View of Ukraine's Progress under Negotiation Chapters 23 and 24: video recording of the live broadcast / EU Project Pravo-Justice. YouTube. 23.10.2025](#); [Ukraine 2025 Report: Commission Staff Working Document / European Commission. Brussels, 2025. 111 p.](#); [Yemets M., Sydorenko S. The EU Demands That International Experts Be Retained in Competition Commissions under Ukrainian Bodies. European Pravda: website. 2025.](#); [CSOs Call for Preserving and Continuing the Participation of International Experts in Competition Commissions. Transparency International Ukraine: website. 2025.](#); [Oksana Kvasha Took Part in a Discussion on the Participation of International Experts in Competition Procedures. Judiciary of Ukraine: website. 2025](#); the previously mentioned draft laws [No. 13382](#) and [No. 13697](#); [The CCU Received a Constitutional Petition from 56 Members of Parliament of Ukraine. Constitutional Court of Ukraine: website. 2024](#); [Constitutional petition concerning the conformity with the Constitution of Ukraine \(constitutionality\) of certain provisions of the Laws of Ukraine 'On the Constitutional Court of Ukraine', 'On the High Council of Justice', 'On the Judiciary and the Status of Judges', 'On the High Anti-Corruption Court of Ukraine', 'On the Accounting Chamber', 'On the National Anti-Corruption Bureau of Ukraine', 'On Prevention of Corruption', 'On the Public Prosecutor's Office', 'On the State Bureau of Investigation', 'On Amendments to the Customs Code of Ukraine Regarding the Establishment of Specific Features of Service in Customs Authorities and Attestation of Customs Officials' and the Customs Code of Ukraine, as well as of the Laws of Ukraine 'On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' and Certain Laws of Ukraine Regarding the Resumption of the Work of the High Qualification Commission of Judges of Ukraine', 'On Amendments to Certain Legislative Acts of Ukraine Regarding the Procedure for Electing \(Appointing\) Members of the High Council of Justice and the Activities of Disciplinary Inspectors of the High Council of Justice' and 'On Amendments to the Law of Ukraine 'On the Accounting Chamber' and Certain Other Legislative Acts of Ukraine' in their entirety.](#)

At the same time, it is important to recall the Venice Commission's opinion,¹²⁹ which, first, approved the involvement of international experts in the HQCJ selection process and, second, stated that 'such bodies should be established only for a transitional period until the intended results are achieved. A permanent system may raise issues of constitutional sovereignty'. The following should also be taken into account: 1) ongoing competition procedures involving international representatives and the risk that a rapid change in the composition of Competition Commissions could significantly delay such procedures, resulting in positions remaining vacant for an extended period; 2) the current level of development and capacity of national justice system bodies to independently form key judicial governance bodies.

The candidate assessment process requires specific knowledge of the national legal framework, which may be quite difficult for international experts to grasp, although they are allowed to involve additional experts and assistants in such cases. The methodological documents developed to regulate the activities of these Competition Commissions do not set out in detail the qualification requirements for such persons, the procedure for their involvement and related matters. This may also affect the outcome in determining whether a person meets or does not meet the established criteria.

Different Competition Commissions also assess different candidates:

- › the AGE, the PCIE and the Expert Council assess candidates for the positions of judges of the respective courts;
- › the Ethics Council, the HQCJ Competition Commission and the SDI Competition Commission assess candidates for the positions of members of the HCJ, the HQCJ and the SDI respectively;
- › the PIC assesses candidates for judicial positions in courts other than those covered by the PCIE and the Expert Council.

In addition, the terms of office of members of Competition Commissions differ. In some cases, reappointment is possible (PIC), while in others it is not (Ethics Council, HQCJ Competition Commission, AGE, PCIE).

The qualification requirements for members of commissions also differ (see the table below). The most common requirements are an *impeccable business reputation* (in the case of the PIC — a *strong professional reputation*), except for the AGE, and *high moral qualities*, except for members of the HQCJ Competition Commission and the PIC. At the same time, the requirement of 'integrity' is not provided for members of the AGE, the PCIE or the Expert Council, although it would be logical to apply it to persons who assess others against this criterion.

Some Competition Commissions also provide for qualification requirements such as an *age requirement*, *higher legal education*, *the requirement to be a legal professional with a recognised level of competence* (AGE, Expert Council) and *compliance with the criterion of professional ethics* (Ethics Council). As regards the *requirement of public reputation*, the question arises as to whether it can be measured at all. The requirement of political neutrality is absent for members of the Ethics Council, the HQCJ Competition Commission and the SDI Competition Commission.

¹²⁹ Joint Opinion of the Venice Commission and the Directorate General of Human Rights and Rule of Law of the Council of Europe (DGI) on the Draft Law of Ukraine 'On Amendments to the Law of Ukraine 'On the Judiciary and the Status of Judges' and Certain Laws of Ukraine Regarding the Activities of the Supreme Court and Judicial Governance Bodies' (draft law No. 3711). Strasbourg, 2020. 20 p.

For members of the PCIE, an additional requirement is established, namely at least five years of experience in other countries in procedural supervision, maintaining public prosecution in court or administering justice in corruption-related cases. As regards the PIC, it is clearly specified that its members may be representatives of human rights civil society associations, legal scholars, defence counsel and journalists who are recognised specialists in their respective professional fields.

As regards the decision-making threshold in Competition Commissions, in most Competition Commissions international experts have a decisive vote (Ethics Council, HQCJ Competition Commission, SDI Competition Commission, AGE, Expert Council). The PCIE has the right to veto any candidate for the position of HACC judge on the grounds of their non-compliance with the established criteria.

Given that the approach of granting international (foreign) experts a preferential voting role is applied at the initial stage of the functioning of Competition Commissions and envisages their involvement within a transitional period until the planned results are achieved, it would be appropriate to review this approach in the future.

The analysis also shows that organisational, logistical and technical support for Competition Commissions is provided by different bodies. For example, support for the Ethics Council, the PCIE and the Expert Council is provided by the SJA, support for the HQCJ Competition Commission and the SDI Competition Commission is provided by the Secretariat of the HCJ, while support for the AGE is provided by the Secretariat of the CCU.

As regards personal data protection, legislation establishes the obligation of Competition Commissions and their members to take measures to protect personal data and information with restricted access that has become known to them in connection with the exercise of their respective powers. At the same time, Competition Commissions may involve additional experts and assistants in their work, including with donor funding, while the list of such persons is not public. In the event of bad-faith conduct by such persons, there is a risk that they may have a conflict of interest in relation to candidates, which cannot be addressed because candidates do not have information about the list of experts and assistants involved. This raises the question of how such risks should be eliminated or substantially reduced in the work of Competition Commissions.

In addition, legislation does not provide safeguards against the dissemination among members of Competition Commissions, regardless of their citizenship, of information submitted by candidates who are service members and which is sensitive and not subject to disclosure. This may range from the actual numbers of military units, which may differ from the numbers available in public sources, to family composition and lists of service members' addresses.

When serving on Competition Commissions, their members and support staff gain access at least to data on the actual names (numbers) of military units, on who serves in those units, what duties they perform and similar information. In addition, they gain access to the declarations of many service members, which become public, although during military service some service

members submit such declarations at their place of service exclusively in paper form, where they are classified and stored in secure units.¹³⁰

The subject matter of interviews conducted by Competition Commissions, even in a closed session, cannot include the activities of a service member during military service, unless such activities go beyond the performance of military duty and may indicate the service member's non-compliance.

Different Competition Commissions also apply different approaches to protecting information received from candidates.¹³¹ Some commissions note that, when processing additional information or documents from candidates received at the request of such Competition Commissions, such information or documents are transmitted by ordinary email correspondence and, accordingly, there is no mechanism for protecting this information. At the same time, such information or documents may be highly sensitive. In other commissions, by contrast, all information concerning candidates participating in competitions is stored on the servers of the SJA or the HCJ and is therefore properly protected, including through a comprehensive information protection system. In view of the above, regulating access to candidates' personal information is relevant for certain Competition Commissions.

The analysis showed that Competition Commissions use different established criteria and indicators during assessment and identified the absence of a unified approach to determining the methodology for assessing such established indicators and criteria. At the same time, the fact that Competition Commissions approved their own assessment methodologies and criteria contributed to the transparency and predictability of competition procedures. However, this is insufficient to substantively resolve the issue of a unified approach to determining the methodology for assessing the established indicators and criteria. The adopted Unified Indicators were intended to regulate this and clarify the meaning of specific criteria. However, the issue currently remains open. *For example, 'honesty' is an indicator of both integrity and professional ethics, but it is unclear how the two concepts should be distinguished.*

In addition, the provision in the Unified Indicators that facts and circumstances duly assessed in previous checks against the established criteria, involving international experts during competition procedures, may not be reassessed in subsequent checks against the established criteria unless new information of material significance emerges, may create certain challenges as regards the accuracy and propriety of such assessment.

¹³⁰ Accordingly, the procedure for submitting declarations by candidates who are service members and who, by virtue of their occupation, are not entitled to submit public declarations, even when applying for positions in the public sector, also requires improvement. This may include rules under which such candidates submit paper declarations for participation in competitions, which would also receive a classification marking and be available for analysis only to those specialists, including from the Ethics Council, the NACP and others, who may have access to documents with the relevant classification level.

¹³¹ Information obtained during interviews conducted on 26.02.2026 and 20.03.2026.

1.9. Recommendations

1. Conduct joint discussions involving public authorities, civil society and international representatives on building an effective unified procedure (model) for involving international (foreign) experts in competition procedures within judicial authorities and the CCU, and consider the possibility of continuing their participation in Competition Commissions for a transitional period — until national bodies/institutions develop sustainable capacity to independently ensure the appropriate level of transparency and openness of competition procedures in this area.
2. Develop a unified approach to the formation and operation of Competition Commissions, for example by creating a single model for such commissions and developing unified rules of procedure and a universal assessment methodology.
3. Consider the possibility of financing the activities of Competition Commissions from the special fund of the SJA (except for the AGE) to ensure their independence. During martial law, donor funds may be used to support the functioning of secretariats, but through a special account of the SJA. The activities of the AGE should be funded from the expenditures allocated to the CCU.
4. Define the procedure and grounds for involving additional experts, assistants, interpreters and other specialists to support the work of Competition Commissions, provide for a mechanism for their selection, establish clear qualification requirements for such persons and define the scope of their powers, limits of access to competition documents and related matters.
5. Structure and unify the qualification requirements for members of Competition Commissions.
6. Unify the list of assessment criteria and indicators applied by Competition Commissions, with a detailed interpretation of each, to avoid ambiguous and subjective interpretation.
7. Introduce a qualification requirement of political neutrality for members of all Competition Commissions, since the participation of politicians as members of such commissions in selecting candidates for positions, even where they meet other criteria, may create risks, including the politicisation of this process.
8. For candidates for membership of Competition Commissions who are judges, the requirement that they meet the integrity criterion should include mandatory verification of their integrity declarations.
9. Provide in legislation for the possibility that a candidate for membership of the PCIE may have work experience not only in other countries but also in Ukraine, given that Competition Commissions with the participation of international (foreign) experts have operated in Ukraine since 2018.
10. Provide for a transitional period during which, in the selection of SC and HACC judges, international organisations with which Ukraine cooperates in the areas of preventing and counteracting corruption, judicial reform and the rule of law under international treaties of Ukraine may nominate not only foreign nationals but also citizens of Ukraine to the relevant compositions of the PCIE.
11. Define the limits of access of members of Competition Commissions and support staff to data concerning candidates who are service members, where access to information about

them, including their place of service and scope of duties, is either restricted by law or may potentially harm national security.

12. Ensure that a candidate participating in a competition procedure is provided with information on third-party access (additional experts and assistants of Competition Commissions) to their personal data and confidential information in order to avoid conflicts of interest.
13. Introduce a mechanism for storing information/documents concerning candidates on dedicated servers of the SJA, HCJ and CCU created for the purposes of conducting competitions for the relevant positions. Provide for the administration of such servers by structural units established specifically for these purposes. Ensure that all information/documents received from candidates are stored for the periods prescribed by law.
14. Clarify the provisions of the Unified Indicators for Assessing Integrity and Professional Ethics in order to eliminate methodological inconsistencies.
15. Extend to the HQCJ the status of holder of information concerning the PCIE, the Expert Council and the PIC.
16. Ensure publication on the Open Data Portal and regular updating of data on the activities of the Ethics Council, the AGE, the HQCJ Competition Commission and the SDI Competition Commission, to the extent and in accordance with the requirements provided for by CMU Resolution No. 835.

Chapter 2

Analysis of the Activities of Competition Commissions with the Participation of International (Foreign) Experts in Judicial Authorities and the Constitutional Court of Ukraine in Assessing Candidates' Compliance with the Established Criteria: Interviews Conducted with Candidates, Decisions Adopted in Respect of Them and the Outcome of Election or Appointment of Candidates

2.1. Ethics Council

Stages of competitions: 1) forming a list of candidates admitted to interview on the basis of the documents submitted by them, the results of a special check and relevant information from open sources; 2) conducting interviews with selected candidates and determining the list of candidates to be recommended to the bodies that elect (appoint) members of the HCJ.¹³²

During the period of its operation, from 9 November 2021 to 7 November 2025 inclusive, the Ethics Council assessed candidates for the position of HCJ member nominated by the VRU (1 competition), the congress of representatives of legal higher education institutions and research institutions (3 competitions), the Congress of Judges of Ukraine (3 competitions), the All-Ukrainian Conference of Prosecutors (1 competition) and the President (3 competitions). In total, 197 candidates and 4 sitting HCJ members were assessed. As of 7 November 2025, the Ethics Council had adopted 217 decisions.¹³³

On 6 March 2025, the Ethics Council completed the selection of candidates to the HCJ under the quota of the Congress of Judges and found two candidates to meet the criteria of professional ethics and integrity.¹³⁴ However, since the Law of Ukraine 'On the High Council of Justice' requires that the number of candidates be at least twice the number of vacant HCJ member positions for the relevant electing (appointing) entity, it became necessary to hold a new competition for these two vacant positions.¹³⁵

¹³² [On the High Council of Justice: Law of Ukraine No. 1798-VIII of 21.12.2016, Part 14 Article 91.](#)

¹³³ [The Ethics Council Turns Four! Ethics Council: website. 2025.](#)

¹³⁴ [The Ethics Council Completed the Selection for the Position of Member of the High Council of Justice under the Quota of the Congress of Judges of Ukraine: post of 06.03.2025 / Ethics Council. Facebook. 2025.](#)

¹³⁵ [On the High Council of Justice: Law of Ukraine No. 1798-VIII of 21.12.2016, Part 8 Article 9.](#)

A new selection of candidates to the HCJ for two vacant member positions under the quota of the Congress of Judges of Ukraine was announced in March 2025¹³⁶ (the fourth competition for the position of HCJ member under the quota of the Congress of Judges). In August 2025, the Ethics Council admitted 24 out of 26 candidates to interview.¹³⁷ In December 2025, the Ethics Council adopted decisions on the compliance of candidates for election by the Congress of Judges of Ukraine to the position of HCJ member with the criteria of professional ethics and integrity. Five candidates were found to meet the criteria of professional ethics and integrity for the position of HCJ member under the quota of the Congress of Judges of Ukraine.¹³⁸

From November 2024 to October 2025 inclusive, the third competition for two vacant positions of HCJ member under the President's quota was ongoing.¹³⁹ In May 2025, the Ethics Council admitted 40 candidates to interview.¹⁴⁰ On 11 August 2025, the Ethics Council adopted decisions on the compliance of 16 candidates with the criteria of professional ethics and integrity and approved the list of candidates recommended for appointment by the President to the position of HCJ member.¹⁴¹ On 8 October 2025, the President appointed *V. Makhinchuk* and *M. Saviuk* as members of the HCJ.¹⁴²

Since 26 January 2022,¹⁴³ as of October 2025, the Congress of Advocates of Ukraine has still not launched the selection of candidates for two vacant HCJ member positions under its quota.

During the period under review, the Ethics Council conducted 11 competitions. In the 12th competition, in December 2025, the Ethics Council approved the list of candidates recommended for election by the Congress of Judges of Ukraine to the position of HCJ member.¹⁴⁴ These included competitions under the quotas of the VRU (1 competition), the congress of representatives of legal higher education institutions and research institutions (3 competitions), the Congress of

¹³⁶ [The HCJ Announced the Acceptance of Documents from Candidates: post of 20.03.2025 / Press Service of the Council of Judges of Ukraine. Facebook. 2025.](#)

¹³⁷ [On the Admission to Interview of Candidates for the Position of Member of the High Council of Justice under the Quota of the Congress of Judges of Ukraine: Decision of the Ethics Council No. 52 of 11.08.2025.](#)

¹³⁸ [The Ethics Council Completed the Assessment of Candidates for the Position of HCJ Member under the Quota of the Congress of Judges of Ukraine within the Fourth Competition. Ethics Council: website. 2025.](#)

¹³⁹ [Announcement of the Competition for the Selection of Candidates for Appointment by the President of Ukraine to the Positions of Members of the High Council of Justice. Office of the President of Ukraine: website. 2024.](#)

¹⁴⁰ [On the Admission to Interview of Candidates for the Position of Member of the High Council of Justice under the Quota of the President of Ukraine: Decision of the Ethics Council No. 14 of 12.05.2025.](#)

¹⁴¹ [The Ethics Council Completed the Assessment of Candidates for the Position of HCJ Member under the Quota of the President of Ukraine and Began Assessing Candidates under the Quota of the Congress of Judges of Ukraine. Ethics Council: website. 2025.](#)

¹⁴² [The President of Ukraine Appointed Two Members of the High Council of Justice. High Council of Justice: website. 2025.](#)

¹⁴³ [The Ethics Council Is Ready to Immediately Assess Candidates: post of 16.02.2022 / Ethics Council. Facebook. 2022.](#)

¹⁴⁴ [The Ethics Council Completed the Assessment of Candidates for the Position of HCJ Member under the Quota of the Congress of Judges of Ukraine within the Fourth Competition. Ethics Council: website. 2025.](#)

Judges of Ukraine (3 competitions¹⁴⁵), the All-Ukrainian Conference of Prosecutors (1 competition) and the President (3 competitions). In total, the Ethics Council assessed 197 candidates and 4 sitting HCJ members.¹⁴⁶ Based on the results of the Ethics Council's work, of these 197 candidates:

- › 56 terminated their participation, failed to attend the interview or were candidates in respect of whom the Ethics Council was unable to adopt a decision (candidates *I. Kovbas* and *L. Sokurenko*). The Ethics Council justified its failure to adopt such a decision by noting that the Law of Ukraine 'On the High Council of Justice' does not provide for the possibility of the Ethics Council adopting any decision where a majority of its members voted in favour but the decision was not supported by two members proposed by international and foreign organisations;¹⁴⁷
- › 82 were found not to meet the criteria of professional ethics and integrity;
- › 59 were found to meet these criteria and were recommended to the relevant entities for election/appointment to the position of HCJ member.¹⁴⁸ Of these, 16 persons were elected/appointed as HCJ members: *R. Maselko, M. Moroz, D. Lukianov, O. Kandziuba, O. Melnyk, A. Kotelevets, H. Usyk, O. Sasevych, Y. Bokova, O. Popikova, T. Bondarenko, O. Kovbii, S. Burlakov, O. Kvasha, V. Makhinchuk* and *M. Saviuk*.¹⁴⁹

Thus, if candidates who terminated their participation, failed to attend the interview or in respect of whom the Ethics Council was unable to adopt a decision are excluded, the percentage of candidates in respect of whom the Ethics Council adopted a decision finding them compliant with the criteria of professional ethics and integrity is 42%, while decisions finding non-compliance with these criteria were adopted in respect of 58% of candidates.

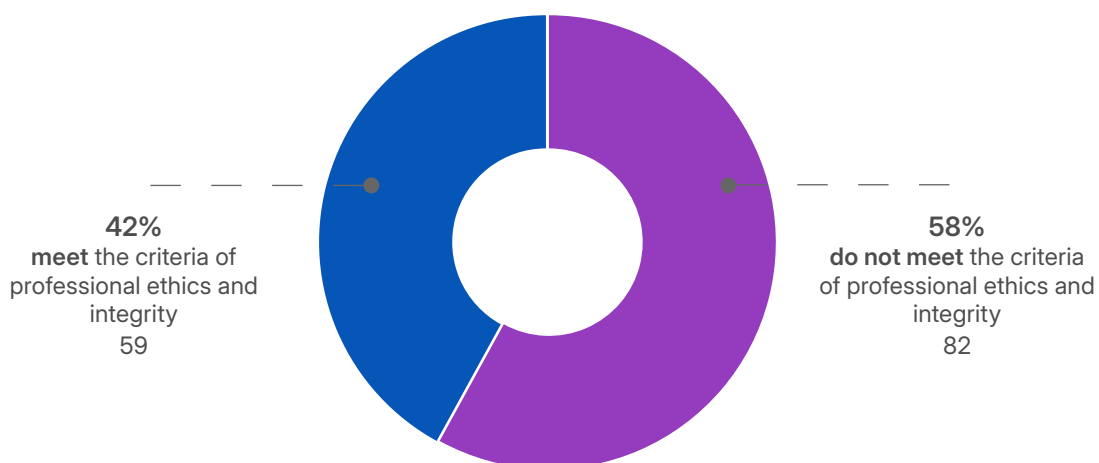
¹⁴⁵ In December 2025, within the fourth competition (the 12th competition if counted across all quotas of electing/appointing entities), the Ethics Council approved the list of candidates recommended for election by the Congress of Judges of Ukraine to the position of HCJ member. This study did not analyse that competition.

¹⁴⁶ [The Ethics Council Turns Four!](#) Ethics Council: website. 2025.

¹⁴⁷ [On the Results of the Assessment of Ihor Vasylovych Kovbas, Candidate for the Position of Member of the High Council of Justice, for Compliance with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 39 of 28.04.2023;](#) [On the Results of the Assessment of Larysa Vitaliivna Sokurenko, Candidate for the Position of Member of the High Council of Justice, for Compliance with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 12 of 06.03.2025.](#)

¹⁴⁸ Decisions of the Ethics Council. Ethics Council: website.

¹⁴⁹ [Two Members of the High Council of Justice Elected by the Verkhovna Rada of Ukraine.](#) High Council of Justice: website. 2022; [Dmytro Lukianov Elected as Member of the High Council of Justice by the Congress of Scholars.](#) High Council of Justice: website. 2022; [All-Ukrainian Conference of Prosecutors Elected Two Members of the High Council of Justice.](#) High Council of Justice: website. 2023; [The Authorised Composition of the High Council of Justice Has Been Restored.](#) High Council of Justice: website. 2023; [Oksana Kvasha Elected as Member of the High Council of Justice by the Congress of Scholars.](#) High Council of Justice: website. 2023; [The President of Ukraine Appointed Two Members of the High Council of Justice.](#) High Council of Justice: website. 2025.



As part of this study, **40** interviews conducted by the Ethics Council with candidates for the position of HCJ member were reviewed and analysed. Four interviews with persons who were sitting HCJ members at the time were not taken into account.

For a certain period, interviews were not broadcast publicly. This was due to the Ethics Council's decision to suspend the broadcasting of its meetings in connection with martial law in Ukraine, in order to ensure the safety of persons participating in the assessment, other persons whose information could be disclosed during the interview and members of the Ethics Council, as well as to protect information and the security interests of the state.¹⁵⁰ At the same time, in 2023, due to a change in circumstances and the significant amount of information about candidates available in open sources, the Ethics Council published video recordings of interviews with candidates for the position of HCJ member and HCJ members conducted from 4 May 2022 to 7 April 2023¹⁵¹ inclusive.

It is provided that meetings of the Ethics Council are held openly, with audio and video recording and real-time broadcasting on the official web portal of the Judiciary of Ukraine.¹⁵² At the same time, the Rules of Procedure of the Ethics Council establish an exception to this rule for the discussion and voting on whether candidates or sitting HCJ members meet the criterion of professional ethics and integrity.¹⁵³

¹⁵⁰ [Important Notice: All Recordings of Ethics Council Interviews with Sitting HCJ Members Will Be Published after the Martial Law Regime in Ukraine Ends](#). Ethics Council: website. 2022.

¹⁵¹ [The Ethics Council Decided to Publish Video Recordings of All Interviews](#). Ethics Council: website. 2023.

¹⁵² [On the High Council of Justice: Law of Ukraine No. 1798-VIII of 21.12.2016, Parts 11 and 12 Article 91](#).

¹⁵³ [Rules of Procedure of the Ethics Council: approved by Decisions of the Ethics Council No. 1 of 01.12.2021 and No. 4 of 09.12.2021 \(as amended\), subparas 2.2.1 and 3.16.1](#).

Common features of all interviews

On average, interviews lasted up to one hour. The shortest interviews, lasting up to 30 minutes, were also recorded (S. Burlakov, O. Kandziuba, O. Koliush, O. Melnyk, M. Moroz, O. Rozhnov, S. Samoludchenko, M. Khavroniuk),¹⁵⁴ as were the longest interviews, lasting more than 1.5 hours (N. Kaminska, P. Hultai).¹⁵⁵ At the beginning of the interviews, information was announced regarding the electing or appointing entity and the position held.

Differences in the conduct of interviews

Candidates did not deliver closing statements in all cases: closing statements were delivered in 24 cases and were absent in 16 cases. The Rules of Procedure¹⁵⁶ of the Ethics Council provide for the possibility of such a statement, while also stating that the interview procedure may be changed.

During interviews, members of the Ethics Council mostly asked questions relating to property matters. At the same time, some questions did not concern the assessment of candidates' compliance with the criteria of professional ethics and integrity but were rather general in nature or resembled value judgements or personal questions, for example:

*'I would say that you are quite a cautious person, I mean as regards holding your position', 'As regards your declaration, forgive me, as they say, the breadwinners in your family are your wife and mother-in-law', 'I have a personal question: when did you get married?'*¹⁵⁷ (only after asking this question did the Ethics Council member explain that it concerned the candidate's property),

*'Where did you prefer working: at the NABU or at the prosecutor's office? And why?'*¹⁵⁸ *'So what do you want to become: a defence counsel, a CCU judge, an HCJ member? [candidate's answer]. So you would agree to any of these positions?'*¹⁵⁹ *'Where is the NABU pre-trial investigation body located, at what address?'*¹⁶⁰

¹⁵⁴ Interview with S. Y. Burlakov of 28.09.2022: video / Judiciary of Ukraine. YouTube. 19.10.2023; Ethics Council Interview with O. V. Kandziuba of 11.01.2023: video / Judiciary of Ukraine. YouTube. 19.10.2023; Ethics Council Interview with O. L. Koliush of 22.02.2023: video / Judiciary of Ukraine. YouTube. 20.10.2023; Ethics Council Interview with O. P. Melnyk of 13.01.2023: video / Judiciary of Ukraine. YouTube. 19.10.2023; Ethics Council Interview with Candidates for the Position of HCJ Member on 23.02.2022: video / Judiciary of Ukraine. YouTube. 23.02.2022; Ethics Council Interview with O. V. Rozhnov of 07.04.2023: video / Judiciary of Ukraine. YouTube. 23.10.2023; Ethics Council Interview with S. M. Samoludchenko of 13.01.2023: video / Judiciary of Ukraine. YouTube. 19.10.2023; Ethics Council Interview with M. I. Khavroniuk of 23.06.2022: video / Judiciary of Ukraine. YouTube. 17.10.2023.

¹⁵⁵ Ethics Council Meeting of 15.07.2025: video recording of the live broadcast / Judiciary of Ukraine. YouTube. 15.07.2025; Ethics Council Meeting of 18.07.2025: video recording of the live broadcast / Judiciary of Ukraine. YouTube. 18.07.2025.

¹⁵⁶ Rules of Procedure of the Ethics Council: approved by Decisions of the Ethics Council No. 1 of 01.12.2021 and No. 4 of 09.12.2021 (as amended).

¹⁵⁷ Ethics Council Interview with D. V. Lukianov of 17.06.2022: video / Judiciary of Ukraine. YouTube. 17.10.2023.

¹⁵⁸ Ethics Council Interview with R. O. Yaromenok of 27.05.2022: video / Judiciary of Ukraine. YouTube. 17.10.2023.

¹⁵⁹ Ibid.

¹⁶⁰ Ibid.

*'When was the HACC established? What was the reason for and purpose of establishing this court?'*¹⁶¹

*'Do you have a driving licence?'*¹⁶²

*'How many children do you have? And how old are they? Is this your second marriage or what? No, I can see your age, which is why this question arose; the children are very young, so that is why I asked. No offence intended. And do you have adult children from your first marriage? And what does your wife do?'*¹⁶³ *'I am sorry, but why are you giving childish answers now? Do you not know which company you declared as being worth 100 thousand and then sold for one thousand? Is that what you want to tell me? Which company did you declare as being worth 100 thousand and sell for one thousand? [candidate's answer]. That is exactly what I am saying — are you pretending?'*¹⁶⁴

*'Your declaration also states that you used a Suzuki motorcycle. You indicated UAH 45,000, but at that time, in 2020, it cost significantly more. It is registered to your father, while you indicated that you used it. So, who is the biker here?'*¹⁶⁵

The analysis of the Ethics Council's decisions found instances of both consistent and divergent practice in approaches to assessing candidates' compliance with the criteria of professional ethics and integrity. In addition, such inconsistency can be observed in respect of the same candidate across different competitions conducted by different Competition Commissions.

Examples of divergent practice in the Ethics Council's approaches to assessing the same candidate in different competitions for the position of HCJ member, as well as a comparison with the approaches of other Competition Commissions, including the HQCJ:

Example No. 1. In April 2023, the Ethics Council was unable to adopt a decision on whether candidate *I. Kovbas* met the criteria of professional ethics and integrity for the position of HCJ member.¹⁶⁶ However, in October of the same year, during another competition for the position of HCJ member, it found him to meet the criteria of professional ethics and integrity.¹⁶⁷

Example No. 2. Candidates *R. Yaromenok* and *V. Ivashchenko*, whose cases are described in detail in the section on the activities of the AGE.

¹⁶¹ Ethics Council Interview with O. L. Koliush of 22.02.2023: video / Judiciary of Ukraine. YouTube. 20.10.2023.

¹⁶² Ethics Council Interview with O. V. Popikova of 06.09.2022: video / Judiciary of Ukraine. YouTube. 19.10.2023.

¹⁶³ Ethics Council Interview with S. Y. Burlakov of 28.09.2022: video / Judiciary of Ukraine. YouTube. 19.10.2023.

¹⁶⁴ Ibid.

¹⁶⁵ Ethics Council Interview with O. P. Horokh of 17.06.2022: video / Judiciary of Ukraine. YouTube. 17.10.2023.

¹⁶⁶ On the Results of the Assessment of Ihor Vasylovych Kovbas, Candidate for the Position of Member of the High Council of Justice, for Compliance with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 39 of 28.04.2023.

¹⁶⁷ On the Compliance of Ihor Vasylovych Kovbas, Candidate for the Position of Member of the High Council of Justice, with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 53 of 23.10.2023.

Example No. 3. In June 2022, the Ethics Council adopted a decision finding candidate S. Babii, who was applying for the position of HCJ member, not to meet the criteria of professional ethics and integrity due to a number of circumstances that raised reasonable doubts as to his compliance with these criteria. These concerned the circumstances of his wife's purchase of a car and shares in a public joint-stock company, as well as his simultaneous legal status as both a judge and an individual entrepreneur.¹⁶⁸ By contrast, in its decision, despite the negative opinions of the PIC,¹⁶⁹ the HQCJ stated that, *'having assessed the indicators that may point to a judge's breach of the rules of integrity through the lens of materiality, it concluded that the facts examined, both individually and taken together, cannot serve as grounds for finding S. Babii, judge of the Pavlohrad City District Court of Dnipropetrovsk Region, not to meet the criteria of professional ethics and integrity'*.¹⁷⁰ In addition, in August 2025, S. Babii was admitted as a candidate for the position of HCJ member under the quota of the Congress of Judges of Ukraine.¹⁷¹ In November of the current year, the Ethics Council scheduled an interview with him,¹⁷² but the candidate submitted an application to terminate his further participation in the competition.¹⁷³

Divergences in the Ethics Council's approaches to assessing candidates for the position of HCJ member are also evidenced by the fact that, in five cases, separate opinions were issued by some members of the Ethics Council in relation to decisions adopted concerning such candidates.

¹⁶⁸ [On the Non-Compliance of S. O. Babii, Candidate for the Position of Member of the High Council of Justice, with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 11 of 23.06.2022.](#)

¹⁶⁹ [Opinion on the Non-Compliance of Serhii Oleksandrovysh Babii, Judge of the Pavlohrad City District Court of Dnipropetrovsk Region, with the Criteria of Integrity and Professional Ethics: approved by the Public Integrity Council on 22.05.2019; Opinion in a New Version on the Non-Compliance of a Judge with the Criteria of Integrity and Professional Ethics: approved by the Public Integrity Council on 06.01.2024.](#)

¹⁷⁰ [On Consideration of the Issue of Compliance with the Position Held by Serhii Oleksandrovysh Babii, Judge of the Pavlohrad City District Court of Dnipropetrovsk Region: Decision of the High Qualification Commission of Judges of Ukraine No. 86/ko-24 of 22.04.2024.](#)

¹⁷¹ [On the Admission to Interview of Candidates for the Position of Member of the High Council of Justice under the Quota of the Congress of Judges of Ukraine: Decision of the Ethics Council No. 52 of 11.08.2025.](#)

¹⁷² [On Determining the Dates of Interviews with Candidates for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 55 of 17.11.2025.](#)

¹⁷³ [Ethics Council Meeting of 24.11.2025: video recording of the live broadcast / Judiciary of Ukraine. YouTube. 24.11.2025.](#)

In four cases (concerning candidates *I. Kotubei*, *L. Vynar*, *H. Diakovskiyi* and *L. Muzyka*),¹⁷⁴ separate opinions were issued in relation to decisions adopted with the decisive votes of Ethics Council members proposed by international and foreign organisations. These separate opinions were initiated by Ukrainian representatives within the Ethics Council. In those opinions, some members of the Ethics Council disagreed with the finding that the candidate met the criteria of professional ethics and integrity (candidates *L. Vynar*, *H. Diakovskiyi* and *L. Muzyka*) or did not meet those criteria (candidate *I. Kotubei*).

In one case, international representatives on the Ethics Council issued a separate opinion concerning the decision finding candidate *O. Serohin*¹⁷⁵ not to meet the criteria of professional ethics and integrity. In that opinion, they agreed with the decision adopted but referred to other grounds, not mentioned in the decision, which gave rise to reasonable doubts as to the candidate's compliance with the criteria of professional ethics and integrity.

In two of these five separate opinions, concerning *L. Vynar* and *H. Diakovskiyi*, the Ethics Council members themselves noted that different assessments of candidates' actions in similar circumstances undermine the development of the Ethics Council's practice on the basis of consistency and have a negative impact on its authority.

Moreover, such an inconsistent approach in the work of the Ethics Council can be observed by comparing the examples of candidates *H. Diakovskiyi* and *R. Yaromenok*. In June 2022, the Ethics Council found R. Yaromenok not to meet the criteria of professional ethics and integrity for the position of HCJ member.¹⁷⁶ Members of the Ethics Council had reasonable doubts because he had twice been subject to disciplinary liability while working in the prosecutor's office: for the loss of criminal case files and for significant shortcomings and miscalculations in the organisation of work. In response to the Ethics Council's request, R. Yaromenok explained that more than ten

¹⁷⁴ [Separate Opinion on Decision of the Ethics Council No. 55 of 01.11.2022 'On the Non-Compliance of Ivan Ivanovych Kotubei, Candidate for the Position of Member of the High Council of Justice, with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice' / Ethics Council. 2022](#); [Separate Opinion on Decision of the Ethics Council No. 71 of 01.11.2022 'On the Compliance of Liubomyr Viktorovych Vynar, Candidate for the Position of Member of the High Council of Justice, with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice' / Ethics Council. 2022](#); [Separate Opinion of L. Y. Kyshakevych, Head of the Ethics Council, and Council Members V. I. Siverin and Y. R. Triasun on Decision No. 9 of 20.01.2023 on the Compliance of Hennadii Leonidovych Diakovskiyi, Candidate for the Position of Member of the High Council of Justice, with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice / Ethics Council. 2023](#); [Separate Opinion of L. Y. Kyshakevych, Head of the Ethics Council, and Council Members V. I. Siverin and Y. R. Triasun on Decision No. 24 of 16.03.2023 on the Compliance of Lesia Anatoliivna Muzyka, Candidate for the Position of Member of the High Council of Justice, with the Criterion of Professional Ethics and Integrity for the Position of Member of the High Council of Justice / Ethics Council. 2023](#).

¹⁷⁵ [Separate Opinion of Sir Anthony Hooper, Deputy Head of the Ethics Council, and Council Members Robert Cordy and Lavly Perling on Decision No. 26 of 16.03.2023 on the Non-Compliance of Oleksandr Yuriiovych Serohin, Candidate for the Position of Member of the High Council of Justice, with the Criterion of Professional Ethics and Integrity for the Position of Member of the High Council of Justice / Ethics Council. 2023](#).

¹⁷⁶ [On the Non-Compliance of R. O. Yaromenok, Candidate for the Position of Member of the High Council of Justice, with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 21 of 23.06.2022](#).

years had passed since he had been subject to disciplinary liability and, accordingly, since 2012 he had been considered not to have a disciplinary sanction.¹⁷⁷

At the same time, in January 2023, in similar circumstances — the candidate had also twice been subject to disciplinary liability while working in prosecution bodies — the Ethics Council concluded that, in this case, the candidate's disciplinary liability did not constitute a material breach of the rules of professional ethics and found H. Diakovskiyi to meet the criteria of professional ethics and integrity for the position of HCJ member.¹⁷⁸ As noted above, a separate opinion by some members of the Ethics Council was issued in relation to this decision.

In addition, in the Ethics Council's decisions themselves, the phrase 'criterion of professional ethics and integrity' is used both in the singular and in the plural.¹⁷⁹

It is also appropriate to provide examples of consistent practice in approaches both by the Ethics Council itself to assessing the same candidate in different competitions for the position of HCJ member and by comparison with the approaches of other Competition Commissions.

Example No. 1. In 2024¹⁸⁰ and 2025,¹⁸¹ candidate *D. Hurin* received negative decisions from the Ethics Council on the same grounds, namely failure to declare the value of his wife's property in the candidate's asset declarations and failure to declare the right to use a watercraft. In addition, in 2019, this candidate received a negative opinion from the PIC regarding his non-compliance, as a judge, with the criteria of integrity and professional ethics.¹⁸²

Example No. 2. During 2022–2025,¹⁸³ candidate *O. Tkachenko* received four negative decisions from the Ethics Council on the same grounds, namely: adopting a decision in a conflict of interest, failure to comply with a court decision and the lawful demands of a state enforcement officer, submitting inaccurate and incomplete information in the integrity declaration, submitting inaccurate and incomplete information in asset declarations for 2015–2021 and failure to declare the right to use watercraft.

¹⁷⁷ On the Non-Compliance of R. O. Yaromenok, Candidate for the Position of Member of the High Council of Justice, with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 21 of 23.06.2022.

¹⁷⁸ On the Compliance of Hennadii Leonidovych Diakovskiyi, Candidate for the Position of Member of the High Council of Justice, with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 9 of 20.01.2023.

¹⁷⁹ Decisions of the Ethics Council. Ethics Council: website.

¹⁸⁰ On the Non-Compliance of Dmytro Mykolaiovych Hurin, Candidate for the Position of Member of the High Council of Justice, with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 6 of 19.06.2024.

¹⁸¹ On the Non-Compliance of Dmytro Mykolaiovych Hurin, Candidate for the Position of Member of the High Council of Justice, with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 39 of 11.08.2025.

¹⁸² Opinion on the Non-Compliance of Dmytro Mykolaiovych Hurin, Judge of the Zhytomyr District Administrative Court, with the Criteria of Integrity and Professional Ethics: approved by the Public Integrity Council on 25.03.2019.

¹⁸³ Decisions of the Ethics Council. Ethics Council: website.

In addition, O. Tkachenko received three AGE decisions, during 2023–2025,¹⁸⁴ finding him not to meet the criterion of high moral qualities for the position of CCU judge.

Example No. 3. Almost simultaneously, in March 2023, candidate O. Koliush was: 1) found by the Ethics Council to meet the criteria of professional ethics and integrity for the position of HCJ member;¹⁸⁵ 2) found by the HQCJ Competition Commission to meet the criteria of integrity and professional competence and recommended to the HCJ for appointment to one of the vacant positions of HQCJ member.¹⁸⁶ He was subsequently appointed as a member of the HQCJ.¹⁸⁷

Example No. 4. In 2023 and 2025,¹⁸⁸ candidate I. Nazarov was found three times by the Ethics Council to meet the criteria of professional ethics and integrity for the position of HCJ member. Information on this same candidate, in the context of his participation in the competition for the position of CCU judge, is also provided in the section on the activities of the AGE.

Example No. 5. In 2022 and 2023,¹⁸⁹ candidate M. Khavroniuk was twice found by the Ethics Council to meet the criteria of professional ethics and integrity for the position of HCJ member.

¹⁸⁴ Decisions. Constitutional Court of Ukraine: website.

¹⁸⁵ [On the Compliance of Oleh Leonidovych Koliush, Candidate for the Position of Member of the High Council of Justice, with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 20 of 16.03.2023.](#)

¹⁸⁶ [Official Meeting of the Competition Commission for the Selection of Candidates for the Positions of HQCJ Members: video recording of the live broadcast / Competition Commission for the Selection of Members of the HQCJ of Ukraine. YouTube. 15.03.2023.](#)

¹⁸⁷ [On the Appointment of O. L. Koliush as a Member of the High Qualification Commission of Judges of Ukraine: Decision of the High Council of Justice No. 600/0/15-23 of 01.06.2023.](#)

¹⁸⁸ [On the Compliance of Ivan Volodymyrovych Nazarov, Candidate for the Position of Member of the High Council of Justice, with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 25 of 16.03.2023;](#) [On the Compliance of Ivan Volodymyrovych Nazarov, Candidate for the Position of Member of the High Council of Justice, with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 54 of 23.10.2023;](#) [On the Compliance of Ivan Volodymyrovych Nazarov, Candidate for the Position of Member of the High Council of Justice, with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 27 of 11.08.2025.](#)

¹⁸⁹ [On the Compliance of M. I. Khavroniuk, Candidate for the Position of Member of the High Council of Justice, with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 30 of 30.06.2022;](#) [On the Compliance of Mykola Ivanovych Khavroniuk, Candidate for the Position of Member of the High Council of Justice, with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 40 of 28.04.2023.](#)

Example No. 6. In 2023,¹⁹⁰ candidate *O. Rozhnov* was twice found by the Ethics Council to meet the criteria of professional ethics and integrity.

Example No. 7. In 2023,¹⁹¹ candidate *T. Popovych* was twice found by the Ethics Council not to meet the criteria of professional ethics and integrity. Reasonable doubts arose as to the candidate's compliance with financial control requirements and with such criteria of professional ethics and integrity as conscientiousness and honesty in providing full and accurate information in asset declarations. In 2025, the PIC also approved an opinion finding *T. Popovych*, as a candidate for the position of appellate court judge, not to meet the criteria of integrity and professional ethics. In that opinion, the PIC referred to one of the Ethics Council's decisions concerning this candidate.¹⁹²

Example No. 8. In 2024 and 2025,¹⁹³ candidate *M. Kapustynskiy* was found three times by the Ethics Council not to meet the criteria of professional ethics and integrity. Reasonable doubts arose as to the candidate's compliance with such indicators of the criterion of professional ethics and integrity as conscientiousness, honesty and compliance with financial control requirements regarding the provision of full and accurate information in asset declarations. In 2019, the PIC approved an opinion finding *M. Kapustynskiy*, as a judge, not to meet the criteria of integrity and professional ethics.¹⁹⁴

Example No. 9. In 2022, 2024 and 2025,¹⁹⁵ candidate *A. Zhuk* was found three times by the Ethics Council to meet the criteria of professional ethics and integrity.

Similar practice can also be observed in the cases of candidates *S. Savchenko*¹⁹⁶ and *N. Kaminska*.¹⁹⁷

¹⁹⁰ [On the Compliance of Oleh Viktorovych Rozhnov, Candidate for the Position of Member of the High Council of Justice, with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 36 of 28.04.2023; On the Compliance of Oleh Viktorovych Rozhnov, Candidate for the Position of Member of the High Council of Justice, with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 50 of 23.10.2023.](#)

¹⁹¹ [On the Non-Compliance of Tetiana Hryhorivna Popovych, Candidate for the Position of Member of the High Council of Justice, with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 31 of 28.04.2023; On the Non-Compliance of Tetiana Hryhorivna Popovych, Candidate for the Position of Member of the High Council of Justice, with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 48 of 23.10.2023.](#)

¹⁹² [Opinion on the Non-Compliance of a Candidate for the Position of Judge with the Criteria of Integrity and Professional Ethics: approved by the Public Integrity Council on 05.05.2025.](#)

¹⁹³ [Decisions of the Ethics Council. Ethics Council: website.](#)

¹⁹⁴ [Opinion on the Non-Compliance of Maksym Viktorovych Kapustynskiy, Judge of the Enerhodar City Court of Zaporizhzhia Region, with the Criteria of Integrity and Professional Ethics: approved by the Public Integrity Council on 01.10.2019.](#)

¹⁹⁵ [Decisions of the Ethics Council. Ethics Council: website.](#)

¹⁹⁶ Described in detail in the section on the activities of the SDI Competition Commission.

¹⁹⁷ Described in detail in the section on the activities of the AGE.

It is worth considering separately the decisions adopted by the Ethics Council. An analysis of most of these decisions¹⁹⁸ shows that decisions finding candidates to meet the criteria of professional ethics and integrity vary in the extent of their reasoning: some are sufficiently substantiated, for example the decision concerning *H. Diakovskiyi*,¹⁹⁹ while others are rather brief and contain general wording. By contrast, decisions finding candidates not to meet the criteria of professional ethics and integrity,²⁰⁰ as well as the separate opinions of some Ethics Council members concerning candidates, described above, are sufficiently reasoned and contain detailed facts and justification of the Ethics Council's position.

This may create risks for candidates' understanding of the Ethics Council's approach to their assessment and in the event of potential judicial appeals against its decisions. It may also undermine the transparency of the Ethics Council's work. It is therefore important to provide sufficient reasoning both for decisions finding candidates to meet the criteria of professional ethics and integrity and for decisions finding them not to meet those criteria.

As regards decisions finding candidates not to meet the criteria of professional ethics and integrity, the most frequent grounds for reasonable doubts among Ethics Council members as to candidates' compliance with these criteria were: 1) violations related to asset declarations, including failure to declare property or its value or, conversely, declaring an incorrect or understated value; 2) candidates' failure to confirm the lawfulness of the sources of funds used by them or their close relatives to acquire property or inconsistency between their standard of living and declared income; 3) facts of unethical conduct by candidates or their disciplinary liability.

In certain cases, questions also arise regarding the Ethics Council's application of the principle of materiality of any breach of ethics and integrity when determining compliance with the criterion of professional ethics and integrity.²⁰¹ One example is the case of candidate L. Holnyk, who, in June 2022, was found by the Ethics Council not to meet the criteria of professional ethics and integrity.²⁰² Reasonable doubts arose as to her compliance with the indicator of adherence to ethical standards and demonstration of impeccable conduct in professional activities and private life in connection with two posts she had published on Facebook. At the same time, there were no reasonable doubts as to her compliance with the other indicators of the criteria of professional ethics and integrity.

In this context, it is worth noting that, in similar situations, the practice of the HCJ and its disciplinary bodies in considering disciplinary complaints against judges concerning their social media posts is inconsistent. In 2021, such complaints were either left without consideration

¹⁹⁸ Described in detail in the section on the activities of the AGE.

¹⁹⁹ [On the Compliance of Hennadii Leonidovych Diakovskiyi, Candidate for the Position of Member of the High Council of Justice, with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 9 of 20.01.2023.](#)

²⁰⁰ [Decisions of the Ethics Council.](#) Ethics Council: website.

²⁰¹ [Methodology for Assessing the Compliance of a Candidate for the Position of Member of the High Council of Justice and Members of the High Council of Justice with the Criterion of Professional Ethics and Integrity: approved by Decision of the Ethics Council No. 5 of 09.12.2021, para. 1.4.](#)

²⁰² [On the Non-Compliance of L. V. Holnyk, Candidate for the Position of Member of the High Council of Justice, with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 15 of 23.06.2022.](#)

and returned to the complainant or a decision was adopted refusing to open a disciplinary case against the judge.²⁰³ By contrast, in 2025, in similar circumstances, a judge was held disciplinarily liable.²⁰⁴

2.2. HQCJ Competition Commission

Stages of competitions: 1) forming a list of candidates admitted to interview on the basis of the documents submitted by them; 2) conducting interviews with selected candidates and determining the list of candidates to be recommended to the HCJ.²⁰⁵

During 2022 – August 2025, the HQCJ Competition Commission completed three competitions for the positions of HQCJ members. The first competition for the positions of HQCJ members was announced on 21 January 2022.²⁰⁶ As a result, the HQCJ Competition Commission recommended 32 candidates for the positions of HQCJ members, of whom the HCJ appointed 16 HQCJ members.²⁰⁷ In the second competition, announced on 5 April 2024,²⁰⁸ the HCJ did not appoint any of the two proposed candidates²⁰⁹ for the positions of its members.²¹⁰ In view of the results of the second competition, on 6 February 2025,²¹¹ the HQCJ Competition Commission announced

²⁰³ [On Leaving without Consideration and Returning the Disciplinary Complaint of Roman Anatoliiovych Maselko against Kyrylo Yuriiovych Harnyk, Judge of the District Administrative Court of Kyiv: Ruling of Vitalii Valeriiovych Salikhov, Member of the Second Disciplinary Chamber of the High Council of Justice, No. 2979/0/18-21 of 08.06.2021 / High Council of Justice. 2021; On Refusal to Open a Disciplinary Case against P. V. Vovk, Judge of the District Administrative Court of Kyiv: Ruling of the First Disciplinary Chamber of the High Council of Justice No. 1133/1dp/15-21 of 26.05.2021 / High Council of Justice. 2021.](#)

²⁰⁴ [On Holding D. T. Kryvenko, Judge of the Lypovets District Court of Vinnytsia Region, Disciplinarily Liable: Decision of the First Disciplinary Chamber of the High Council of Justice No. 2158/1dp/15-25 of 20.10.2025 / High Council of Justice. 2025.](#)

²⁰⁵ [On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016, Part 18 Article 95.](#)

²⁰⁶ [Announcement of the Launch of the First Competition for Vacant Positions of Members of the High Qualification Commission of Judges of Ukraine / Competition Commission for the Selection of Members of the High Qualification Commission of Judges of Ukraine. 2022.](#)

²⁰⁷ [The New Composition of the High Qualification Commission of Judges of Ukraine Has Been Appointed. High Qualification Commission of Judges of Ukraine: website. 2023.](#)

²⁰⁸ [Minutes of the Meeting of the Competition Commission for the Selection of Candidates for the Positions of Members of the High Qualification Commission of Judges of Ukraine of 05.04.2024. High Council of Justice: website. 2024.](#)

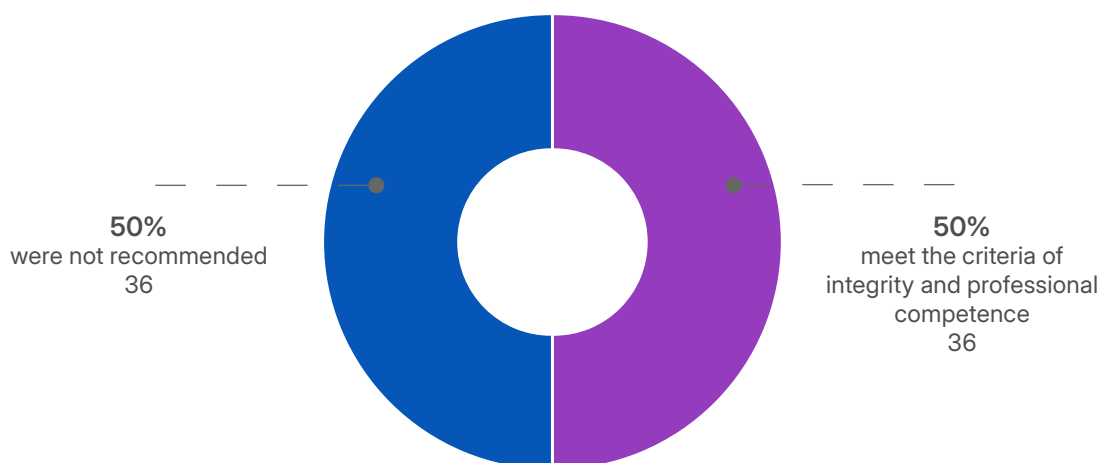
²⁰⁹ [First line of the post \(complete sentence\) / Competition Commission for the Selection of Members of the High Qualification Commission of Judges of Ukraine. Facebook. 2024.](#)

²¹⁰ [Announcement of the Launch of a Competition for a Vacant Position of Member of the High Qualification Commission of Judges of Ukraine. High Qualification Commission of Judges of Ukraine: website. 2025.](#)

²¹¹ [Announcement of the Launch of a Competition for a Vacant Position of Member of the HQCJ of Ukraine. High Council of Justice: website. 2025.](#)

the launch of the third competition, which concluded with the recommendation of two candidates for appointment.²¹² The HCJ subsequently appointed one HQCJ member, *I. Kushnir*.²¹³

This analysis covered three competitions for the positions of HQCJ members, announced in 2022, 2024 and 2025.²¹⁴ In total, 340 candidates were admitted to the competitions, of whom 72 reached the interview stage. Of these 72 candidates: 1) 36 were recommended for the position of HQCJ member; 2) 36 were not selected. Of the 36 candidates recommended to the HCJ, 17 were appointed as HQCJ members.²¹⁵ Thus, exactly half of the candidates (50%) successfully passed the interviews.



A specific feature of the HQCJ Competition Commission's format of work is its application of the principle of 'selecting the best of the best'²¹⁶ and the so-called principle of 'positive selection'.²¹⁷ This means that no negative opinions on candidates are prepared and that, 'following the competition, only selected candidates will receive recommendations for appointment, which will be public and published on the HCJ website'.²¹⁸

On the one hand, applying this positive approach²¹⁹ makes it possible to avoid publicly labelling candidates who did not pass the selection as lacking integrity or professionalism. On the other

²¹² [First line of the post \(complete sentence\) / Competition Commission for the Selection of Members of the High Qualification Commission of Judges of Ukraine. Facebook. 2025.](#)

²¹³ [The HCJ Appointed Ihor Kushnir as a Member of the High Qualification Commission of Judges of Ukraine. High Qualification Commission of Judges of Ukraine: website. 2025.](#)

²¹⁴ [Documents. High Council of Justice: website.](#)

²¹⁵ *Ibid.*

²¹⁶ 'We will select the best of the best. The main operating principle of the Competition Commission has not changed' — [Ivan Mishchenko, Deputy Head of the Competition Commission for the Selection of Candidates for the Positions of HQCJ Members. Judiciary of Ukraine: website. 2022.](#)

²¹⁷ [VII Eastern Ukrainian Judicial Forum. Day 3: video / Association for the Development of Judicial Self-Governance of Ukraine. YouTube. 15.10.2022.](#)

²¹⁸ [The Competition Commission Completed the Competition and Announced the List of 32 Candidates for the Position of Member of the High Qualification Commission of Judges of Ukraine. High Council of Justice: website. 2023.](#)

²¹⁹ *Ibid.*

hand, applying this approach at the first stage — the stage of forming the list of candidates admitted to interview on the basis of the documents they submitted — gives rise to doubts as to whether HQCJ Competition Commission members apply uniform criteria when assessing such documents.

Thus, in 2022, out of 301 candidates, the HQCJ Competition Commission admitted only 64 to interview.²²⁰ No ranking is formed at this stage of the selection. The reasons for rejecting 237 candidates were not announced either to the candidates themselves or to the wider public. Even taking into account the number of rejected candidates, such reasons could not have related solely to the non-compliance of documents with formal requirements.

The absence of any reasoning for rejecting candidates not admitted to interview, as well as any reasoning for admitting candidates to interview, may undermine the application of the so-called positive approach.²²¹ This approach should have involved the adoption of individual reasoned decisions at least on the admission of 64 candidates to interview following the assessment of their documents.

For example, one candidate whom the HQCJ Competition Commission admitted to interview on the basis of documents and later recommended for election as an HQCJ member acknowledged during the interview that he had written his motivation letter formally and that the letter did not fully and accurately reflect his views on the problems of the judiciary.²²² Given this admission and the absence of clear criteria for selecting candidates on the basis of documents at the first stage, the relevant procedure appears unclear.

In addition, after some of the persons elected as HQCJ members from among the 64 candidates admitted to interview were appointed, concerns were raised about them, some of which have had and may continue to have a negative impact on the work of the HQCJ. In particular, the first Head of the newly formed HQCJ resigned both as Head and as a member of the HQCJ due to doubts as to whether he held Russian citizenship.²²³

Had the candidates' documents been thoroughly checked for compliance with the law and had reasoned decisions on admission to interview been adopted, cases in which candidates with deficiencies in their documents were subsequently recommended and elected as HQCJ members would hardly have occurred.

The above-mentioned practice of the HQCJ Competition Commission admitting a relatively small number of candidates to interview without explaining the reasons for doing so (64 out of 301) may have contributed both to the fact that, from among the persons it selected for interview, the Commission was able to select only 10 judges²²⁴ and to the sharp decrease in the number

²²⁰ [The Competition Commission Announced the List of 64 Candidates for the Position of Member of the High Qualification Commission of Judges of Ukraine Admitted to Interview](#). High Council of Justice: website. 2022.

²²¹ [4 out of 25: Who Was Admitted to Interviews for the Position of HQCJ Member](#). DEJURE: website. 2024.

²²² [Dukh Yaroslav, Candidate for HQCJ Member: video recording of the live broadcast / Competition Commission for the Selection of HQCJ Members](#). YouTube. 20.01.2023.

²²³ [Romanenko V. A Judge Who Was Searched for a Russian Passport Resigned from the HQCJ](#). Ukrainska Pravda: website. 2024.

²²⁴ [List of Candidates Recommended for the Positions of Members of the High Qualification Commission of Judges of Ukraine](#). High Council of Justice: website. 2023; [Khrypun V. 32 Candidates for the Positions of HQCJ Members, but Only 10 Judges: List](#). Sudovo-Yurydychna Hazeta: website. 2023.

of candidates who submitted documents for the competition for the position of HQCJ member after the 2022 selection: from almost 19 persons competing for one HQCJ position in 2022²²⁵ to 13 persons per position in 2024.²²⁶ The quality of applications may have declined along with their number.

In total, this study analysed **32 interviews** conducted by members of the HQCJ Competition Commission with candidates for the position of HQCJ member.

Common features of all interviews

Before the interviews began, candidates were informed of the rules governing their conduct. At the beginning of the interviews, candidates were given an opportunity to present themselves, state their motivation for participating in the competition and outline their possible vision for the development of the HQCJ. On average, the interviews lasted between one hour and one and a half hours. All members of the HQCJ Competition Commission asked candidates questions. Most of the questions asked by members of the HQCJ Competition Commission during the interviews were unrelated to property matters and concerned clarifications or a more detailed explanation of information provided in the candidates' motivation letters,²²⁷ in particular regarding possible steps to implement the measures set out in those letters.

Another set of questions concerned both the work of the previous composition of the HQCJ, for example, *what practices of the previous HQCJ could usefully be applied in the work of the current composition and what shortcomings or positive practices existed in the work of the previous HQCJ*, as well as the candidates' potential work in the HQCJ (for example, *questions on where the candidate would start if appointed as an HQCJ member, their vision of their role and added value in the work of the HQCJ, the balance between working in the HQCJ as a collegial body and defending their own position, the experience through which the candidate could strengthen the work of the HQCJ and their vision of interaction with other HQCJ members, especially where different views arise as to the assessment of the integrity criterion in respect of the same candidate*).

Candidates were often asked questions about *the high level of public distrust in the judicial system and possible measures to restore trust, existing problems and corruption in the judicial system and possible steps to address and prevent them, ways and methods of determining integrity or lack of integrity, the importance of professional experience or integrity in competitive selections and whether candidates had experience of participating in the personnel selection of other persons for positions*.

Questions were also asked about cooperation between the HQCJ and the PIC, for example, *the candidates' vision of such cooperation, ways to strengthen it, the existence of problems in cooperation, the resolution of contentious issues and the candidates' attitude to possible duplication of their work. Questions also concerned the work of the National School of Judges of*

²²⁵ [The Competition Commission Announced the List of 64 Candidates for the Position of Member of the High Qualification Commission of Judges of Ukraine Admitted to Interview](#). High Council of Justice: website. 2022.

²²⁶ [Candidates for the Position of HQCJ Member](#). High Council of Justice: website. 2024.

²²⁷ [Motivation Letter of a Candidate for the Vacant Position of Member of the High Qualification Commission of Judges of Ukraine: Annex 3 to the Regulation on Conducting a Competition for the Position of Member of the High Qualification Commission of Judges of Ukraine, approved by the Competition Commission at its official meeting on 21.01.2022 / Competition Commission for the Selection of Members of the High Qualification Commission of Judges of Ukraine](#). 2022.

Ukraine, for example, whether sufficient training is provided for judges and judicial candidates, whether the amount of such training should be reduced, whether training on pre-trial dispute resolution exists, whether approaches to the training of judges and judicial candidates should be changed and how often a judge should undergo training.

Certain questions concerned the candidates' attitudes to the *possible use of artificial intelligence in judicial practice and in the activities of the HQCJ, the use of positive or negative selection of candidates in competition procedures and the advantages of experienced candidates compared with younger candidates without significant experience.*²²⁸

In some cases, the HQCJ Competition Commission asked candidates who were not judges whether they had experience related to work in courts or representing clients' interests in court.²²⁹

Where candidates participated not only in the competition for the position of HQCJ member but also in other competitions, the HQCJ Competition Commission asked which of these competitions was the candidate's priority, which in turn raised questions as to the candidate's level of commitment specifically to the competition for the position of HQCJ member.²³⁰

The property-related block of questions accounted for a smaller share of the total number of questions and, in most cases, such questions were asked to present and explain the relevant issues to the public, since the Commission had already clarified the information through its own

²²⁸ Meeting of the Competition Commission for the Selection of Candidates for the Positions of HQCJ Members (28.05.2025). Interview with V. Holub: video recording of the live broadcast / High Council of Justice. YouTube. 28.05.2025; Kobetska Nadiia Romanivna, Candidate for HQCJ Member: video recording of the live broadcast / Competition Commission for the Selection of HQCJ Members. YouTube. 23.01.2023; Shevchuk Halyna, Candidate for HQCJ Member: video recording of the live broadcast / Competition Commission for the Selection of HQCJ Members. YouTube. 20.02.2023; Nesterenko Yevhen, Candidate for HQCJ Member: video recording of the live broadcast / Competition Commission for the Selection of HQCJ Members. YouTube. 13.02.2023; Slutska Tetiana, Candidate for HQCJ Member: video recording of the live broadcast / Competition Commission for the Selection of HQCJ Members. YouTube. 16.02.2023; Pasichnyk Andrii, Candidate for HQCJ Member: video recording of the live broadcast / Competition Commission for the Selection of HQCJ Members. YouTube. 14.02.2023; Kryklyvyi Vitalii, Candidate for HQCJ Member: video recording of the live broadcast / Competition Commission for the Selection of HQCJ Members. YouTube. 13.11.2024.

²²⁹ Kobetska Nadiia Romanivna, Candidate for HQCJ Member: video recording of the live broadcast / Competition Commission for the Selection of HQCJ Members. YouTube. 23.01.2023; Slutska Tetiana, Candidate for HQCJ Member: video recording of the live broadcast / Competition Commission for the Selection of HQCJ Members. YouTube. 16.02.2023; Dubynskyi Oleh Yuriiovych, Candidate for HQCJ Member: video recording of the live broadcast / Competition Commission for the Selection of HQCJ Members. YouTube. 20.01.2023.

²³⁰ Kryklyvyi Vitalii, Candidate for HQCJ Member: video recording of the live broadcast / Competition Commission for the Selection of HQCJ Members. YouTube. 13.11.2024; Chumak Serhii, Candidate for HQCJ Member: video recording of the live broadcast / Competition Commission for the Selection of HQCJ Members. YouTube. 18.02.2023; Koliush Oleh Leonidovych, Candidate for HQCJ Member: video recording of the live broadcast / Competition Commission for the Selection of HQCJ Members. YouTube. 23.01.2023; Andriichuk Oksana, Candidate for HQCJ Member: video recording of the live broadcast / Competition Commission for the Selection of HQCJ Members. YouTube. 13.11.2024; Meeting of the Competition Commission for the Selection of Candidates for the Positions of HQCJ Members (28.05.2025). Interview with I. Kushnir: video recording of the live broadcast / High Council of Justice. YouTube. 28.05.2025.

requests to the candidates. Most property-related questions concerned either the candidate's *failure to declare property or the declaration of property without indicating its value or with a value below the market price*. At the end of the interview, candidates were given an opportunity to make a closing statement.

Differences in the conduct of interviews

Despite the HQCJ Competition Commission's efforts to follow a uniform approach to conducting interviews, there were certain cases that may indicate unevenness in this approach. For example, brief background information about the candidate was not always announced before the interview began.

Members of the HQCJ Competition Commission also asked questions that did not concern candidates' integrity, namely:

questions of a general nature (for example, *'Are military courts needed?'*²³¹ *'Do you consider the existence of arbitration courts in Ukraine to be justified or an effective means of resolving procedures/disputes? Is this institution generally useful within the justice system?'*²³² *'Is it generally worth establishing a court of such level in Ukraine as a specialised first-instance court, what are the pros and cons in this situation?'* (referring to the HCIP),²³³ *'What do you think about the "paper army"?''*²³⁴ *'How do you assess the law, let us call it the "Law on the Reform of the Constitutional Court", which is currently being quite actively criticised by the public?'*²³⁵ *'Who or what are judges afraid of when adopting or not adopting decisions?'*²³⁶ and *'When will judicial reform end?'*)²³⁷;

questions that contained value judgements, concerned candidates' personalities or private life or included complimentary remarks:

'You give the impression of being a sober-minded and quite logical person, so I would like to ask the following question, which I would ask you to answer with specific answers/ measures',²³⁸

²³¹ [Hatseliuk Vitalii, Candidate for HQCJ Member: video recording of the live broadcast / Competition Commission for the Selection of HQCJ Members. YouTube. 19.01.2023.](#)

²³² [Nesterenko Yevhen, Candidate for HQCJ Member: video recording of the live broadcast / Competition Commission for the Selection of HQCJ Members. YouTube. 13.02.2023.](#)

²³³ [Kydysiuk Roman Anatoliiiovych, Candidate for HQCJ Member: video recording of the live broadcast / Competition Commission for the Selection of HQCJ Members. YouTube. 21.01.2023.](#)

²³⁴ [Dukh Yaroslav Mykhailovych, Candidate for HQCJ Member: video recording of the live broadcast / Competition Commission for the Selection of HQCJ Members. YouTube. 20.01.2023.](#)

²³⁵ [Martseliak Oleh, Candidate for HQCJ Member: video recording of the live broadcast / Competition Commission for the Selection of HQCJ Members. YouTube. 25.01.2023.](#)

²³⁶ [Ihnatov Roman, Candidate for HQCJ Member: video recording of the live broadcast / Competition Commission for the Selection of HQCJ Members. YouTube. 25.01.2023.](#)

²³⁷ Ibid.

²³⁸ [Dukh Yaroslav Mykhailovych, Candidate for HQCJ Member: video recording of the live broadcast / Competition Commission for the Selection of HQCJ Members. YouTube. 20.01.2023.](#)

'You are a multifaceted person',²³⁹

'You are an intelligent person',²⁴⁰

'We are very pleased to see before us quite a progressive person, a person who deals with issues of judicial reform not merely in words but also, in particular, in practice and who promotes and highlights Ukraine's activities in international projects, thereby strengthening the authority of our state on the international stage',²⁴¹

'It seems to me, however, that your motivation letter is one of the best of those we have studied',²⁴²

'Why have you never tried to become a judge?',²⁴³

'You divorced your wife in 2012. At the same time, you had children after that. You indicate her in your declaration as a person with whom you live. What is the reason for this, let us say, atypical family situation?',²⁴⁴

'Judge, we certainly hope that the work of the HQCJ will be positive, but, as my colleagues have already noted, there is some concern that your age may perhaps not be viewed as a positive factor. I do not agree with that, but some people may think so. Therefore, my question is this: what has life taught you, how will your experience help you as an HQCJ member and what do you have that younger members, let us say, do not?',²⁴⁵

'You have worked for quite a long time at a higher education institution at the level of Yaroslav Mudryi National Law Academy, or now university. This is also my alma mater. Please tell us, what does the fact that you have remained for such a long time essentially in the same teaching position indicate? Is it difficult for you to change, or perhaps you are conservative to some extent, or perhaps you are completely satisfied with the life you live?'²⁴⁶

²³⁹ Meeting of the Competition Commission for the Selection of Candidates for the Positions of HQCJ Members (29.05.2025). Interview with O. Vozniuk: video recording of the live broadcast / High Council of Justice. YouTube. 29.05.2025.

²⁴⁰ Ibid.

²⁴¹ Hatseliuk Vitalii, Candidate for HQCJ Member: video recording of the live broadcast / Competition Commission for the Selection of HQCJ Members. YouTube. 19.01.2023.

²⁴² Bohonis Mykhailo, Judge, Candidate for HQCJ Member: video recording of the live broadcast / Competition Commission for the Selection of HQCJ Members. YouTube. 16.01.2023.

²⁴³ Slutska Tetiana, Candidate for HQCJ Member: video recording of the live broadcast / Competition Commission for the Selection of HQCJ Members. YouTube. 16.02.2023.

²⁴⁴ Omelian Oleksii, Judge, Candidate for HQCJ Member: video recording of the live broadcast / Competition Commission for the Selection of HQCJ Members. YouTube. 14.02.2023.

²⁴⁵ Luhanskyi Volodymyr, Candidate for HQCJ Member: video recording of the live broadcast / Competition Commission for the Selection of HQCJ Members. YouTube. 13.02.2023.

²⁴⁶ Domashenko Oleksii, Candidate for HQCJ Member: video recording of the live broadcast / Competition Commission for the Selection of HQCJ Members. YouTube. 26.01.2023.

2.3. SDI Competition Commission

On 19 December 2023, the HCJ announced a competition to fill 26 vacant positions in the SDI: Head of the SDI — Deputy Head of the Secretariat of the HCJ (Head of the SDI HCJ), Deputy Head of the SDI HCJ and 24 disciplinary inspectors of the SDI HCJ.²⁴⁷

A total of 415 candidates submitted documents to participate in the competition (539 applications).²⁴⁸ Some candidates submitted documents for several positions at the same time. Specifically, 15 candidates submitted documents for the position of Head of the SDI HCJ, of whom six applied only for the position of Head; 135 candidates applied for the position of Deputy Head of the SDI, of whom 18 applied only for the position of Deputy Head; and 389 candidates applied for the position of disciplinary inspector of the SDI, of whom 274 applied only for the position of inspector. A total of 108 candidates applied for the positions of Deputy Head and disciplinary inspector; seven candidates applied for the positions of Head, Deputy Head and disciplinary inspector; and two candidates applied for the positions of Head and Deputy Head of the SDI.²⁴⁹ Following the review of documents, the following candidates were admitted to participate in the competition: 11 candidates for the position of Head of the SDI HCJ, 120 candidates for the position of Deputy Head of the SDI HCJ and 351 candidates for the position of disciplinary inspector.²⁵⁰

In May 2024, the first stage was held — testing of candidates' cognitive skills. Only 67 candidates for the position of disciplinary inspector successfully passed this type of testing. In addition, 17 candidates for the position of Deputy Head of the SDI HCJ and two candidates for the position of Head of the SDI HCJ successfully passed the test.²⁵¹

The next stage of the competition — completion of a situational task — took place on 22 June 2024. Sixty-eight candidates out of 69 invited²⁵² took part in this stage. Following its results, five candidates who scored the highest number of points and applied for the position of Deputy Head

²⁴⁷ [On Announcing a Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector: Decision of the High Council of Justice No. 1334/0/15-23 of 19.12.2023.](#)

²⁴⁸ [Acceptance of Documents from Candidates for Positions in the Service of Disciplinary Inspectors Has Been Completed.](#) High Council of Justice: website. 2024.

²⁴⁹ [Acceptance of Documents from Candidates for Positions in the Service of Disciplinary Inspectors Has Been Completed.](#) High Council of Justice: website. 2024.

²⁵⁰ [List of Persons Admitted to Participate in the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector: Annexes 1, 2 and 3 to the Minutes of the Meeting of the Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector No. 3 of 30.04.2024 \(as amended\) / Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector.](#) 2024.

²⁵¹ [The Sixth Official Meeting of the Competition Commission Was Held: post of 16.05.2024 / Competition Commission — Service of Disciplinary Inspectors.](#) Facebook. 2024.

²⁵² [The Next Stage of the Competition — Completion of a Situational Task — Was Held: post of 22.06.2024 / Competition Commission — Service of Disciplinary Inspectors.](#) Facebook. 2024.

of the SDI HCJ, as well as 48 candidates applying for 24 positions of disciplinary inspector, were admitted to the next stage of the competition — interviews.²⁵³

On 10 September 2024, the SDI Competition Commission announced the list of winners of the competition: Viktoriia Nedybaliuk²⁵⁴ became the winner of the competition for the position of Deputy Head of the SDI from among five candidates, while 25 candidates out of 45 applicants interviewed were declared winners of the competition for the 24 positions of disciplinary inspector.²⁵⁵ Following the interviews, on 28 November 2024, the HCJ appointed Viktoriia Nedybaliuk as Deputy Head of the SDI HCJ and appointed 21 disciplinary inspectors. The procedure for appointing three candidates to the positions of disciplinary inspector was terminated on the basis of their applications.²⁵⁶

In July 2024, interviews were held with two candidates for the position of Head of the SDI HCJ. Following the interviews, the Competition Commission did not include any candidate in the list of competition winners.²⁵⁷

In this connection, in July 2024, the HCJ announced a repeat competition for this position.²⁵⁸ Twenty-three persons were admitted to the competition.²⁵⁹ On 13 November 2024, the SDI Competition Commission announced two winners of the competition.²⁶⁰ On 12 December 2024, the HCJ appointed Taras Kuzyk as Head of the SDI HCJ.²⁶¹

²⁵³ [Formation of the Service of Disciplinary Inspectors: the Commission Completed Verification of Candidates' Answers to the Situational Task](#). PRAVO.UA: website. 2024.

²⁵⁴ [List of Winners of the Competition for the Position of Deputy Head of the Service of Disciplinary Inspectors, approved by the Decision of the Competition Commission of 10.09.2024 / Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector](#). 2024.

²⁵⁵ [List of Winners of the Competition for the Position of Disciplinary Inspector, approved by the Decision of the Competition Commission of 10.09.2024 / Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector](#). 2024.

²⁵⁶ [The HCJ Appointed the Deputy Head of the Service of Disciplinary Inspectors and 21 Disciplinary Inspectors](#). High Council of Justice: website. 2024.

²⁵⁷ [The Commission Determined the Result of the Competition for the Position of Head of the Service of Disciplinary Inspectors: post of 12.07.2024 / Competition Commission — Service of Disciplinary Inspectors](#). Facebook. 2024.

²⁵⁸ [On Announcing a Repeat Competition for the Position of Head of the Service of Disciplinary Inspectors — Deputy Head of the Secretariat of the High Council of Justice: Decision of the High Council of Justice No. 2232/0/15-24 of 18.07.2024](#).

²⁵⁹ [List of Persons Admitted to Participate in the Competition for the Position of Head of the Service of Disciplinary Inspectors: Annex 1 to the Minutes / Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector](#).

²⁶⁰ [List of Winners of the Competition for the Position of Head of the Service of Disciplinary Inspectors, approved by the Decision of the Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector of 13.11.2024 / Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector](#). 2024.

²⁶¹ [On the Appointment of T. M. Kuzyk to the Position of Head of the Service of Disciplinary Inspectors of the High Council of Justice: Decision of the High Council of Justice No. 3618/0/15-24 of 12.12.2024](#).

In December 2024, the SDI HCJ began its work.²⁶²

In early July 2025, the HCJ decided to increase the number of vacant positions of disciplinary inspectors covered by the competition²⁶³ announced on 29 April 2025 from four to five.²⁶⁴ The SDI Competition Commission admitted 70 persons to participate in the competition, later increasing this list to 71 persons,²⁶⁵ out of 81 persons who had submitted documents.²⁶⁶ Based on the results of the cognitive skills test, 22 candidates passed the threshold of 100 points and continued their participation in the competitive selection.²⁶⁷ The top 10 candidates in the ranking who received the highest scores following the assessment of the situational task proceeded to the next stage of the competition — interviews.²⁶⁸ As a result, on 1 October 2025, the SDI Competition Commission declared five out of nine candidates as winners of the competition and recommended that the HCJ appoint them as disciplinary inspectors of the SDI HCJ; one candidate terminated her participation in the competition voluntarily.²⁶⁹ In December 2025, three of them were appointed by the HCJ as disciplinary inspectors.²⁷⁰

The timeframe of this analysis covers three competitions: 1) for the positions of Head of the SDI HCJ, Deputy Head of the SDI HCJ and disciplinary inspector of the SDI HCJ;²⁷¹ 2) the repeat competition for the position of Head of the SDI HCJ²⁷² and 3) the competition for the positions

²⁶² [The Service of Disciplinary Inspectors of the High Council of Justice Begins Its Work](#). High Council of Justice: website. 2024.

²⁶³ [On Announcing a Competition for the Positions of Disciplinary Inspectors of the Service of Disciplinary Inspectors of the High Council of Justice: Decision of the High Council of Justice No. 885/0/15-25 of 29.04.2025](#).

²⁶⁴ [The HCJ Increased the Number of Vacant Positions of Disciplinary Inspectors Covered by the Announced Competition to Five](#). High Council of Justice: website. 2025.

²⁶⁵ [Meeting Results: post of 28.07.2025 / Competition Commission — Service of Disciplinary Inspectors](#). Facebook. 2025.

²⁶⁶ [Seventy Candidates Admitted to Participate in the Competition for the Positions of Disciplinary Inspectors](#). High Council of Justice: website. 2025.

²⁶⁷ [Ranking of the Results of Cognitive Skills Testing of Candidates for the Position of Disciplinary Inspector of the Service of Disciplinary Inspectors, approved by the Decision of the Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector of 09.08.2025 / Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector](#). 2025.

²⁶⁸ [Results of the Stage of Completing Situational Tasks: post of 10.09.2025 / Competition Commission — Service of Disciplinary Inspectors](#). Facebook. 2025.

²⁶⁹ [Results: the Competition Commission Announced the Winners of the Competition for the Positions of Disciplinary Inspectors: post of 01.10.2025 / Competition Commission — Service of Disciplinary Inspectors](#). Facebook. 2025.

²⁷⁰ [The HCJ Appointed Three Disciplinary Inspectors](#). High Council of Justice: website.

²⁷¹ [On Announcing a Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector: Decision of the High Council of Justice No. 1334/0/15-23 of 19.12.2023](#).

²⁷² [On Announcing a Repeat Competition for the Position of Head of the Service of Disciplinary Inspectors — Deputy Head of the Secretariat of the High Council of Justice: Decision of the High Council of Justice No. 2232/0/15-24 of 18.07.2024](#).

of disciplinary inspectors of the SDI HCJ.²⁷³ In total, 576 candidates²⁷⁴ were admitted to the competitions. Some candidates submitted their candidacies for different positions and in different competitions at the same time, for example, *Y. Pshevlotskyi*, *V. Pleskach* and *S. Hryshyn*. Based on the results of the preliminary stages of the competitions, 63 candidates²⁷⁵ were admitted to the interview stage. Of these, 33 persons²⁷⁶ were included in the lists of competition winners. The Head of the SDI, the Deputy Head of the SDI and 21 disciplinary inspectors were appointed, while the procedure for appointing three candidates to the positions of disciplinary inspector was terminated on the basis of their applications.²⁷⁷ In addition, three more disciplinary inspectors were appointed in December 2025.²⁷⁸

²⁷³ [On Announcing a Competition for the Positions of Disciplinary Inspectors of the Service of Disciplinary Inspectors of the High Council of Justice: Decision of the High Council of Justice No. 885/0/15-25 of 29.04.2025.](#)

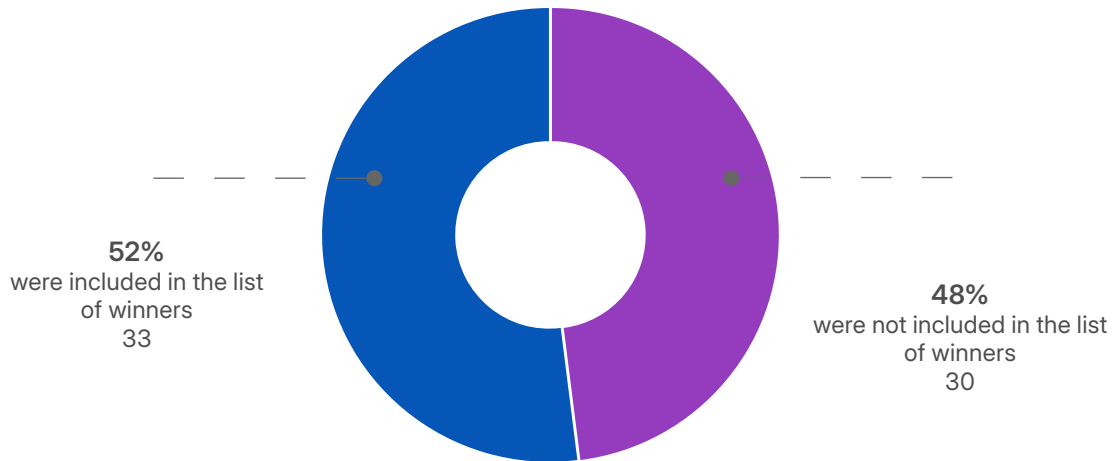
²⁷⁴ [List of Persons Admitted to Participate in the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector of the Service of Disciplinary Inspectors: Annexes 1, 2 and 3 to the Minutes of the Meeting of the Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector No. 3 of 30.04.2024 / Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector. 2024; List of Persons Admitted to Participate in the Competition for the Position of Head of the Service of Disciplinary Inspectors: Annex 1 to the Minutes / Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector; Meeting Results: post of 28.07.2025 / Competition Commission — Service of Disciplinary Inspectors. Facebook. 2025.](#)

²⁷⁵ [Schedules of Interviews with Candidates for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector / Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector.](#)

²⁷⁶ [On Approval of the List of Winners from among Candidates for the Position of Head of the Service of Disciplinary Inspectors: Decision of the Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector of 13.11.2024; On Approval of the List of Winners from among Candidates for the Position of Deputy Head of the Service of Disciplinary Inspectors: Decision of the Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector of 10.09.2024; On Approval of the List of Winners from among Candidates for the Positions of Disciplinary Inspectors: Decision of the Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector of 10.09.2024; List of Winners of the Competition for the Position of Disciplinary Inspector of the Service of Disciplinary Inspectors: approved by the Decision of the Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector of 01.10.2025.](#)

²⁷⁷ [The HCJ Appointed the Deputy Head of the Service of Disciplinary Inspectors and 21 Disciplinary Inspectors. High Council of Justice: website. 2024; On the Appointment of T. M. Kuzyk to the Position of Head of the Service of Disciplinary Inspectors of the High Council of Justice: Decision of the High Council of Justice No. 3618/0/15-24 of 12.12.2024.](#)

²⁷⁸ [The HCJ Appointed Three Disciplinary Inspectors. High Council of Justice: website. 2025.](#)



The diagram shows that almost half of the candidates (48%) did not pass the interview stage and terminated their participation in the competition due to reasonable doubts as to their compliance with the criteria of professional competence, integrity and the ethical standards established for judges.

As part of the study, **34** interviews conducted by the SDI Competition Commission with candidates for the positions of Head of the SDI HCJ, Deputy Head of the SDI HCJ and disciplinary inspector of the SDI HCJ were reviewed and analysed. These interviews will therefore be examined in detail below.

Common features of all interviews

At the beginning of the interviews, the SDI Competition Commission briefly announced the interview procedure. Candidates were given up to 10 minutes to present their candidacy, including their motivation, experience and vision for the functioning and development of the SDI. A common feature of interviews for all positions was that the SDI Competition Commission mainly asked questions concerning candidates' values, motivation, professional experience, ability to respond to critical situations, understanding of the mission and role of disciplinary inspectors and understanding of disciplinary proceedings. For the positions of Head of the SDI HCJ and Deputy Head of the SDI HCJ, in addition to the above questions, candidates were also asked about their management skills and leadership qualities. In addition, candidates for the position of Head of the SDI answered some of the SDI Competition Commission's questions in English.

Property-related questions accounted for a smaller part of the interviews, and the SDI Competition Commission mostly noted that it had received comprehensive additional written explanations from candidates on these issues. On average, interviews lasted 60 minutes where a person had applied for one position and up to 90 minutes where they had applied for two or more positions. At the end of the interview, each candidate was given an opportunity to make a closing statement of up to five minutes.

Differences in the conduct of interviews

Although candidates spoke at the beginning of the interviews about their motivation to work in the SDI, members of the SDI Competition Commission asked some candidates to restate their motivation (A. Volkova, I. Tron).²⁷⁹

In some cases, international experts on the SDI Competition Commission used questions with complex syntactic structures. This led candidates to ask for the question to be repeated and to clarify whether they had understood it correctly. For example: *'Have there been situations where you yourself found yourself at a crossroads, for example, where your integrity could have been at risk, where you could have taken one path that would have been easier but would have compromised your principles of integrity, or you could have chosen another path that would have been much more difficult and costly and would have had consequences for you. Have you ever had such situations in your professional life?'*²⁸⁰ We can also simplify this question: *have you faced ethical dilemmas in your professional life?'; 'Within judicial ethics, there is this concept of impropriety. Do you know what this is? [candidate's answer] It is the concept of behaving improperly in breach of standards. Do you understand that a judge who behaves improperly may be held disciplinarily liable? [candidate's answer] Do you know about the concept of how it looks when a judge behaves improperly, even if the judge did in fact behave improperly? [candidate asked for clarification] Do you know about the concept or principle where it appears that a judge is behaving improperly, even if the judge has not actually done anything, that is, where it looked as though they had done something wrong?'*²⁸¹ This also affected the overall duration of the interviews.

Some questions required specialised knowledge from candidates, for example, *'Are you familiar with the concept of triage?'*²⁸² while others had no connection with the subject matter of the interview, for example: *'In your dossier, how did you choose your official photograph with the High Anti-Corruption Court of Ukraine in the background?'*²⁸³ *'Tell us briefly about yourself personally, what do you do outside work?'*²⁸⁴ *'What is your hobby? What do you do outside working hours?'*²⁸⁵ and *'Are you liable for military service? When*

²⁷⁹ Interviews with Candidates for the Service of Disciplinary Inspectors on 30.08.2024 (interview with A. Volkova). High Council of Justice: website. 2024; Interviews with Candidates for the Service of Disciplinary Inspectors on 06.09.2024 (interview with I. Tron): video recording of the live broadcast / High Council of Justice. YouTube. 06.09.2024.

²⁸⁰ Meeting of the Competition Commission for Conducting the Competition for Positions in the Service of Disciplinary Inspectors on 11.11.2024 (interview with T. Kuzyk). High Council of Justice: website. 2024.

²⁸¹ Interviews with Candidates for the Service of Disciplinary Inspectors on 05.09.2024 (interview with O. Khyzhna). High Council of Justice: official website.

²⁸² Interviews with Candidates for the Position of Deputy Head of the Service of Disciplinary Inspectors on 27.08.2024 (interview with A. Kovalchuk): video recording of the live broadcast / High Council of Justice. YouTube. 27.08.2024.

²⁸³ Ibid. Interview with V. Pleskach.

²⁸⁴ Interviews with Candidates for the Service of Disciplinary Inspectors on 06.09.2024 (interview with T. Ostapenko): video recording of the live broadcast / High Council of Justice. YouTube. 06.09.2024.

²⁸⁵ Ibid. Interview with I. Tron.

*did you update your data? So, there are no questions for you from the TCR and SS? That is very good’.*²⁸⁶

Some questions concerned candidates' personal qualities, for example: *‘Since you are a rather open person, which I personally find appealing, please tell us whether you have any knowledge gaps related to the work?’*²⁸⁷ *‘I respect your choice to give up your judicial career in favour of your family. I respect your husband’s choice to go and defend his homeland’*,²⁸⁸ *‘Are you not afraid to put your signature?’*,²⁸⁹ *‘If I am not mistaken, you may have the highest score for the practical task. Tell us the secret — how did you manage to obtain such a high score?’*²⁹⁰ and *‘You said that you are already ready to consider a disciplinary complaint and take certain actions provided for by law. Please tell us, did you realise this after receiving such a rather low score for the practical task?’*²⁹¹

An example of the SDI Competition Commission applying uniform practice in assessing candidates against the criteria of professional competence, integrity and the ethical standards established for judges is the case of candidate *V. Nedybaliuk*, who was included in the list of winners both among candidates for the position of disciplinary inspector and among candidates for the position of Deputy Head of the SDI.²⁹²

There were also cases where the same candidate, when participating in competitions for different bodies, was found by the relevant commissions not to meet the integrity criterion. One example is the case of candidate *S. Savchenko*, who was: 1) found by the SDI Competition Commission in September 2024 not to meet the criteria of professional competence, integrity and the ethical standards established for judges²⁹³ and 2) found by the Ethics Council in August 2025 not to meet the criteria of professional ethics and integrity for the position of HCJ member.²⁹⁴ In particular,

²⁸⁶ Meeting of the Competition Commission for Conducting the Competition for Positions in the Service of Disciplinary Inspectors on 12.11.2024 (interview with V. Pleskach). High Council of Justice: website. 2024.

²⁸⁷ Interviews with Candidates for the Position of Deputy Head of the Service of Disciplinary Inspectors (interview with A. Matviichuk): video recording of the live broadcast / High Council of Justice. YouTube. 25.04.2024.

²⁸⁸ Interviews with Candidates for the Service of Disciplinary Inspectors on 06.09.2024 (interview with T. Ostapenko): video recording of the live broadcast / High Council of Justice. YouTube. 06.09.2024.

²⁸⁹ Interviews with Candidates for the Service of Disciplinary Inspectors on 06.09.2024 (interview with I. Zaika): video recording of the live broadcast / High Council of Justice. YouTube. 06.09.2024.

²⁹⁰ Interviews with Candidates for the Service of Disciplinary Inspectors on 28.08.2024 (interview with I. Kucher). High Council of Justice: website. 2024.

²⁹¹ Interviews with Candidates for the Service of Disciplinary Inspectors on 02.09.2024 (interview with D. Hryhoryshyn): video recording of the live broadcast / High Council of Justice. YouTube. 02.09.2024.

²⁹² Decision of the Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector on Approval of the Lists of Winners from among Candidates for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspectors of 10.09.2024 and 13.11.2024.

²⁹³ Ibid.

²⁹⁴ On Non-Compliance of Candidate for the Position of Member of the High Council of Justice Serhii Anatoliiovych Savchenko with the Criteria of Professional Ethics and Integrity for Holding the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 47 of 11.08.2025.

members of these Competition Commissions had doubts regarding income sufficient to cover the basic needs of the candidate's family.

However, the SDI Competition Commission did not examine the ethical dimension of the conduct of one of the candidates, *V. Pleskach*, whom the SC had held liable for abuse of procedural rights.²⁹⁵ Nor did the SDI Competition Commission, in its decision concerning *V. Pleskach*, dispel reasonable doubt as to his political neutrality,²⁹⁶ given his previous places of employment.²⁹⁷

As regards the decisions of the SDI Competition Commission, it should be noted that it:

- ▶ approves, by a reasoned decision, the list of winners from among the candidates for the positions of Head of the SDI, Deputy Head of the SDI and disciplinary inspectors;²⁹⁸
- ▶ adopts a reasoned decision to terminate the participation in the competition of those candidates in respect of whom there is reasonable doubt as to their compliance with the integrity criterion or the ethical standards established for judges.²⁹⁹

All decisions of the SDI Competition Commission adopted as a separate document are published on the official website of the HCJ. Where candidates' participation in the competition is terminated by a decision of the SDI Competition Commission due to reasonable doubt as to their compliance with the integrity criterion or the ethical standards established for judges, such decisions may be published on the official website of the HCJ only upon the written request of the relevant candidate.³⁰⁰

²⁹⁵ Ruling of the Grand Chamber of the Supreme Court of 27.10.2021 in case No. 9901/598/19; Judgment of the Grand Chamber of the Supreme Court of 08.07.2021 in case No. 9901/235/20, paras. 11–30.

²⁹⁶ Shadow Report on Chapter 23 'Justice and Fundamental Rights' of the European Commission's 2023 Report on Ukraine / Agency for Legislative Initiatives [et al.]. Kyiv, 2024, pp. 83, 88–89.

²⁹⁷ Interviews with Candidates for the Service of Disciplinary Inspectors (interview with *V. Pleskach*): video recording of the live broadcast / High Council of Justice. YouTube. 12.11.2024; Interviews with Candidates for the Service of Disciplinary Inspectors on 27.08.2024 (interview with *V. Pleskach*): video recording of the live broadcast / High Council of Justice. YouTube. 27.08.2024.

²⁹⁸ Rules of Procedure of the Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector: approved by Minutes No. 1 of the Meeting of the Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector of 05.02.2024 (as amended). Paras. 2.1.5, 2.1.6; Procedure for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector: approved by Minutes No. 2 of the Meeting of the Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector of 02.04.2024. Section X.

²⁹⁹ Procedure for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector: approved by Minutes No. 2 of the Meeting of the Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector of 02.04.2024. Para. 8.14.

³⁰⁰ Rules of Procedure of the Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector: approved by Minutes No. 1 of the Meeting of the Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector of 05.02.2024 (as amended). Para. 5.15.

An analysis of the only three decisions approving the lists of winners from among the candidates for the positions of Head of the SDI, Deputy Head of the SDI and disciplinary inspectors, as well as one decision terminating a candidate's participation in the competition (*Y. Pshevlotskyi*), published on the HCJ website,³⁰¹ showed the following. The decisions approving the lists of winners contain, in particular, a general phrase stating that, during the interview, the candidate '*confirmed his/her professional competence and compliance with the integrity criterion and the ethical standards established for judges*', as well as a brief summary of professional experience. The decision terminating *Y. Pshevlotskyi's*³⁰² participation in the competition contains more information compared with the decisions approving the lists of winners. In particular, it describes the circumstances that gave rise to reasonable doubts as to the accuracy of the information provided by the candidate regarding the correlation between his income and the value of the property acquired.

As a rule, the SDI Competition Commission voted unanimously to adopt these decisions, with certain exceptions. In particular, in respect of candidates *A. Volkova*, *S. Hryshyn*, *O. Liubarets*, *V. Koshliak* and *N. Stasiv*, one member of the Commission from among the international experts abstained. Candidates *V. Osietrov* and *V. Pleskach* were not supported by the Commission members from among the Ukrainian representatives. In addition, one Ukrainian representative among the Commission members recused himself in respect of one of the candidates.

2.4. AGE

During the period under review, the AGE conducted the following competitive selections:

- ▶ *Competitive selections under the quota of the CJU (Congress of Judges of Ukraine) and the quota of the VRU, announced in September 2023 (for two vacant positions of CCU judges under the quota of the Congress of Judges of Ukraine and three under the quota of the VRU).*

On 28 November 2023, the AGE received from the CJU the documents of 16 candidates for the positions of CCU judges.³⁰³ On 7 December 2023, the VRU submitted the documents of 25 candidates for the AGE's consideration.³⁰⁴

³⁰¹ Documents. High Council of Justice: website.

³⁰² On Terminating Yuriy Mykolaiovych Pshevlotskyi's Participation in the Competition: Decision of the Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector of 12.07.2024.

³⁰³ Decision of the Council of Judges of Ukraine No. 44 of 02.11.2023; Decision of the Council of Judges of Ukraine No. 51 of 20.11.2023.

³⁰⁴ Five Vacant Positions — 37 Candidates. Constitutional Court of Ukraine: website. 2023.

In early March 2024, the AGE conducted interviews with 29 candidates³⁰⁵ as part of the assessment of their compliance with the criterion of high moral qualities (the other candidates were either not admitted or voluntarily terminated their participation in the competition).

On 5 April 2024, eight admitted candidates for the position of CCU judge who, following the stage of assessing candidates' moral qualities, received the assessment 'compliant', took part in a written assessment to determine their level of competence in the field of law.³⁰⁶

On 2 May 2024, the AGE held a meeting at which it adopted decisions on the compliance of five candidates with the required level of competence in the field of law: three candidates under the Parliament's quota and two candidates under the quota of the Congress of Judges.³⁰⁷ As a result, on 23 May 2024, the VRU appointed Serhii Riznyk as a CCU judge,³⁰⁸ while on 18 September 2024, delegates of the XX Regular Congress of Judges of Ukraine appointed Alla Oliinyk³⁰⁹ to the relevant position. At the same time, the AGE informed the VRU of the need to re-announce competitions for two vacant positions of CCU judge.³¹⁰

- ▶ *Competitive selection under the President's quota, announced in February 2024 (for one vacant position of CCU judge).*

In May 2024, the documents of all 10 candidates who expressed their intention to participate in the selection were submitted for the AGE's consideration.³¹¹ In June–July 2024, the AGE reviewed these documents and conducted seven interviews with candidates. Only one candidate successfully passed the stage of verifying high moral qualities, which is why the competition under the President's quota was terminated early. The AGE adopted the relevant decision on 31 July 2024.³¹² The Law of Ukraine 'On the Constitutional Court of Ukraine' provides that if, following the assessment, the number of candidates is fewer than two persons per one vacant position of CCU judge, a new competition for that vacant position must be announced.³¹³

³⁰⁵ [The Council of Judges of Ukraine Informs. Out of 15 Persons Who Expressed Their Intention to Become CCU Judges on the Quota of the Congress of Judges of Ukraine, Eight Candidates Took Part in Interviews.](#) Judiciary of Ukraine: website. 2024.

³⁰⁶ [The Advisory Group of Experts Conducted Written Assessment of Candidates for the Position of CCU Judge.](#) Constitutional Court of Ukraine: website. 2024.

³⁰⁷ [The AGE Announced the Results of the Stage of Assessing the Competence Level of Candidates for the Position of CCU Judge.](#) Constitutional Court of Ukraine: website. 2024.

³⁰⁸ [On the Appointment of S. V. Riznyk to the Position of Judge of the Constitutional Court of Ukraine: Resolution of the Verkhovna Rada of Ukraine No. 3746-IX of 23.05.2024.](#)

³⁰⁹ [Delegates of the 20th Regular Congress of Judges of Ukraine Appointed a Judge of the Constitutional Court of Ukraine.](#) Council of Judges of Ukraine: website. 2024.

³¹⁰ [The Advisory Group of Experts Informed the Verkhovna Rada of Ukraine of the Need to Re-announce Competitions for Two Vacant Positions of CCU Judge: post of 08.05.2024 / Advisory Group of Experts.](#) Facebook. 2024.

³¹¹ [The Advisory Group of Experts Received from the Competition Commission the Documents of All 10 Candidates for the Position of CCU Judge under the Quota of the President of Ukraine.](#) Constitutional Court of Ukraine: website. 2024.

³¹² [Results: the AGE Announced the Results of the Stage of Assessing the Moral Qualities of Candidates for the Position of CCU Judge: post of 31.07.2024 / Advisory Group of Experts.](#) Facebook. 2024.

³¹³ [On the Constitutional Court of Ukraine: Law of Ukraine No. 2136-VIII of 13.07.2017, Article 108.](#)

- ▶ *Repeat competitive selections under the quota of the CJU (Congress of Judges of Ukraine), announced in April and December 2024 and in June 2025 (for two vacant positions of CCU judges).*

On 30 May and 21 June 2024, the CJU admitted 13 candidates to participate in the competition for two vacant positions of CCU judge under its quota.³¹⁴

In November 2024, the AGE announced the need to launch a repeat competition for one position of CCU judge due to an insufficient number of candidates to continue the competitive selection for that position. Following the assessment, the AGE found only three candidates to meet the criterion of high moral qualities.³¹⁵ However, in December, the AGE found these candidates not to meet the criterion of a recognised level of competence in the field of law for the purposes of selecting candidates for the position of CCU judge.³¹⁶ Accordingly, the competition under the quota of the Congress of Judges of Ukraine did not take place.

In view of these circumstances, on 9 December 2024, the CJU announced a new competition for two positions of CCU judges.³¹⁷

On 20 February 2025, the AGE received from the CJU the documents of seven candidates. By 18 May 2025, three of these candidates had terminated their participation in the competition at their own request.³¹⁸ On 29 May 2025, however, the AGE gave only one of the four candidates the assessment 'compliant' with the criterion of high moral qualities. Due to the insufficient number of candidates, the AGE established that the competition for two vacant positions of CCU judges under the quota of the Congress of Judges of Ukraine had been terminated.³¹⁹

On 2 June 2025, the CJU announced a new competition for the positions of CCU judge under the quota of the Congress of Judges of Ukraine.³²⁰ Seventeen candidates submitted documents to participate in this competition.³²¹ On 20 December 2025, the AGE adopted decisions on the compliance of nine candidates with the criterion of high moral qualities as part of the competitive selection for two vacant positions of CCU judges under the quota of the Congress of Judges of Ukraine. Two candidates received the assessment 'compliant' with the criterion of high moral qualities, while the other seven candidates were found not to meet the criterion of high moral

³¹⁴ [Thirteen Candidates Are Taking Part in the Competition for the Positions of CCU Judges under the Quota of the Congress of Judges of Ukraine. Constitutional Court of Ukraine: website. 2024.](#)

³¹⁵ [The AGE Informed the Council of Judges of Ukraine of the Need to Re-announce the Competition for One Position of CCU Judge. Constitutional Court of Ukraine: website. 2024.](#)

³¹⁶ [The Advisory Group of Experts Summarised the Results of the Competition for the Position of CCU Judge under the Quota of the Congress of Judges of Ukraine. Constitutional Court of Ukraine: website. 2024.](#)

³¹⁷ [Decision of the Council of Judges of Ukraine No. 41 of 09.12.2024.](#)

³¹⁸ [Candidates for the Position of CCU Judge Admitted to Competitive Selection under the Quota of the Council of Judges of Ukraine \(Congress of Judges of Ukraine\), Announced on 09.12.2024. Constitutional Court of Ukraine: website.](#)

³¹⁹ [The AGE Summarised the Results of the Stage of Assessing the Moral Qualities of Candidates from the Congress of Judges of Ukraine: post of 29.05.2025 / Advisory Group of Experts. Facebook. 2025.](#)

³²⁰ [Decision of the Council of Judges of Ukraine No. 25 of 02.06.2025.](#)

³²¹ [Seventeen Candidates Are Applying for the Position of Judge of the Constitutional Court of Ukraine from the Congress of Judges of Ukraine. Council of Judges of Ukraine: website. 2025.](#)

qualities for the purposes of the competitive selection of candidates for the position of CCU judge.³²²

- ▶ *Repeat competitive selection under the VRU quota, announced in May 2024 (for two vacant positions of CCU judges).*

On 31 July 2024, the VRU Committee on Legal Policy admitted 14 candidates to participate in the repeat competition.³²³ On 19 February 2025, the AGE submitted to that Committee the ranked list of assessed candidates for the positions of CCU judges who met the criteria of high moral qualities and a recognised level of competence in the field of law, as well as reasoned decisions in respect of each of them (six candidates).³²⁴ However, in early October 2025, none of the four candidates received the required number of votes of MPs. In this connection, on 13 October 2025, the VRU Committee on Legal Policy announced a new competition for two vacant positions of CCU judges under the VRU quota.³²⁵

- ▶ *Repeat competitive selection under the President's quota, announced in August 2024 (for three vacant positions of CCU judges).*

On 19 February 2025, the AGE submitted the ranked list of assessed candidates to the competition commission under the President.³²⁶ On 11 March 2025, the competition commission under the President adopted a decision recommending three candidates to the President for appointment to the position of CCU judge.³²⁷ On 27 June 2025, the President appointed Oleksandr Vodiannikov as a CCU judge³²⁸ and, on 17 September of the same year, Yurii Barabash.³²⁹ One candidate recommended by the AGE, Mykhailo Savchyn, has not yet been appointed.

It should be noted that a specific feature of competitions involving the AGE is that candidates' high moral qualities are verified first and only after candidates successfully pass this stage is their appropriate level of competence in the field of law for work in the CCU assessed.

³²² Competition from the Congress of Judges of Ukraine: AGE Announced the Results of the Stage of Assessing the Moral Qualities of Candidates: post of 20.12.2025 / Advisory Group of Experts. Facebook. 2025.

³²³ Fourteen Candidates for Two Positions of Judges of the Constitutional Court. Dzerkalo Tyzhnia: website. 2024.

³²⁴ The AGE Submitted Ranking Lists of Candidates for the Positions of CCU Judges to Parliament and the President. Constitutional Court of Ukraine: website. 2025.

³²⁵ The Committee of the Verkhovna Rada of Ukraine Announced a Competition for Two Positions of Judge of the Constitutional Court of Ukraine. Constitutional Court of Ukraine: website. 2025.

³²⁶ The AGE Submitted Ranking Lists of Candidates for the Positions of CCU Judges to Parliament and the President. Constitutional Court of Ukraine: website.

³²⁷ Decision of the Competition Commission for Conducting the Competitive Selection of Candidates for the Position of Judge of the Constitutional Court of Ukraine in Respect of Persons Appointed by the President of Ukraine on Recommendations for Appointment to the Positions of CCU Judges. Office of the President of Ukraine: website. 2025.

³²⁸ On the Appointment of O. Vodiannikov as a Judge of the Constitutional Court of Ukraine: Decree of the President of Ukraine No. 438/2025 of 27.06.2025.

³²⁹ On the Appointment of Y. Barabash as a Judge of the Constitutional Court of Ukraine: Decree of the President of Ukraine No. 687/2025 of 17.09.2025.

The timeframe of this analysis covers eight competitive selections for the positions of CCU judges under different quotas.³³⁰ In total, 133 candidates³³¹ were admitted to participate in the competitions. At the same time, there is an established practice whereby the same candidate applies for these competitions several times and under different quotas (so-called double candidates). Thus, more than 20 candidates applied repeatedly to these competitions at different times, including, for example, *Y. Barabash, N. Denysenko, Y. Kyrychenko, I. Nazarov, O. Tkachenko and others*.

Of these 133 candidates:

- › 41 candidates terminated their participation in the competitions at their own request;
- › no decision was adopted in respect of one candidate, *O. Prachuk*,³³² since three Ukrainian AGE members voted in favour during consideration of the decision and only one foreign AGE member voted in favour. However, under the Law of Ukraine 'On the Constitutional Court of Ukraine', a decision is deemed adopted if four AGE members vote in favour, at least two of whom are foreign members;³³³
- › in respect of 91 candidates, the AGE adopted decisions based on the assessment of candidates for the position of CCU judge against the criterion of high moral qualities. Of these:
 - › 37 candidates were found to meet this criterion and, accordingly, were admitted to the next stage — assessment against the criterion of a recognised level of competence in the field of law;
 - › 54 candidates terminated their participation in the competition following the assessment against the criterion of high moral qualities.

Of the 37 candidates admitted to the stage of assessment against the criterion of a recognised level of competence in the field of law:

- › 17 candidates³³⁴ successfully passed this stage, of whom four were appointed as CCU judges: *S. Riznyk, A. Oliinyk, O. Vodiannikov and Y. Barabash*;³³⁵

³³⁰ Two years ago, on 12 November 2023, the first meeting of the Advisory Group of Experts was held: post of 14 November 2025 / Advisory Group of Experts. Facebook. 2025.

³³¹ Ibid.

³³² Summary: the AGE announced the results of the stage of assessing the moral qualities of candidates for the position of CCU judge. Constitutional Court of Ukraine: website.

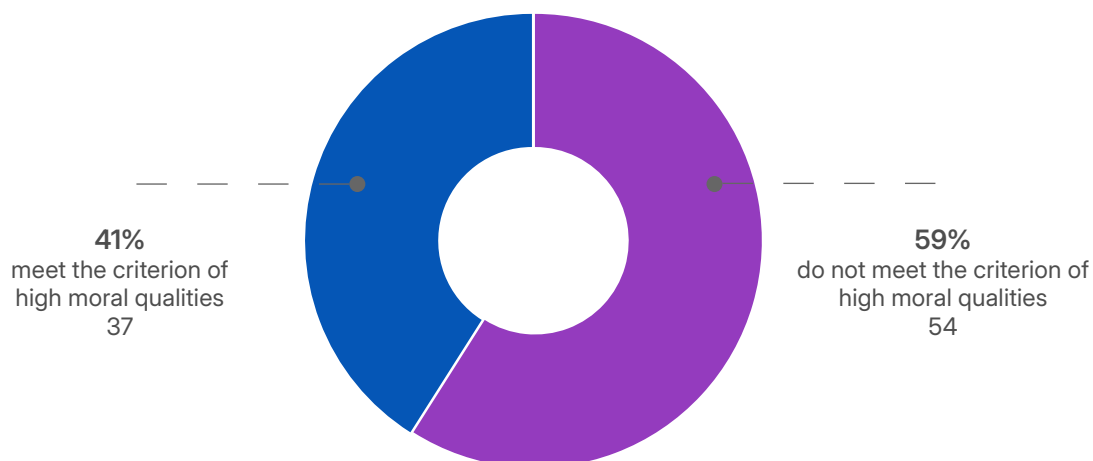
³³³ On the Constitutional Court of Ukraine: Law of Ukraine No. 2136-VIII of 13.07.2017. Section IV 'Transitional Provisions', para. 20.

³³⁴ Two years ago, on 12 November 2023, the first meeting of the Advisory Group of Experts was held: post of 14 November 2025 / Advisory Group of Experts. Facebook. 2025.

³³⁵ On the Appointment of S. V. Riznyk to the Position of Judge of the Constitutional Court of Ukraine: Resolution of the Verkhovna Rada of Ukraine No. 3746-IX of 23 May 2024; Decision of the XX Regular Congress of Judges of Ukraine of 18 September 2024; On the Appointment of O. Vodiannikov as a Judge of the Constitutional Court of Ukraine: Decree of the President of Ukraine No. 438/2025 of 27.06.2025; On the Appointment of Y. Barabash as a Judge of the Constitutional Court of Ukraine: Decree of the President of Ukraine No. 687/2025 of 17 September 2025.

- › 18 candidates did not pass this stage,³³⁶
- › the written assignments of two candidates are still being reviewed as part of the assessment of the level of competence in the field of law of candidates for the position of CCU judge.³³⁷

Thus, slightly fewer than half of the candidates (41%) received the AGE's assessment of 'compliant' with the criterion of high moral qualities and almost half of the candidates passed the stage of assessment against the criterion of a recognised level of competence in the field of law.



At the same time, it is worth taking into account that the AGE reviewed some of its own negative opinions concerning candidates (*Y. Kyrychenko*,³³⁸ *M. Savchyn*³³⁹ and *I. Nazarov*³⁴⁰) and subsequently issued positive opinions.

Example 1. Candidate *Y. Kyrychenko* participated twice in competitions for the position of CCU judge. During the first competition, the AGE found her not to meet the criterion of high moral qualities. However, in another competition, the AGE reviewed its opinion. The votes of AGE members were split equally: three votes in favour and three against. *Y. Kyrychenko* was supported by one Ukrainian representative on the AGE and two of the three foreign experts. Since foreign experts have a controlling vote, it was effectively

³³⁶ Candidates for the Position of Judge. Constitutional Court of Ukraine: website.

³³⁷ The AGE Conducted a Written Assessment of Candidates for the Position of CCU Judge: post of 23 December 2025 / Advisory Group of Experts. Facebook. 2025.

³³⁸ Protocol No. 5 of the meeting of the Advisory Group of Experts of 23 March 2024; On the Compliance of Candidate for the Position of Judge of the Constitutional Court of Ukraine Yuliia Mykolaivna Kyrychenko with the Criterion of High Moral Qualities: Decision 1.14, adopted by Protocol No. 15 of the meeting of the Advisory Group of Experts of 28 January 2025.

³³⁹ Protocol No. 5 of the meeting of the Advisory Group of Experts of 23 March 2024; On the Compliance of Candidate for the Position of Judge of the Constitutional Court of Ukraine Mykhailo Vasylovych Savchyn with the Criterion of High Moral Qualities: Decision 1.25, adopted by Protocol No. 15 of the meeting of the Advisory Group of Experts of 28 January 2025.

³⁴⁰ Protocol No. 5 of the meeting of the Advisory Group of Experts of 23 March 2024; On the Compliance of Candidate for the Position of Judge of the Constitutional Court of Ukraine Ivan Volodymyrovych Nazarov with the Criterion of High Moral Qualities: Decision 1.21, adopted by Protocol No. 15 of the meeting of the Advisory Group of Experts of 28 January 2025.

the foreign members who enabled Y. Kyrychenko to be included in the list of candidates recommended for appointment to the position of CCU judge.

Example 2. In March 2024, the AGE found *I. Nazarov* not to meet the criterion of high moral qualities, in particular due to doubts as to whether his lifestyle was consistent with his official income, as well as the unclear origin of the funds used by his parents to finance expensive gifts for him. However, in May of the same year, most of the AGE's doubts were dispelled following *I. Nazarov's* answers to both the AGE's written questions and questions asked during the interview. As a result, he was found to meet the criterion of high moral qualities. The Ethics Council also found *I. Nazarov* three times to meet the criteria of professional ethics and integrity for the position of HCJ member, as described in detail in the section on the activities of the Ethics Council.

Example 3. In March 2024, the AGE found *M. Savchyn* not to meet the criterion of high moral qualities. There were doubts as to his compliance with the indicators of 'honesty', 'conscientiousness' and 'compliance with ethical standards and demonstration of impeccable conduct in professional activities and private life', as well as doubts concerning his conscientious compliance with the requirements of tax legislation on income declaration and tax payment. However, in January 2025, most of these doubts were dispelled following the candidate's answers to the AGE's written questions, questions asked during the interview and the analysis of documents. As a result, taking into account the seriousness and cumulative nature of the circumstances identified during the assessment of *M. Savchyn*, the AGE found him to meet the criterion of high moral qualities.

Example 4. The AGE found some candidates, *R. Yaromenok (twice)*³⁴¹ and *V. Ivashchenko*³⁴², to meet the criterion of high moral qualities despite the negative opinions of the Ethics Council, which carries out preliminary selection of candidates for the positions of HCJ members.³⁴³

³⁴¹ [On the Compliance of Candidate for the Position of Judge of the Constitutional Court of Ukraine Roman Oleksandrovych Yaromenko with the Criterion of High Moral Qualities: Decision of the Advisory Group of Experts No. 1.25, adopted by Protocol No. 5 of the meeting of the Advisory Group of Experts of 23 March 2024; On the Compliance of Candidate for the Position of Judge of the Constitutional Court of Ukraine Roman Oleksandrovych Yaromenko with the Criterion of High Moral Qualities: Decision of the Advisory Group of Experts No. 1.33, adopted by Protocol No. 15 of the meeting of the Advisory Group of Experts of 28 January 2025.](#)

³⁴² [On the Compliance of Candidate for the Position of Judge of the Constitutional Court of Ukraine Vladyslav Ivanovych Ivashchenko with the Criterion of High Moral Qualities: Decision of the Advisory Group of Experts No. 1.10, adopted by Protocol No. 15 of the meeting of the Advisory Group of Experts of 28 January 2025.](#)

³⁴³ [On the Non-Compliance of Candidate for the Position of Member of the High Council of Justice R. O. Yaromenko with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 21 of 23.06.2022; On the Non-Compliance of Candidate for the Position of Member of the High Council of Justice Vladyslav Ivanovych Ivashchenko with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 9 of 19.06.2024.](#)

At the same time, there is consistent AGE practice in assessing the compliance of the same candidate participating in different competitions with the criterion of high moral qualities, including in comparison with other Competition Commissions.

Example 1. Candidate *N. Kaminska* was found by the AGE three times³⁴⁴ in 2024 and 2025 not to meet the criterion of high moral qualities. In all three cases, the decisions were adopted unanimously by all AGE members. In addition, in August 2025, the Ethics Council found *N. Kaminska* not to meet the criteria of professional ethics and integrity for the position of HCJ member,³⁴⁵ in particular due to reasonable doubts as to the candidate's compliance with the requirements of academic integrity and the lawfulness of the sources of origin of property of both the candidate and members of her family, as well as the consistency of their standard of living with their declared and lawful income.

Example 2. Candidate *O. Radutnyi* was found twice by the AGE not to meet the criterion of high moral qualities.³⁴⁶ The decisions were adopted unanimously. In April 2023, he was also found by the Ethics Council not to meet the criteria of professional ethics and integrity, in particular due to reasonable doubts as to his compliance with such indicators of the integrity³⁴⁷ and professional ethics criteria as 'conscientiousness' and 'compliance with financial control requirements' in terms of failing to provide complete and accurate information in asset declarations.

Example 3. Candidate *M. Voinarivskyi* was found both by the AGE not to meet the criterion of high moral qualities in March 2024³⁴⁸ and by the Ethics Council not to meet the criteria of professional ethics and integrity in June 2022.³⁴⁹ At the same time, he has now also been admitted as a candidate for the position of CCU judge in the competitive selection under the quota of the CJU (Congress of Judges of Ukraine), announced in June 2025. The interview stage has not yet begun.³⁵⁰

³⁴⁴ [Protocol No. 5 of the meeting of the Advisory Group of Experts of 24 March 2024](#); [Protocol No. 11 of the meeting of the Advisory Group of Experts of 31 July 2024](#); [Protocol No. 15 of the meeting of the Advisory Group of Experts of 28 January 2025](#).

³⁴⁵ [On the Non-Compliance of Candidate for the Position of Member of the High Council of Justice Nataliia Vasylivna Kaminska with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 42 of 11 August 2025](#).

³⁴⁶ Decisions. Constitutional Court of Ukraine: website; [Protocol No. 5 of the meeting of the Advisory Group of Experts of 24 March 2024](#); [Protocol No. 11 of the meeting of the Advisory Group of Experts of 31 July 2024](#).

³⁴⁷ [On the Non-Compliance of Candidate for the Position of Member of the High Council of Justice Oleksandr Eduardovych Radutnyi with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 32 of 28 April 2023](#).

³⁴⁸ Decisions. Constitutional Court of Ukraine: website; [Protocol No. 5 of the meeting of the Advisory Group of Experts of 24.03.2024](#).

³⁴⁹ [On the Non-Compliance of Candidate for the Position of Member of the High Council of Justice M. M. Voinarivskyi with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 12 of 23.06.2022](#).

³⁵⁰ [Candidates for the Position of CCU Judge Admitted to the Competitive Selection under the Quota of the Council of Judges of Ukraine \(Congress of Judges of Ukraine\), Announced on 02.06.2025](#). Constitutional Court of Ukraine: website.

Example 4. Candidate R. Holobutovskyi was found both by the AGE not to meet the criterion of high moral qualities in January 2025³⁵¹ and by the Ethics Council not to meet the criteria of professional ethics and integrity in June 2022.³⁵²

Other examples of consistent AGE practice in assessing the compliance of the same candidate participating in different competitions with the criterion of high moral qualities include the cases of candidates such as *D. Hrytsenko, N. Denysenko, K. Krasovskyi, A. Rubanets, O. Tkachenko, O. Soldatenko and T. Opanasiuk.*

In total, this study analysed **30** interviews conducted by the AGE with candidates for the position of CCU judge.

Common features of all interviews

At the beginning of the interviews, the AGE briefly referred to the legal framework and the procedure for conducting interviews, as well as their purpose, namely to dispel any doubts as to candidates' high moral qualities. On average, the interviews lasted one hour. AGE members usually stopped candidates and clearly pointed out the need to comply with the time limit, as well as to provide specific answers, where a candidate gave general information. At the end of the interview, each candidate was given the opportunity to make a closing statement of up to five minutes.

Differences in the conduct of interviews

Different approaches were recorded to the order in which the list of questions was discussed with candidates. In some cases, AGE members moved inconsistently from one block of questions to another, and different candidates were asked different numbers of questions from the property-related and non-property-related blocks. Such differences create the impression that the criteria applied during interviews were uneven. Some candidates went through the interview without a single question about their property status or income,³⁵³ while others had to explain to AGE members the origin of income sources dating back 30 years and provide documentary evidence of them.³⁵⁴

Some of the questions asked by AGE members at the stage of assessing candidates for the position of CCU judge against the criterion of high moral qualities concerned the verification of knowledge in the field of law, which relates to the next stage of assessment and could not be the subject of the current stage. These included, for example: *'When was the Constitution of Ukraine adopted and what chapters and articles does it consist of?'*³⁵⁵, *'When was*

³⁵¹ [Decisions. Constitutional Court of Ukraine: website](#); Protocol No. 15 of the meeting of the Advisory Group of Experts of 28 January 2025.

³⁵² [On the Non-Compliance of Candidate for the Position of Member of the High Council of Justice R. Z. Holobutovskyi with the Criteria of Professional Ethics and Integrity for the Position of Member of the High Council of Justice: Decision of the Ethics Council No. 14 of 23.06.2022.](#)

³⁵³ [Archive of meetings of the Advisory Group of Experts. Interview with candidate for the position of CCU judge Nataliia Denysenko. Constitutional Court of Ukraine: website.](#)

³⁵⁴ [Archive of meetings of the Advisory Group of Experts. Interview with candidate for the position of CCU judge Andrii Boiko. Constitutional Court of Ukraine: website.](#)

³⁵⁵ [Archive of meetings of the Advisory Group of Experts. Interview with candidate for the position of CCU judge Liubomyr Andreichuk. Constitutional Court of Ukraine: website.](#)

*constitutional review first introduced in Ukraine?*³⁵⁶ and *'When was the Law of Ukraine "On the Constitutional Court of Ukraine" adopted?'*³⁵⁷ Only once was such a question withdrawn by the AGE as irrelevant.³⁵⁸

Some questions did not directly affect the assessment of the candidate's compliance with the criterion of high moral qualities and were more similar to value judgements, recommendations or simply concerned the candidate's personal interests. These included, *for example*:

*'Did you also attend music school? Do you currently have time to play an instrument?'*³⁵⁹

*'We do not know in advance whether you will become a CCU judge or not, but we still recommend that you take some training and carefully consult a specialist on completing declarations so that you do not make such mistakes in the future,'*³⁶⁰

*'Thank you for your answer. It is clear and I am satisfied with it,'*³⁶¹

*'What is wrong with working at the Supreme Court? Why are you constantly seeking to move elsewhere, to join another court? CCU judges are appointed for nine years. Can we be certain that, if appointed as a CCU judge, you will serve the full nine-year term, or will you seek to move elsewhere again in two years?'*³⁶²

*'Are numbers not your strong point?'*³⁶³

*'You defended your dissertation only in November 2023, so less than six months ago. You probably marked the occasion at a banquet. You said that you were grateful to those who supported your wish to become a Doctor of Philosophy in Law and that you remembered their contribution, because you entered academia on their shoulders. Yet you do not even remember those who helped you in this serious process of obtaining an academic degree. Well, to some extent, I find this strange,'*³⁶⁴

³⁵⁶ Archive of meetings of the Advisory Group of Experts. Interview with candidate for the position of CCU judge Oleksandr Vodiannikov. [Interview with candidate for the position of CCU judge Ivan Nazarov](#). Constitutional Court of Ukraine: website.

³⁵⁷ Archive of meetings of the Advisory Group of Experts. [Interview with candidate for the position of CCU judge Maksym Muzyka](#). Constitutional Court of Ukraine: website.

³⁵⁸ Archive of meetings of the Advisory Group of Experts. [Interview with candidate for the position of CCU judge Oleksandr Vodiannikov](#). Constitutional Court of Ukraine: website.

³⁵⁹ Archive of meetings of the Advisory Group of Experts. [Interview with candidate for the position of CCU judge Alla Oliinyk](#). Constitutional Court of Ukraine: website.

³⁶⁰ Archive of meetings of the Advisory Group of Experts. [Interview with candidate for the position of CCU judge Yurii Barabash](#). Constitutional Court of Ukraine: website.

³⁶¹ Archive of meetings of the Advisory Group of Experts. [Interview with candidate for the position of CCU judge Oleksandra Yanovska](#). Constitutional Court of Ukraine: website.

³⁶² Ibid.

³⁶³ Archive of meetings of the Advisory Group of Experts. [Interview with candidate for the position of CCU judge Mykhailo Savchyn](#). Constitutional Court of Ukraine: website.

³⁶⁴ Archive of meetings of the Advisory Group of Experts. [Interview with candidate for the position of CCU judge Maksym Muzyka](#). Constitutional Court of Ukraine: website.

'I find it strange that you, as a serious woman with some life experience, fell for the idea that this was a cheap car. You should have checked what you were buying. This is just by the way'.³⁶⁵

It should be clarified that these questions were asked specifically by the Ukrainian representatives on the AGE.

2.5. PCIE

The first competition to the HACC lasted from 2 August 2018 to 11 April 2019 and was announced to fill 39 vacant positions of HACC judges, including 12 positions of judges of the Appeal Chamber of that court (AC HACC).³⁶⁶ On 28 January 2019, the PCIE completed its work on assessing the integrity of candidates for the positions of HACC judges.³⁶⁷ Following special joint meetings of the HCCJ and the PCIE concerning 49 candidates, representing 47% of the total number of 113 candidates:

- › 7 candidates continued their participation in the competition;
- › 39 candidates terminated their participation in the competition;
- › 3 candidates terminated their participation in the competition at their own request before the special joint meetings began.³⁶⁸

Following the first competition, 38 HACC judges were appointed, including 27 judges of the HACC³⁶⁹ and 11 judges of the AC HACC.³⁷⁰

The second selection to the HACC was announced on 23 November 2023 to fill 25 vacant positions of HACC judges, including 10 positions in the AC HACC.³⁷¹ As part of this competition, on 17 February 2025, during a joint meeting of the HCCJ and the PCIE, the issue of whether seven candidates for the positions of HACC judges met the criteria provided for by Law

³⁶⁵ [Archive of meetings of the Advisory Group of Experts. Interview with candidate for the position of CCU judge Oleksandra Karmaza. Constitutional Court of Ukraine: website.](#)

³⁶⁶ [Competition to fill 25 vacant positions of judges of the High Anti-Corruption Court begins. High Qualification Commission of Judges of Ukraine: website. 2024.](#)

³⁶⁷ [Selection to the High Anti-Corruption Court: unprecedented transparency and unique global experience. Ukrinform: website. 2019.](#)

³⁶⁸ [Competition to fill 39 vacant positions of judges of the High Anti-Corruption Court, announced on 02.08.2018. High Qualification Commission of Judges of Ukraine: website.](#)

³⁶⁹ [On the Appointment of Judges of the High Anti-Corruption Court: Decree of the President of Ukraine No. 128/2019 of 11 April 2019.](#)

³⁷⁰ [On the Appointment of Judges of the Appeal Chamber of the High Anti-Corruption Court: Decree of the President of Ukraine No. 129/2019 of 11 April 2019.](#)

³⁷¹ [On Announcing a Competition to Fill Vacant Positions of Judges of the High Anti-Corruption Court and the Appeal Chamber of the High Anti-Corruption Court: Decision of the High Qualification Commission of Judges of Ukraine No. 145/zp-23 of 23 November 2023.](#)

No. 2447-VIII³⁷² was considered. Following this consideration, two candidates continued their participation in the competition to the HACC as a first-instance court³⁷³ and became its winners.³⁷⁴ On 3 June 2025, the President appointed them as HACC judges.³⁷⁵ The competition to the AC HACC ended in January 2025 with no result, as none of the candidates passed the qualification exam.³⁷⁶

On 23 January 2025, the HCCJ in plenary composition announced a repeat competition to fill 10 vacant positions of judges of the AC HACC,³⁷⁷ which was cancelled in May 2025 to optimise the procedures for competitions for judicial positions.³⁷⁸

Instead, on 3 June 2025, the HCCJ announced a new competition to fill 23 vacant positions in the HACC: 10 vacant positions of judges in the AC HACC and 13 in the HACC as a first-instance court.³⁷⁹ According to the indicative schedule established by the HCCJ, this competition is expected to be completed in March 2026.³⁸⁰

In September 2025, the HCCJ completed its review of candidates' materials. Of 205 candidates, 158 were admitted to the qualification assessment and to participation in the competition.³⁸¹

On 1 October 2025, 158 participants took the test on knowledge of the history of Ukrainian statehood, and, on 13 October 2025, 141 participants took the test on general knowledge in the field of law and knowledge of the HACC specialisation, with one participant failing to appear. On 27 October 2025, 131 participants took the cognitive skills test.³⁸²

³⁷² [On the High Anti-Corruption Court: Law of Ukraine No. 2447-VIII of 07.06.2018. Part 4 Article 8.](#)

³⁷³ [Two candidates continue their participation in the competition to the High Anti-Corruption Court. High Qualification Commission of Judges of Ukraine: website. 2025.](#)

³⁷⁴ [List of winners of the competition to fill vacant positions of judges in the High Anti-Corruption Court, announced by HCCJ Decision No. 145/zp-23 of 23 November 2023. High Qualification Commission of Judges of Ukraine: website. 2025.](#)

³⁷⁵ [On the Appointment of Judges of the High Anti-Corruption Court: Decree of the President of Ukraine No. 378/2025 of 03.06.2025.](#)

³⁷⁶ [The general results of the qualification exam for participants in the competition to the High Anti-Corruption Court and the Appeal Chamber of the High Anti-Corruption Court have been approved. High Qualification Commission of Judges of Ukraine: website. 2025.](#)

³⁷⁷ [On 23 January 2025, a competition was announced to fill vacant positions of judges in the Appeal Chamber of the High Anti-Corruption Court. High Qualification Commission of Judges of Ukraine: website. 2025.](#)

³⁷⁸ [On Cancelling the Competition to Fill Vacant Positions of Judges in the Appeal Chamber of the High Anti-Corruption Court, announced by Commission Decision No. 25/zp-25 of 23 January 2025: Decision of the High Qualification Commission of Judges of Ukraine No. 110/zp-25 of 29 May 2025.](#)

³⁷⁹ [On 3 June 2025, a competition was announced to fill vacant positions in the High Anti-Corruption Court. High Qualification Commission of Judges of Ukraine: website. 2025.](#)

³⁸⁰ [Competition for 23 vacant positions of judges in the High Anti-Corruption Court and its Appeal Chamber. High Qualification Commission of Judges of Ukraine: website. 2025.](#)

³⁸¹ [Competition to the HACC: review of candidates' materials completed. High Qualification Commission of Judges of Ukraine: website. 2025.](#)

³⁸² [Overview of the results of the High Qualification Commission of Judges of Ukraine in October 2025. High Qualification Commission of Judges of Ukraine: website. 2025.](#)

The fourth stage of the qualification exam, namely completion of a practical assignment on the HACC specialisation, was scheduled for 29 October 2025 and the timetable for its completion was set for 12 and 14 November 2025, with 87 candidates admitted.³⁸³ Eighty-five of the 87 candidates who had successfully passed the previous selection stages appeared for this stage.³⁸⁴ In late December 2025, 73 of the 85 candidates³⁸⁵ successfully completed the practical assignment. Interviews with the PCIE are scheduled to be held in late February and early March 2026.³⁸⁶

The timeframe of this analysis covers the second selection to the HACC, announced at the end of 2023 to fill 25 vacant positions of HACC judges. A total of **238** candidates submitted documents to participate in this competition: 153 for the positions of HACC judges and 85 for the positions of judges of the AC HACC.³⁸⁷ At that time, **161** candidates were admitted to the competition: 100 candidates for the positions of HACC judges and 61 candidates for the positions of judges of the AC HACC.³⁸⁸ **Seven** candidates for the position of judge of the HACC as a first-instance court, who had successfully passed the qualification exam, were admitted to the second stage of the qualification assessment, 'Dossier Review and Interview'.³⁸⁹

A specific feature of the PCIE's format of work is the procedure for holding a special joint meeting of the HQCJ and the PCIE, which is initiated by the PCIE itself.³⁹⁰ On 22 January 2025, the PCIE requested the HQCJ to convene a special joint meeting to consider whether all seven candidates for the position of HACC judge met the criteria of integrity (morality, honesty and incorruptibility) and possessed the knowledge and practical skills required to hear cases falling within the jurisdiction of the HACC.³⁹¹ Two special joint meetings were held on 6 and 7 February 2025.³⁹²

³⁸³ [Overview of the results of the High Qualification Commission of Judges of Ukraine in October 2025](#). High Qualification Commission of Judges of Ukraine: website. 2025.

³⁸⁴ [85 candidates are applying for positions in the HACC — the competition is entering the final stretch](#). Judicial and Legal Newspaper: website. 2025.

³⁸⁵ [Decoded results of the fourth stage of the qualification exam, completion of the practical assignment on the specialisation of the High Anti-Corruption Court, including its Appeal Chamber, as part of the competition to fill vacant positions of judges in the High Anti-Corruption Court announced by Commission Decision No. 112/zp-25 of 03.06.2025 / High Qualification Commission of Judges of Ukraine](#). 2025.

³⁸⁶ [Path to the EU: Civil Society's View of Ukraine's Progress under Negotiating Chapters 23 and 24. Speech by HQCJ Head A. Pasichnyk: video recording of the live broadcast / EU Project Pravo-Justice](#). YouTube. 23.10.2025.

³⁸⁷ [Statistical data on the competition to the High Anti-Corruption Court: post of 04 April 2024 / High Qualification Commission of Judges of Ukraine](#). Facebook. 2024.

³⁸⁸ [161 candidates admitted to the competition to fill 25 vacant positions of judges of the High Anti-Corruption Court](#). Judiciary of Ukraine: website. 2024.

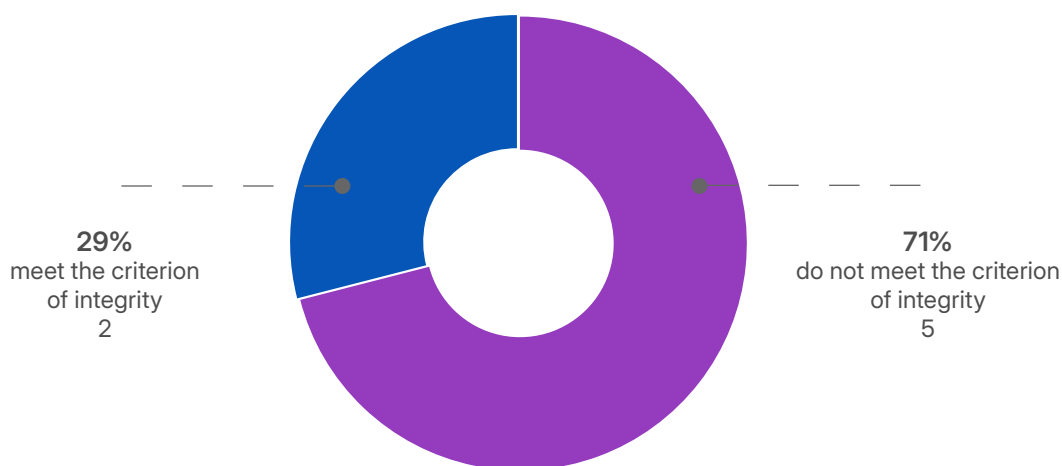
³⁸⁹ [On Determining the General Results of the First Stage of the Qualification Assessment, 'Taking the Qualification Exam', and Admission to the Second Stage, 'Dossier Review and Interview', as part of the competition to fill vacant positions of judges in the High Anti-Corruption Court and the Appeal Chamber of the High Anti-Corruption Court announced by Commission Decision No. 145/zp-23 of 23 November 2023, as amended: Decision of the High Qualification Commission of Judges of Ukraine No. 15/zp-25 of 15 January 2025](#).

³⁹⁰ [On the High Anti-Corruption Court: Law of Ukraine No. 2447-VIII of 07.06.2018. Part 5 Article 8](#).

³⁹¹ [Protocol No. 2 of the meeting of the Public Council of International Experts of 22 January 2025](#).

³⁹² [Competition to the HACC: the Commission will announce the results of the special joint meeting with the PCIE on 17 February 2025](#). Judiciary of Ukraine: website. 2025.

The next special joint meeting of the HQCJ and the PCIE took place on 17 February 2025, at which a joint decision concerning the candidates for the position of HACC judge was announced.³⁹³ As a result, **two** candidates (29%), *O. Chernova* and *T. Lytvynko*, were found to meet the above criteria, while **five** candidates (71%), *Y. Bodnaruk*, *O. Kimstachov*, *M. Odariuk*, *K. Kotelva* and *K. Lehkykh*, were found not to meet them and terminated their participation in the competitions.³⁹⁴



Common features of all interviews

Before the special joint meetings concerning candidates for the position of HACC judge began, a time limit was set: presentation on the candidate of up to 10 minutes, the candidate's explanations of up to 10 minutes and a question-and-answer session of up to 30–40 minutes. No limits were set on the number of questions that could be asked of a candidate. Before the interview with each candidate began, brief background information on the relevant candidate was provided. On average, the interviews lasted one and a half hours, *except for the interview with one of the competition winners, T. Lytvynko, which lasted one hour.*³⁹⁵ The first question usually concerned the candidate's motivation to participate in the competition and be appointed to the position of HACC judge.

It is also possible to note a certain balance in the participation of both PCIE and HQCJ members in asking candidates questions. All questions asked of candidates during the interviews can broadly be divided into non-property-related questions, property-related questions, questions concerning information received in response to requests, questions concerning information received in submissions and questions aimed at verifying knowledge of legislation and the principles of administering justice.

³⁹³ [Special joint meeting in Ukrainian \(17.02.2025\)](#): video recording of the live broadcast / High Qualification Commission of Judges of Ukraine. YouTube. 17.02.2025.

³⁹⁴ [The HQCJ published decisions concerning candidates for the positions of HACC judges](#). Public Council of International Experts: website. 2025.

³⁹⁵ [Special joint meeting in Ukrainian, T. V. Lytvynko \(06.02.2025\)](#): video recording of the live broadcast / High Qualification Commission of Judges of Ukraine. YouTube. 06.02.2025.

Differences in the conduct of interviews

Some questions did not directly affect the assessment of the candidate's compliance with the established criteria and were asked in the form of repeated clarification of information already provided in the candidate's questionnaire, *for example: 'Do you have access to state secrets?'*³⁹⁶ Other questions concerned sensitive matters, despite the fact that no closed part of the meeting was held and such questions also did not relate to assessing the candidate's compliance with the criteria of integrity and professional ethics. These included, *for example: 'How did the fraudsters manage to deceive you, gain your trust and deprive you of an asset?'*³⁹⁷ — referring to crypto-assets — and 'Do you consider yourself a trusting person?'. By contrast, during another interview, when PCIE members decided to clarify information about targeted financial assistance indicated in the candidate's declaration, the candidate's explanations were heard in closed session without broadcast due to the sensitivity of the question.³⁹⁸

In addition, only in respect of one candidate did PCIE and HQCJ members collect information from social media. No such analysis was conducted in respect of other candidates, as evidenced by the absence of any discussion of relevant information concerning them during the interviews.³⁹⁹

There is also a certain inconsistency in the practice of determining the established criteria in respect of the same candidate, even on the same issue, but for different positions in different competitions.

Candidate for the position of HACC judge *Y. Bodnaruk* had previously also participated in the competition for the position of HQCJ member, with the interview held on 17 January 2023.⁴⁰⁰ The question asked by the HQCJ Competition Commission concerned the value of an apartment in Odesa and the origin of the funds used to purchase it. *The same question was also asked during the competition for the position of HACC judge.*

On 11 April 2023, the HQCJ Competition Commission submitted recommendations to the HCJ concerning 32 candidates for the positions of HQCJ members, including *Y. Bodnaruk*. However, on 1 June 2023, the HCJ, *without disputing the candidate's compliance with the criteria ('Y. V. Bodnaruk meets the integrity criterion')*, refused to appoint him because no member of the Council voted in favour of his candidacy.⁴⁰¹ At the same time, during the competition for the position of HACC judge, the PCIE and the HQCJ developed reasonable doubt as to *Y. Bodnaruk's* compliance with the indicator

³⁹⁶ Special joint meeting in Ukrainian, *K. V. Lehkykh* (07.02.2025): video recording of the live broadcast / High Qualification Commission of Judges of Ukraine. YouTube. 07.02.2025.

³⁹⁷ Special joint meeting, original audio track, *O. S. Kimstachov* (06.02.2025): video recording of the live broadcast / High Qualification Commission of Judges of Ukraine. YouTube. 06.02.2025.

³⁹⁸ Special joint meeting in Ukrainian, *O. V. Chernova* (07.02.2025): video recording of the live broadcast / High Qualification Commission of Judges of Ukraine. YouTube. 07.02.2025.

³⁹⁹ Special joint meeting in Ukrainian, *K. O. Kotelva* (07.02.2025): video recording of the live broadcast / High Qualification Commission of Judges of Ukraine. YouTube. 07.02.2025.

⁴⁰⁰ *Yurii Bodnaruk*, candidate for HQCJ member: video recording of the live broadcast / High Qualification Commission of Judges of Ukraine. YouTube. 17.01.2023.

⁴⁰¹ On Refusal to Appoint *Y. V. Bodnaruk* to the Position of Member of the High Qualification Commission of Judges of Ukraine: Decision of the High Council of Justice No. 573/0/15-23 of 1 June 2023.

'consistency of standard of living with declared income' under the integrity criterion, regarding his ability to purchase the apartment independently.⁴⁰²

As of 29 September 2025, Y. Bodnaruk had been admitted to the qualification assessment and to participation in the competition for vacant positions of HACC judges announced by HQCJ Decision No. 112/zp-25⁴⁰³ of 3 June 2025. He successfully passed the test on knowledge of the history of Ukrainian statehood,⁴⁰⁴ the test on general knowledge in the field of law and knowledge of the HACC specialisation,⁴⁰⁵ the cognitive skills test⁴⁰⁶ and successfully completed the practical assignment on the HACC specialisation.⁴⁰⁷

An interesting situation arose with the discussion during interviews of previous opinions or information that could indicate candidates' lack of integrity.

Example 1. In March 2018, the PIC approved a negative opinion concerning O. Kimstachov, finding that, as a judge of the Uman City District Court of Cherkasy Region, he did not meet the criteria of integrity and professional ethics. The opinion stated that he had been subject to disciplinary liability.⁴⁰⁸ In addition, O. Kimstachov participated in the first competition to the HACC in 2018–2019. The PCIE information note set out

⁴⁰² On Consideration at a Special Joint Meeting of the Issue of Compliance of Candidate for the Position of Judge of the High Anti-Corruption Court Yurii Volodymyrovych Bodnaruk with the Criteria Provided for in Part 4 Article 8 of the Law of Ukraine 'On the High Anti-Corruption Court': Decision of the High Qualification Commission of Judges of Ukraine No. 1/vs-25 of 17 February 2025.

⁴⁰³ List of persons admitted to the qualification assessment and to participation in the competition to fill vacant positions of judges of the High Anti-Corruption Court, announced by Decision of the High Qualification Commission of Judges of Ukraine No. 112/zp-25 of 03.06.2025 / High Qualification Commission of Judges of Ukraine. 2025.

⁴⁰⁴ List of candidates for the position of judge who successfully passed the test on knowledge of the history of Ukrainian statehood and were admitted to the second stage of the qualification exam — testing of general knowledge in the field of law and knowledge of the specialisation of the High Anti-Corruption Court, including its Appeal Chamber / High Qualification Commission of Judges of Ukraine. 2025.

⁴⁰⁵ List of candidates for the position of judge who successfully passed the test on general knowledge in the field of law and knowledge of the specialisation of the High Anti-Corruption Court, including its Appeal Chamber, and were admitted to the third stage of the qualification exam — cognitive skills testing / High Qualification Commission of Judges of Ukraine. 2025.

⁴⁰⁶ List of candidates for the position of judge who successfully passed the cognitive skills test and were admitted to the fourth stage of the qualification exam — completion of the practical assignment on the specialisation of the High Anti-Corruption Court, including its Appeal Chamber / High Qualification Commission of Judges of Ukraine. 2025.

⁴⁰⁷ Decoded results of the fourth stage of the qualification exam, completion of the practical assignment on the specialisation of the High Anti-Corruption Court, including its Appeal Chamber, as part of the competition to fill vacant positions of judges in the High Anti-Corruption Court announced by Commission Decision No. 112/zp-25 of 03.06.2025 / High Qualification Commission of Judges of Ukraine. 2025.

⁴⁰⁸ Opinion on the Non-Compliance of Judge of the Uman City District Court of Cherkasy Region Oleh Serhiiovych Kimstachov with the Criteria of Integrity and Professional Ethics: approved by the Public Integrity Council on 06 March 2018.

circumstances that gave rise to reasonable doubt as to the candidate's compliance with the criteria of integrity (morality, honesty and incorruptibility) and his possession of the knowledge and practical skills required to hear cases falling within the jurisdiction of the HACC. These circumstances were also established during the special meeting. In addition, the candidate held a representative mandate⁴⁰⁹ as a member of a settlement council. A person who, during the 10 years preceding appointment, held a representative mandate may not be appointed as a HACC judge. He was found to have terminated his participation in the competition.⁴¹⁰

During the interview with O. Kimstachov, PCIE members asked questions concerning the above previous negative opinions.

O. Kimstachov is participating in competitions for the position of HACC judge for the third time and, like candidate Y. Bodnaruk, as of 22 December 2025, successfully passed the fourth stage of the qualification exam, namely completion of the practical assignment on the HACC specialisation, as part of the competition for vacant positions of HACC judges announced by HQCJ Decision No. 112/zp-25 of 3 June 2025.⁴¹¹

Example 2. During the PCIE interview with candidate M. Odariuk, the issue of the PIC's negative opinion was not raised, although in 2019 the PIC issued an opinion finding that M. Odariuk, a judge of the Iziurm City District Court of Kharkiv Region, did not meet the criteria of integrity and professional ethics.⁴¹² At that time, the HQCJ did not consider this opinion because it had been received after the decision finding that M. Odariuk met the requirements for the position held.

An analysis of the relevant seven decisions⁴¹³ on candidates' compliance with the criteria of integrity and possession of the knowledge and practical skills required to hear cases falling within the jurisdiction of the HACC shows that these decisions are well structured, sufficiently reasoned and properly substantiated in relation to the circumstances examined and assessed during the special joint meeting.

⁴⁰⁹ [On the High Anti-Corruption Court: Law of Ukraine No. 2447-VIII of 07.06.2018. Part 4 Article 7.](#)

⁴¹⁰ [On the Compliance of Candidate for the Position of Judge of the High Anti-Corruption Court Oleh Serhiovych Kimstachov with the Criteria Provided for in Part 4 Article 8 of the Law of Ukraine 'On the High Anti-Corruption Court': Decision of the High Qualification Commission of Judges of Ukraine No. 60/vs-19 of 21 January 2019.](#)

⁴¹¹ [Decoded results of the fourth stage of the qualification exam, completion of the practical assignment on the specialisation of the High Anti-Corruption Court, including its Appeal Chamber, as part of the competition to fill vacant positions of judges in the High Anti-Corruption Court announced by Commission Decision No. 112/zp-25 of 03.06.2025 / High Qualification Commission of Judges of Ukraine. 2025.](#)

⁴¹² [Opinion on the Non-Compliance of Judge of the Iziurm City District Court of Kharkiv Region Mykhailo Pavlovych Odariuk with the Criteria of Integrity and Professional Ethics: approved by the Public Integrity Council on 23.09.2019.](#)

⁴¹³ [Decisions of the High Qualification Commission of Judges of Ukraine on Consideration at Special Joint Meetings of the Issues of Compliance of Candidates for the Positions of Judges of the High Anti-Corruption Court with the Criteria Provided for in Part 4 Article 8 of the Law of Ukraine 'On the High Anti-Corruption Court' No. 1/vs-25, No. 2/vs-25, No. 3/vs-25, No. 4/vs-25, No. 5/vs-25, No. 6/vs-25, No. 7/vs-25 of 17.02.2025 / High Qualification Commission of Judges of Ukraine. 2025.](#)

They also contain four sections: 'Brief summary of information on the candidate's career', 'Information on the candidate's participation in the competition', 'Circumstances examined' / 'Circumstances that gave rise to reasonable doubt', 'On the candidate's compliance with the criteria set out in Part 4 Article 8 of the Law of Ukraine "On the High Anti-Corruption Court"' and the operative part. In three of the five cases, the HQCJ and the PCIE unanimously found the candidates not to meet the relevant criteria, while in one of the two cases, the candidate was unanimously found to meet those criteria. Among the circumstances that gave rise to reasonable doubt as to candidates' compliance with the established criteria, the most common were the lawfulness of the sources of origin of funds and gross violations of procedural law.

2.6. Expert Council

On 2 October 2025, Law No. 4586-IX entered into force, launching the procedure for establishing the SDAC and the SACA.⁴¹⁴ On 29 October 2025, the HQCJ announced a competition to fill positions in the SDAC and the SACA.⁴¹⁵

On 1 December 2025, the period for candidates to submit and sign documents for participation in the competitions to the SDAC and the SACA began.⁴¹⁶ It lasted until 23 December 2025 inclusive. On the same day, the exam programmes and taxonomic characteristics of anonymous tests for conducting qualification exams during the qualification assessment of candidates for the positions of judges of the SDAC and the SACA were approved.⁴¹⁷

2.7. PIC

During 2016–2018, the PIC participated in the competition to the SC and assessed 381 candidates.⁴¹⁸

During 2018–2020, the PIC participated in:

- ▶ the second selection to the SC, during which PIC members analysed 235 candidates and provided the HQCJ with 71 opinions on candidates' non-compliance with the criteria of integrity and professional ethics;

⁴¹⁴ [On the Establishment of the Specialised District Administrative Court and the Specialised Administrative Court of Appeal: Law of Ukraine No. 4602-IX of 16 September 2025.](#)

⁴¹⁵ [A competition has been announced to fill 27 judicial positions in the new specialised administrative courts, the SDAC and the SACA. High Qualification Commission of Judges of Ukraine: website. 2025.](#)

⁴¹⁶ [The period for submitting and signing documents to participate in competitions to the SDAC and the SACA has begun. High Qualification Commission of Judges of Ukraine: website. 2025.](#)

⁴¹⁷ [To the attention of candidates for the positions of judges of the Specialised District Administrative Court and the Specialised Administrative Court of Appeal. High Qualification Commission of Judges of Ukraine: website. 2025.](#)

⁴¹⁸ [A new composition of the Public Integrity Council has been elected. Public Integrity Council: website. 2018.](#)

- › the competition to the HCIP, which was not completed. PIC members analysed the dossiers of 49 candidates to the first-instance HCIP and 17 candidates to its Appeal Chamber. In total, the PIC provided the HQCJ with 19 opinions concerning candidates for judicial office;
- › the qualification assessment of judges for compliance with the position held. During 2019, the PIC analysed 1,682 judges' dossiers and provided the HQCJ with 472 opinions and 111 information notes concerning judges. In 2020, the PIC provided the HQCJ with 131 opinions on judges' non-compliance with the criteria of integrity and professional ethics and five information notes concerning judges.⁴¹⁹

From the end of 2020, the election of new PIC members was blocked until the HQCJ was formed.⁴²⁰ On 14 August 2023, following the appointment of the new HQCJ composition, a new PIC composition was elected.⁴²¹ On 13 November 2023, the HQCJ resumed the qualification assessment of judges of local and appellate courts, which had been 'on pause' since 2019.⁴²² Over almost nine months of qualification assessment, the PIC sent the HQCJ 194 decisions concerning 161 judges. As part of the qualification assessment procedure for compliance with the position held, the PIC sent 192 decisions concerning 159 judges, including 48 information notes concerning judges and 140 opinions on judges' non-compliance with the criteria of integrity and professional ethics.⁴²³

During April 2025, the PIC analysed information concerning 36 judges and judicial candidates.⁴²⁴ In May 2025, PIC members processed 56 materials concerning persons participating in the competition for positions of judges of appellate courts,⁴²⁵ followed by 57⁴²⁶ in June and 68⁴²⁷ in July. In September 2025, the PIC adopted and submitted to the HQCJ decisions concerning 60 judicial candidates and sitting judges, including 34 opinions on non-compliance with the criteria of integrity and professional ethics, 21 decisions to provide the HQCJ with information concerning candidates or sitting judges and one case in which the PIC did not find sufficient information to adopt a decision. The remaining decisions concerned the cancellation of previous opinions.⁴²⁸

Also in May 2025, in addition to processing materials concerning candidates for positions of judges of appellate courts, the PIC processed three judicial dossiers as part of the qualification

⁴¹⁹ [Report on the results of the work of the second composition of the Public Integrity Council, 17 December 2018 – 16 December 2020 / Public Integrity Council, pp. 11–12.](#)

⁴²⁰ [The term of office of the second composition of the Public Integrity Council is expiring. Public Integrity Council: website. 2020.](#)

⁴²¹ [A new composition of the Public Integrity Council has been elected. High Qualification Commission of Judges of Ukraine: website. 2023.](#)

⁴²² [One year of work of the new composition of the PIC: interim results. Public Integrity Council: website. 2024.](#)

⁴²³ [One year of the third composition of the PIC: midpoint results. Public Integrity Council: website. 2024; Qualification assessment under the new composition of the PIC and the HQCJ: interim results / Public Integrity Council. 2024, p. 12.](#)

⁴²⁴ [Results of the PIC's work in April 2025: post of 01 May 2025 / Public Integrity Council. Facebook. 2025.](#)

⁴²⁵ [Results of the PIC's work in May 2025. Public Integrity Council: website. 2025.](#)

⁴²⁶ [Results of the PIC's work in June 2025. Public Integrity Council: website. 2025.](#)

⁴²⁷ [Results of the PIC's work in July 2025: post of 01 August 2025 / Public Integrity Council. Facebook. 2025.](#)

⁴²⁸ [60 decisions in September: first results of the work of the new composition of the Public Integrity Council: post of 02 October 2025 / Public Integrity Council. Facebook. 2025.](#)

assessment for compliance with the position held. As a result, it adopted decisions to provide two opinions on judges' non-compliance with the criteria of professional ethics and integrity and one decision to provide information to the HQCJ.⁴²⁹

As part of this study, PIC decisions⁴³⁰ adopted in the course of the competition to appellate courts and the qualification assessment were analysed. These decisions included, in particular:

- ▶ decisions to cancel the PIC's own opinions on the non-compliance of judicial candidates/judges with the criteria of integrity and professional ethics (nine, of which six concerned judges and three concerned candidates for the position of appellate court judge),⁴³¹
- ▶ decisions to cancel opinions on the non-compliance of judicial candidates/judges with the criteria of integrity and professional ethics and to provide information to the HQCJ (40, of which 23 concerned judges and 17 concerned candidates for the position of appellate court judge);⁴³²
- ▶ decisions to partially cancel opinions on the non-compliance of a judicial candidate/judges with the criteria of integrity and professional ethics (two, of which one concerned a judge and one concerned a candidate for the position of appellate court judge).⁴³³

These decisions were cancelled in whole or in part after the PIC considered additional explanations received from judicial candidates/judges.

2.8. Conclusions to the Section

As this section shows, Competition Commissions have both consistent practice in their approaches and standards for assessing candidates' compliance with the established criteria, and differing approaches to developing and applying their own practice in the assessment of such criteria. Cases were identified where, for example, the same candidate was consistently found to be compliant or non-compliant with the integrity criterion by the same Competition Commission and by different Competition Commissions in different competitions for different positions.

At the same time, there are also opposite cases, where a Competition Commission changed its decision or some of its members expressed a separate opinion concerning the same candidate, as well as cases where one Competition Commission found the same candidate to be compliant or non-compliant with the integrity criterion, while another adopted the opposite decision. Such practice may indicate that members of Competition Commissions apply a subjective approach to assessing candidates' compliance with the established criteria, which negatively affects the overall level of public trust in the system for selecting candidates to the judiciary and the CCU.

The analysis also made it possible to identify that the same person may submit their candidacy for different competitions for positions both within the same body and across different bodies, under

⁴²⁹ Results of the PIC's work in May 2025. Public Integrity Council: website. 2025.

⁴³⁰ PIC decisions. Public Integrity Council: website.

⁴³¹ Ibid.

⁴³² Ibid.

⁴³³ Ibid.

different quotas and from different appointing or electing entities. At the same time, such a person may already have a previous negative opinion concerning their compliance with the established criteria. This creates the impression that there is an insufficient number of worthy candidates for the positions and a so-called 'choice without choice' among the same candidates. In addition, closely linked to this phenomenon is the issue of determining the period during which a candidate is considered to lack integrity. In other words, this concerns the establishment of temporal or substantive limits, for example until the circumstances that gave rise to reasonable doubt as to integrity are eliminated, after which a candidate may be considered to meet the integrity criterion, thereby avoiding the creation of a lifelong stigma of 'lack of integrity'. The Unified Indicators state that the assessment of a judge's or judicial candidate's compliance with them may be based on information without time limits, taking into account the remoteness of the information and the subsequent conduct of the judge or judicial candidate.⁴³⁴

As regards the interviews conducted with candidates, on average almost 50% of the candidates who reached this stage terminated their participation in the competitions after interviews with the Competition Commissions and did not confirm their compliance with the established criteria. It should be noted that the live broadcast of interviews was a positive feature, as it ensured the publicity of competition procedures, except for interviews with the Ethics Council, although these interviews were subsequently made public. However, the absence of a single methodology for conducting such interviews does not contribute to compliance with the principles of equality and transparency in competitions. Different approaches to forming the list of questions, in particular where in some cases greater attention was paid to property-related questions, while in others the focus was on motivation, professional qualities, managerial qualities and similar matters, as well as cases where brief background information about the candidate was announced and a closing statement was provided in some interviews but not in others, and inconsistency in the discussion of questions, are due to the absence of an approved methodology for preparing and conducting interviews. This, together with questions in some cases that did not affect the assessment of a candidate's compliance with the established criteria, creates the impression of unequal treatment of candidates and signs of bias on the part of Competition Commissions towards certain candidates.

The issue of the time limits for public storage of interview recordings with candidates who did not become winners of the relevant competitions also remains open.

Some members of Competition Commissions⁴³⁵ also noted that the absence of at least an intermediate level of English among some members of Competition Commissions who are Ukrainian representatives sometimes leads to misunderstandings with the international or foreign members of such commissions. This is because it is important to explain to the international or foreign members of Competition Commissions the context, nuances and specific features of Ukrainian legislation, including those relating to past periods, while the interpreter may not fully or correctly convey the essence of a question or answer. This may affect the outcome of the decision adopted in respect of a candidate.

As regards the decisions of Competition Commissions, different approaches to their adoption can be observed. This concerns, in particular, their structure, reasoning and the establishment

⁴³⁴ [On Approval of the Unified Indicators for Assessing the Integrity and Professional Ethics of a Judge or Judicial Candidate: Decision of the High Council of Justice No. 3659/0/15-24 of 17 December 2024.](#)

⁴³⁵ Information obtained during an interview conducted on 26.02.2026.

of so-called negative opinions. In some cases, the provision of reasoned decisions concerning candidates is not envisaged, for example in the positive selection by the HQCJ Competition Commission, where only the list of competition winners is approved and there is no decision concerning those candidates who terminated their participation in the competition starting from the stage of admission to interviews. Some decisions are quite structured and duly reasoned, for example the decisions of the HQCJ and the PCIE. Others, by contrast, contain only general formulations and template wording and lack proper substantiation, for example the Ethics Council's decisions on candidates' compliance with the criteria of professional ethics and integrity, although its decisions on candidates' non-compliance are well reasoned.

The application of inconsistent practice in formulating decisions may create risks for candidates, external observers and the public in understanding the approaches of Competition Commissions to assessing candidates. It will also not contribute to the transparency of their work. Proper reasoning of decisions following the assessment of candidates' compliance with the established criteria should provide a clear understanding of what guided Competition Commissions when assessing such candidates: what was taken into account and what was not, and what reasons underpinned a specific decision. This would not only address many questions raised by the candidates themselves but would also help increase the level of trust in such decisions.

Questions arise as to how Competition Commissions take into account and apply the concepts of materiality, cumulative effect and systemic nature of integrity breaches when determining compliance with the integrity criterion. The above analysis shows that:

- 1) in similar circumstances, different candidates may be found either compliant or non-compliant with the integrity criterion;
- 2) it is not always possible to establish whether the circumstances that formed the basis for a negative opinion were considered as independent grounds for finding that a candidate did not meet the integrity criterion, or whether such a decision was adopted based on the cumulative effect and systemic nature of those circumstances;
- 3) there is a lack of clear criteria, circumstances or indicators that could be regarded as a material breach in the area of integrity.

The Unified Indicators⁴³⁶ state that, when assessing a judge's or judicial candidate's compliance with the Unified Indicators for assessing the integrity and professional ethics of a judge or judicial candidate, circumstances indicating the materiality or immateriality of a breach of legislative requirements, rules of professional ethics or other ethical standards may be taken into account. These include the gravity of the breach, whether it was isolated, repeated or systemic, the presence or absence of harm, the severity of the consequences, the form of guilt and motives, the attitude of the judge or judicial candidate towards the breach, the circumstances and conditions of the act, the remoteness of the breach and other factors. At the same time, there is no provision defining such circumstances, criteria or indicators as decisive for adopting a decision on a candidate's integrity or lack of integrity, or on their compliance with the established criteria or indicators.

A separate issue relating specifically to the property-related block analysed by Competition Commissions when assessing candidates is the timeframe for verifying a candidate's property status. It is provided that, when assessing compliance with the indicators of the integrity criterion,

⁴³⁶ [On Approval of the Unified Indicators for Assessing the Integrity and Professional Ethics of a Judge or Judicial Candidate: Decision of the High Council of Justice No. 3659/0/15-24 of 17 December 2024](#), para. 10.

information without time limits is used. The Unified Indicators also enshrine this principle, although they add that this is to be done 'taking into account the remoteness and subsequent conduct of the judge or judicial candidate'.⁴³⁷

There were situations where, during the assessment, candidates were asked to confirm the lawfulness of the origin of funds received more than 30 years earlier by them or their parents. However, given the historical and political situation in Ukraine, the tax legislation in force at the time, the retention periods for financial documentation, the significant passage of time, the absence of supporting documents and other factors, it was difficult for candidates to provide justification for the lawfulness of the origin of such funds.

2.9. Recommendations

1. Work towards developing consistent practice in the standards for assessing the compliance with established criteria of candidates participating in competitions for positions in the judiciary and the CCU, which will help improve the effectiveness of competition procedures.
2. Enshrine in legislation clear and transparent assessment criteria that exclude the possibility of divergent readings and unlimited interpretation of the substance of a particular assessment criterion and its indicators.
3. Review the rules under which the HQCJ Competition Commission selects candidates for further interview with the HQCJ Competition Commission without explaining the reasons or communicating with the candidates.
4. Develop and introduce a unified database of candidate profiles with a standardised CV format, including information on their participation in previous competitions, existing decisions of Competition Commissions concerning them and similar information, for candidates participating in competitions for positions in the judiciary and the CCU. Grant access to these profiles to members of the relevant Competition Commissions, the PIC and the relevant bodies to which candidates are appointed or elected, in order to avoid divergent practice in adopting different decisions on the compliance or non-compliance of the same candidate with the established criteria, taking into account legislation on personal data protection, restrictions on general access to classified information and information concerning candidates who are service members.
5. Appointing or electing entities should delegate to participate in competitions only those representatives whose reputation, professional activities and public conduct do not raise concerns among the public.
6. Define and establish temporal or substantive limits for assessing the integrity of a candidate participating in competitions for positions in the judiciary and the CCU, considering reasonable timeframes and reasonable doubt.

⁴³⁷ [On Approval of the Unified Indicators for Assessing the Integrity and Professional Ethics of a Judge or Judicial Candidate: Decision of the High Council of Justice No. 3659/0/15-24 of 17 December 2024, para. 9.](#)

7. Develop and approve a unified methodology for conducting interviews by Competition Commissions, including an indicative list or block of questions and the sequence in which they are to be asked of candidates, which will ensure a uniform standard for conducting such interviews.
8. Regulate the issue of the period for public storage of interview recordings with candidates who did not become winners of the relevant competitions.
9. Where possible, include among Competition Commission members who are Ukrainian representatives persons with at least an intermediate level of English.
10. Avoid a formalistic approach to substantiating decisions following the assessment of candidates' compliance with the established criteria.
11. Develop a uniform approach to the structure, substantiation and adoption of decisions following the assessment of candidates' compliance with the established criteria within the same commission. Take measures to ensure a shared understanding of approaches to the work of Competition Commissions.
12. Develop and approve a clear, understandable, detailed, unified and structured template or model decision following the assessment of candidates' compliance with the established criteria, together with instructions for its use, which should establish the need for proper reasoning of such decisions.
13. To ensure consistency of practice, ensure the publication of all decisions of Competition Commissions, both positive and negative, under the following rules: negative decisions should be published in depersonalised form; positive decisions should indicate those personal data that were open during the public interview with the relevant candidate; if a person who received a positive decision was not appointed to the position, they may apply to the Competition Commission for depersonalisation of their data.
14. Provide in the Unified Indicators clear criteria or indicators for determining the materiality of a breach in the area of integrity, with a view to ensuring that Competition Commissions apply a uniform approach to determining the materiality, cumulative effect and systemic nature of integrity breaches when assessing candidates.
15. Review the legal framework regulating the activities of Competition Commissions in the part concerning the absence of time limits in assessing candidates' compliance with the integrity criterion, as regards confirming the lawfulness of the origin of funds of candidates, their parents and family members over a significant past period.

Chapter 3

Supreme Court Practice in Cases Concerning Appeals Against Decisions of Competition Commissions with the Participation of International (Foreign) Experts in Judicial Authorities and the Constitutional Court of Ukraine: Legal Framework and Overview of the Supreme Court's Legal Positions

The Constitution of Ukraine guarantees everyone the right to challenge in court decisions, actions or omissions of state authorities, local self-government bodies and their officials.⁴³⁸

3.1. Ethics Council

In June 2023⁴³⁹ and January 2025⁴⁴⁰, the SC published digests of the case law of the Grand Chamber of the Supreme Court (GC SC) in cases concerning appeals against decisions, actions and omissions of the HCJ. These digests also cover the current case law of the GC SC on the procedure for appealing against Ethics Council decisions finding a candidate for the position of HCJ member not to meet the criteria of professional ethics and integrity required for holding this position.

⁴³⁸ Constitution of Ukraine: Law of Ukraine No. 254k/96-VR of 28.06.1996, Article 55.

⁴³⁹ Digest of the Case Law of the Grand Chamber of the Supreme Court in Cases Concerning Appeals Against Decisions, Actions and Omissions of the High Council of Justice. Decisions entered into the USRCD as of 30 June 2023 / Supreme Court. 2023, 93 p.

⁴⁴⁰ Digest of the Case Law of the Grand Chamber of the Supreme Court in Cases Concerning Appeals Against Decisions, Actions and Omissions of the High Council of Justice. Decisions entered into the USRCD as of 01 January 2025 / Supreme Court. 2025. 135 p.

Cases involving claims challenging decisions, actions or omissions of the Ethics Council were grouped in these digests into several categories, including cases concerning:

1. *Instance jurisdiction in cases involving claims challenging decisions, actions or omissions of the Ethics Council related to determining whether candidates for positions of HCJ members meet the criteria of professional ethics and integrity*⁴⁴¹

The SC, acting as a court of first instance, has jurisdiction, in particular, over cases concerning appeals against acts, actions or omissions of the VRU, the President, the HCJ and the HQCJ, as well as decisions, actions or omissions of bodies that elect (appoint) or dismiss HCJ members in matters concerning their election (appointment) to positions of HCJ members or dismissal from such positions.⁴⁴²

The SC, acting as a court of first instance, has jurisdiction over cases concerning decisions, actions or omissions of bodies that assess HCJ members in accordance with Law No. 1635-IX.⁴⁴³

All cases involving appeals against decisions, actions or omissions of bodies that elect (appoint) or assess HCJ members in matters concerning the election (appointment) or assessment of HCJ members fall within the jurisdiction of the SC as a court of first instance and the GC SC as a court of appeal.⁴⁴⁴

Accordingly, the GC SC determined that the SC is the court of first instance for cases concerning appeals against decisions, actions or omissions of the body authorised to assess HCJ members. This body is the Ethics Council, both in relation to such assessment itself and in relation to assisting the bodies that elect (appoint) HCJ members in determining whether a candidate for the position of HCJ member meets the criteria of professional ethics and integrity.

⁴⁴¹ Judgments of the Grand Chamber of the Supreme Court of: 17 November 2022 (case No. 990/124/22, proceedings No. 11-117zai22); 08 December 2022 (case No. 990/127/22, proceedings No. 11-115zai22); 12 January 2023 (case No. 990/142/22, proceedings No. 11-129zai 22); 19 January 2023 (case No. 990/141/22, proceedings No. 11-128zai22); 19 January 2023 (case No. 990/146/22, proceedings No. 11-134zai22).

⁴⁴² Code of Administrative Procedure of Ukraine No. 2747-IV of 06.07.2005, Part 4 Article 22 (in the version in force at the time of adoption of the above-mentioned judgments).

⁴⁴³ Code of Administrative Procedure of Ukraine No. 2747-IV of 06.07.2005, Section VII 'Transitional Provisions', paragraph 3; On Amendments to Certain Legislative Acts of Ukraine Concerning the Procedure for Election (Appointment) to Positions of Members of the High Council of Justice and the Activities of Disciplinary Inspectors of the High Council of Justice: Law of Ukraine No. 1635-IX of 14.07.2021.

⁴⁴⁴ On Amendments to Certain Legislative Acts of Ukraine Concerning the Procedure for Election (Appointment) to Positions of Members of the High Council of Justice and the Activities of Disciplinary Inspectors of the High Council of Justice: Law of Ukraine No. 1635-IX of 14.07.2021, Section II 'Final and Transitional Provisions', paragraph 5.

2. *Non-extension of the jurisdiction of Ukrainian courts to disputes with the Ethics Council concerning appeals against its decisions, actions or omissions, except in relation to the assessment of HCJ members*⁴⁴⁵

The SC concluded that the Ethics Council is an auxiliary body that only assists the entities electing (appointing) HCJ members in determining whether a candidate for this position meets the criteria of professional ethics and integrity, while having no power to adopt a final decision on appointment to or dismissal from this position.

Final decisions that create legal consequences for candidates for the position of HCJ member are adopted by the electing/appointing entities themselves. Accordingly, such a decision of the entity electing or appointing a person to the position of HCJ member has legal significance only for the person in respect of whom it is adopted and may be challenged in court only by that person.

The Ethics Council's opinions on whether a candidate for the position of HCJ member meets or does not meet the criteria of professional ethics and integrity do not in themselves result in election/appointment to the relevant position. They are only one of the conditions for consideration of these matters by the competent body, that is, a stage in the procedure for electing/appointing an HCJ member. They therefore do not produce independent legal consequences and cannot constitute a separate subject of judicial review.

Given the sequential and staged nature of decision-making on the election/appointment of an HCJ member, judicial review should apply to the final decision, which the electing/appointing entities are authorised to adopt. Otherwise, a situation may arise in which the existence or absence of grounds for electing/appointing a candidate to the position of HCJ member is assessed before the matter is resolved by the competent entity or contrary to the will of the body assisting in the election/appointment of HCJ members.

The GC SC concluded that a dispute with the Ethics Council concerning appeals against its decisions, actions or omissions, except in relation to the assessment of HCJ members, including appeals against an opinion on whether a candidate for the position of HCJ member meets the criteria of professional ethics and integrity, as well as against the list of candidates recommended for election to this position, does not fall within the jurisdiction of Ukrainian courts and, in particular, is not subject to consideration under the rules of administrative proceedings. In such legal relations, the Ethics Council is not a public entity that may act as a defendant. At the same time, disputes concerning appeals against decisions, actions or omissions of the Ethics Council in connection with its assessment of HCJ members fall within the subject-matter jurisdiction of the administrative court.

In some of the above-mentioned cases, separate opinions were issued by individual SC judges or groups of SC judges who, in substantiating their position, disagreed with the GC SC's conclusions that a candidate for the position of HCJ member cannot challenge in court an Ethics Council decision finding them not to meet the criteria of professional ethics and integrity. Instead, they indicate the opposite — that such Ethics Council decisions are subject to judicial appeal and

⁴⁴⁵ Judgments of the Grand Chamber of the Supreme Court of: 10 November 2022 (case No. 990/120/22, proceedings No. 11-99zai22); 01 December 2022 (case No. 990/126/22, proceedings No. 11-110zai22); 20 July 2023 (case No. 990/34/23, proceedings No. 11-34zai23); 14 September 2023 (case No. 990/20/23, proceedings No. 11-30zai23); 23 November 2023 (case No. 990/124/22, proceedings No. 11-151zai23); 11 April 2024 (case No. 990/106/23, proceedings No. 11-42zai24); 07 November 2024 (case No. 990/231/24, proceedings No. 11-183zai24).

that the inability to challenge them deprives a person of the right to judicial protection (for example, cases No. 990/124/22,⁴⁴⁶ No. 990/126/22,⁴⁴⁷ No. 990/34/23,⁴⁴⁸ No. 990/20/23⁴⁴⁹ and No. 990/106/23⁴⁵⁰).

In addition, in 2023, one of the candidates, L. Holnyk, who took part in the competition for the position of HCJ member and whom the Ethics Council found, by its decision, not to meet the criteria of professional ethics and integrity for holding this position, lodged a constitutional complaint. She applied to the CCU seeking review of the constitutionality of certain provisions of the Code of Administrative Procedure of Ukraine (CAPU) and Law No. 1635-IX concerning the restriction on judicial appeal against an Ethics Council decision finding a candidate for the position of HCJ member not to meet the criteria of professional ethics and integrity.

In April 2024, the Second Senate of the CCU began considering the case on this constitutional complaint in the open part of a plenary session in the form of written proceedings and later proceeded to the closed part of the plenary session.⁴⁵¹ However, as of 30 November 2025, no decision adopted on this constitutional complaint had been published on the CCU website.

Accordingly, the SC, acting as a court of first instance, has jurisdiction over cases concerning: 1) matters of election (appointment) of HCJ members; 2) decisions, actions or omissions of the Ethics Council relating to the assessment of HCJ members. By contrast, a dispute with the Ethics Council concerning appeals against its decisions, actions or omissions, except for matters relating to the assessment of HCJ members, does not fall within the jurisdiction of Ukrainian courts and, in particular, is not subject to consideration under the rules of administrative proceedings. Given that the Ethics Council does not adopt a final decision in the competition procedure but is only an auxiliary body involved in a particular stage of that procedure, in such legal relations the Ethics Council is not a public entity that may act as a defendant in an administrative case.⁴⁵²

⁴⁴⁶ [Separate opinion of Judge of the Grand Chamber of the Supreme Court O. M. Sytnik regarding the judgment of the Grand Chamber of the Supreme Court of 23 November 2023 in case No. 990/124/22 \(proceedings No. 11-151zai23\); pursuant to Part 3 Article 34 of the Code of Administrative Procedure of Ukraine, a judge who disagrees with a court decision following consideration of an administrative case may set out their separate opinion in writing.](#)

⁴⁴⁷ [Separate opinion \(concurring\) of Judges of the Grand Chamber of the Supreme Court O. B. Prokopenko, V. V. Britanchuk, Y. L. Vlasov, M. I. Hrytsiv and O. M. Sytnik regarding the judgment of the Grand Chamber of the Supreme Court of 1 December 2022 in case No. 990/126/22 \(proceedings No. 11-110zai22\).](#)

⁴⁴⁸ [Separate opinion \(joint\) of Judges of the Grand Chamber of the Supreme Court I. A. Vorobiova, M. I. Hrytsiv, Zh. M. Yelenina, S. Y. Martiev, O. B. Prokopenko and O. M. Sytnik in case No. 990/34/23 \(proceedings No. 11-34zai23\).](#)

⁴⁴⁹ [Separate opinion \(joint\) of Judges of the Grand Chamber of the Supreme Court Y. L. Vlasov, M. I. Hrytsiv and H. R. Kret in case No. 990/20/23 \(proceedings No. 11-30zai23\).](#)

⁴⁵⁰ [Separate opinion \(joint\) of Judges of the Grand Chamber of the Supreme Court Y. L. Vlasov and M. I. Hrytsiv in case No. 990/106/23 \(proceedings No. 11-42zai24\).](#)

⁴⁵¹ [The Court Will Review the Constitutionality of Legislative Provisions Concerning Judicial Appeal Against an Ethics Council Decision Finding a Candidate for the Position of Member of the High Council of Justice Not to Meet the Criteria of Professional Ethics and Integrity. Constitutional Court of Ukraine: website. 2024.](#)

⁴⁵² [Judgment of the Grand Chamber of the Supreme Court of 14 September 2023 \(case No. 990/20/23, proceedings No. 11-30zai23\).](#)

In its judgment of 16 February 2023, the GC SC (case No. 990/99/22)⁴⁵³ also agreed with the conclusion of the court of first instance that, when verifying whether a sitting HCJ member meets the criterion of professional ethics and integrity and providing the relevant assessment, the Ethics Council determines whether their conduct complies with the above-mentioned criteria based on the members' inner conviction. The relevant powers of Ethics Council members are discretionary and fall within its exclusive competence. No other entity or body, including a court, may interfere with the Ethics Council's exercise of its powers, including its competence when assessing whether a sitting HCJ member meets the criteria of professional ethics and integrity.

3.2. HQCJ Competition Commission

In November 2023⁴⁵⁴ and February 2025⁴⁵⁵, the SC published digests of the case law of the GC SC in cases concerning appeals against decisions, actions and omissions of the HQCJ, including on the lack of jurisdiction of administrative courts over disputes challenging decisions, actions or omissions of the HQCJ Competition Commission.

The GC SC concludes that the powers of the HQCJ Competition Commission do not include adopting a final decision on the election (appointment) of a person to the position of HQCJ member. Instead, the HQCJ Competition Commission performs auxiliary functions, while the adoption of the final decision falls within the powers of the HCJ.

Accordingly, the HQCJ Competition Commission is an auxiliary body that only assists the entity electing (appointing) HQCJ members in determining whether a candidate for this position meets the criteria of professional ethics and integrity, while having no power to adopt a final decision on appointment to or dismissal from this position.

At the same time, the Law of Ukraine 'On the Judiciary and the Status of Judges'⁴⁵⁶ contains no references to any methods for appealing against decisions, actions or omissions of the HQCJ Competition Commission.

Given that the HQCJ Competition Commission does not adopt a final decision in the competition for the position of HQCJ member but is only an auxiliary body involved in conducting such competition, in these legal relations the HQCJ Competition Commission is not a public entity that may act as a defendant in an administrative case.

Accordingly, a dispute against the HQCJ Competition Commission concerning appeals against its decisions, actions or omissions, including an appeal against a decision admitting candidates

⁴⁵³ Judgment of the Grand Chamber of the Supreme Court of 16 February 2023 (case No. 990/99/22, proceedings No. 11-127zai22).

⁴⁵⁴ Digest of the Case Law of the Grand Chamber of the Supreme Court in Cases Concerning Appeals Against Decisions, Actions and Omissions of the High Qualification Commission of Judges of Ukraine. Decisions entered into the USRCDD as of 01 November 2023 / Supreme Court. 2023. 47 p.

⁴⁵⁵ Digest of the Case Law of the Grand Chamber of the Supreme Court in Cases Concerning Appeals Against Decisions, Actions and Omissions of the High Qualification Commission of Judges of Ukraine. Decisions entered into the USRCDD as of 01 February 2025 / Supreme Court. 2025. 93 p.

⁴⁵⁶ On the Judiciary and the Status of Judges: Law of Ukraine No. 1402-VIII of 02.06.2016.

to the second stage of the competition for the position of HQCJ member and seeking an order to take action regarding the admission of a candidate to the second stage of the competition, is not subject to consideration under the rules of administrative proceedings.

Consideration of a dispute based on a claim against the HQCJ Competition Commission falls outside the jurisdiction of administrative courts and does not fall within the jurisdiction of any other court.⁴⁵⁷

At the same time, in the above-mentioned case (No. 990/9/23), some SC judges issued a joint separate opinion⁴⁵⁸ in which they substantiated their own position and stated that decisions, actions or omissions of the HQCJ Competition Commission concerning the procedure for election (appointment) to positions of HQCJ members are subject to judicial appeal. Therefore, the conclusions of the GC SC in this part of the case are erroneous, as they deprive a person of the right of access to a court.

3.3. SDI

In April 2025, the SC published an overview⁴⁵⁹ of SC case law in cases concerning civil service (entry into civil service), which covers judicial decisions on appeals against the results of competitions for vacant civil service positions, including the non-appealability under administrative proceedings of decisions, actions or omissions of the SDI Competition Commission.

In case No. 990/205/24, the claimant brought a claim against the HCJ, with the SDI Competition Commission acting as a third party not making independent claims regarding the subject matter of the dispute on the side of the defendant. The claimant sought recognition as unlawful of the HCJ's omission during the competition for the positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and disciplinary inspector, cancellation of the competition and an order requiring the defendant to announce a new competition, the conduct of which would be fully entrusted to the HCJ.

In substantiating the claim, the claimant argued that the HCJ had unlawfully removed itself from the performance of its constitutional duties and had unlawfully delegated its powers to conduct the competition to an unclear auxiliary body calling itself the SDI Competition Commission. According to the claimant, this body mainly consisted of persons who were not civil servants, were not employees of the HCJ Secretariat, were not citizens of Ukraine, had been selected through a non-transparent procedure, belonged to the civil society sector, had not undergone a special check and had not undertaken obligations not to disclose information, including classified information or information constituting a state secret, which had become or would become known to them in the course of conducting the competition.

⁴⁵⁷ Judgment of the Grand Chamber of the Supreme Court of 14 September 2023 (case No. 990/9/23, proceedings No. 11-37zai23).

⁴⁵⁸ Separate opinion (joint) of Judges of the Grand Chamber of the Supreme Court Y. L. Vlasov, I. A. Vorobiova, M. I. Hrytsiv, Z. M. Yelenina, H. R. Kret, O. B. Prokopenko and O. M. Sytnik regarding case No. 990/9/23 (proceedings No. 11-37zai23).

⁴⁵⁹ Overview of the Case Law of the Supreme Court in Cases Concerning Civil Service (Entry into Civil Service). Decisions entered into the USRCD from February 2019 to April 2025 / Supreme Court. 2025. 35 p.

By a decision of the Administrative Cassation Court within the Supreme Court (ACC SC),⁴⁶⁰ the claim was dismissed. The court of first instance concluded that the SDI Competition Commission is a public entity within the meaning of CAPU, has administrative procedural legal capacity in accordance with the requirements of Article 43 of that Code and that its decision may therefore be challenged under the procedure established by the Code. At the same time, in view of Part 4 Article 22 CAPU, such a dispute does not fall within the jurisdiction of the SC as a court of first instance. The GC SC partially allowed the appeal and amended the reasoning part of the judgment of the court of first instance.⁴⁶¹

The powers of the SDI Competition Commission do not include adopting a final decision on appointment or refusal to appoint the winners of the competition for vacant positions of Deputy Head of the SDI and disciplinary inspectors. Conducting interviews with the winners of the competition and adopting, based on their results, a decision on appointment or refusal to appoint the winners of the competition falls within the exclusive competence of the HCJ.

The SDI Competition Commission only assists the appointing entity in determining whether candidates for these positions meet the criterion of integrity and the ethical standards established for judges and is not authorised to appoint them to office. Therefore, it is not a public entity that may act as a defendant in an administrative case.

Accordingly, a claim against the SDI Competition Commission concerning appeals against its decisions, actions or omissions is not subject to consideration under the rules of administrative proceedings.

At the same time, some judges of the GC SC issued a separate opinion⁴⁶² regarding these conclusions of the GC SC. In their view, the SDI Competition Commission is a public entity within the meaning of CAPU and has administrative procedural legal capacity in accordance with Article 43 of that Code. A decision of the SDI Competition Commission may be challenged under the procedure established by CAPU. At the same time, a dispute brought against the Competition Commission does not fall within the jurisdiction of the SC as a court of first instance. The application of the opposite approach by the GC SC deprives a person of the right of access to a court.

3.4. AGE

AGE decisions adopted in the process of competitive selection of candidates for the position of CCU judge, namely decisions assessing candidates for the position of CCU judge against the criteria of high moral qualities and a recognised level of competence in the field of law, may be challenged in court and annulled only on the following grounds:

- 1) the composition of the AGE that adopted the relevant decision was not authorised;

⁴⁶⁰ Decision of the Administrative Cassation Court within the Supreme Court of 09 December 2024 (case No. 990/205/24, proceedings No. P/990/205/24).

⁴⁶¹ Judgment of the Grand Chamber of the Supreme Court of 03 April 2025 (case No. 990/205/24, proceedings No. 11-11zai25).

⁴⁶² Separate opinion of Judges of the Grand Chamber of the Supreme Court Y. L. Vlasov, V. V. Korol and N. V. Shevtsova regarding the judgment of the Grand Chamber of the Supreme Court of 03 April 2025 in case No. 990/205/24 (proceedings No. 11-11zai25).

- 2) the decision was not signed by any of the AGE members who participated in its adoption;
- 3) the decision does not contain the reasons on which the AGE based its conclusions.⁴⁶³

The SC, acting as a court of first instance, has jurisdiction, in particular, over cases concerning appeals against decisions, actions or omissions of the entities appointing CCU judges in the process of competitive selection of candidates for the position of CCU judge, as well as of the AGE regarding the assessment of such candidates for the position of CCU judge.⁴⁶⁴ The powers of the SC to consider cases challenging actions or decisions of the AGE were expanded in July 2023 following amendments to CAPU, and the relevant provisions entered into force on 20 August of the same year.⁴⁶⁵

In the Reports on the Administration of Justice by the GC SC and the ACC SC for 2024–2025, which contain statistical indicators on the performance of justice, including by type of proceedings, one category is formulated as *'Appeals against decisions, actions or omissions of the entities appointing judges of the Constitutional Court of Ukraine and of the Advisory Group of Experts in the process of competitive selection of candidates for the position of judge of the Constitutional Court of Ukraine'*. This makes it impossible to distinguish a separate quantitative indicator specifically for appeals against the activities of the AGE.⁴⁶⁶

One of the SC's positions in cases concerning appeals against decisions, actions or omissions of the AGE is that the ACC SC acts as the court of first instance in disputes involving claims challenging decisions, actions or omissions of the AGE concerning the provision or non-provision of copies of the full text of decisions with reasons in respect of candidates who received a 'does not meet' assessment under the criteria of high moral qualities or a recognised level of competence in the field of law (case No. 990/131/24).⁴⁶⁷

In another position, the GC SC indicated who the proper defendant is when challenging decisions in the process of selecting candidates to the CCU. A candidate for the position of CCU judge applied to the ACC SC as a court of first instance with a claim against the President represented by the Competition Commission and the AGE, seeking annulment of the decision finding her not to meet the criterion of high moral qualities (case No. 990/299/24⁴⁶⁸). By a ruling, the ACC SC

⁴⁶³ On the Constitutional Court of Ukraine: Law of Ukraine No. 2136-VIII of 13.07.2017, Part 32 Article 10-2.

⁴⁶⁴ Code of Administrative Procedure of Ukraine No. 2747-IV of 06.07.2005, Part 4 Article 22.

⁴⁶⁵ On Amendments to Certain Legislative Acts of Ukraine Concerning Clarification of Provisions on the Competitive Selection of Candidates for the Position of Judge of the Constitutional Court of Ukraine: Law of Ukraine No. 3277-IX of 27.07.2023.

⁴⁶⁶ Judicial Statistics. Judiciary of Ukraine: website; Report on the Administration of Justice by the Grand Chamber of the Supreme Court for 2024 / Grand Chamber of the Supreme Court. 2024. 9 p.; Report on the Administration of Justice by the Administrative Cassation Court within the Supreme Court for 2024 / Administrative Cassation Court within the Supreme Court. 2024. 9 p.; Report on the Administration of Justice by the Grand Chamber of the Supreme Court for the First Half of 2025 / Grand Chamber of the Supreme Court. 2025. 9 p.; Report on the Administration of Justice by the Administrative Cassation Court within the Supreme Court for the First Half of 2025 / Administrative Cassation Court within the Supreme Court. 2025. 12 p.

⁴⁶⁷ Judgment of the Grand Chamber of the Supreme Court of 05 September 2024 (case No. 990/131/24, proceedings No. 11-87zai24).

⁴⁶⁸ Judgment of the Grand Chamber of the Supreme Court of 16 January 2025 (case No. 990/299/24, proceedings No. 11-267zai24).

returned the statement of claim, noting that, in response to a request made in an earlier ACC SC ruling leaving the statement of claim without movement, the claimant had failed to specify whom she considered to be the defendant or defendants in her claim and what claims she was bringing against each defendant. The ACC SC noted that the AGE is an independent public entity and may act as a defendant in the case. The claimant subsequently lodged an appeal with the GC SC, stating that, in her view, the Competition Commission and the AGE were not public authorities exercising public administrative functions in the disputed legal relations.

The GC SC concluded that, since the candidate indicated in her statement of claim the President represented by the Competition Commission and the AGE as the defendant, while these public authorities are independent entities, and since the SC as a court of first instance has jurisdiction, in particular, over cases concerning appeals against acts, actions or omissions of the President, appeals against decisions, actions or omissions of the entities appointing CCU judges in the process of competitive selection of candidates, as well as of the AGE regarding the assessment of such candidates for the position of CCU judge, but does not have jurisdiction over cases involving claims against the Competition Commission, the conclusions of the ACC SC in its rulings, both as to the grounds for leaving the statement of claim without movement and as to the grounds for returning it, were based on the correct application of procedural law.

By contrast, several judges issued a separate opinion,⁴⁶⁹ in which they stated that, having established that the statement of claim complied with the requirements of CAPU, the ACC SC was obliged to open proceedings in the case. Only thereafter should the ACC SC have resolved the issue of the proper defendant or defendants in the case, as well as the replacement or involvement of the proper defendant. At the same time, bringing a claim against an improper defendant is grounds for dismissing the claims following their consideration on the merits, but not grounds for returning the statement of claim.

In its decision in case No. 990/76/25,⁴⁷⁰ the ACC SC panel of judges also concluded that the AGE's activities are discretionary in nature, since they involve a certain degree of discretion when assessing candidates. Such discretion must be exercised solely within the limits of the powers granted by law, in compliance with the established procedures and the principles of good faith, impartiality and reasonableness.

In its ruling in case No. 990/407/24,⁴⁷¹ which is ongoing, the ACC SC concludes that a candidate for the position of CCU judge has the right to challenge an AGE decision in the process of assessing candidates for the position of CCU judge against the criteria of high moral qualities under the rules of administrative proceedings by filing an administrative claim with the SC. An analysis of the competence, rights and powers of the AGE gives grounds to conclude that this body is vested by the state with public administrative functions in legal relations arising in the process of forming the corps of CCU judges.

⁴⁶⁹ Separate opinion of Judges of the Grand Chamber of the Supreme Court Y. L. Vlasov and O. O. Banasko regarding the judgment of the Grand Chamber of the Supreme Court of 16 January 2025 in case No. 990/299/24 (proceedings No. 11-267zai24).

⁴⁷⁰ Decision of the Administrative Cassation Court within the Supreme Court of 25 November 2025 (case No. 990/76/25, proceedings No. P/990/76/25).

⁴⁷¹ Ruling of the Administrative Cassation Court within the Supreme Court of 20 February 2025 (case No. 990/407/24, proceedings No. P/990/407/24).

This conclusion is also consistent with the position of the GC SC set out in its judgment of 16 May 2024 in case No. 9901/107/19,⁴⁷² *namely that the powers of the HQCJ, with the participation of the PCIE, to decide whether a candidate meets the integrity criterion are discretionary and fall within their exclusive competence.* The ACC SC decision in case No. 990/136/24⁴⁷³ also states that the AGE's powers to assess a candidate for the position of CCU judge are discretionary and fall within its exclusive competence as the authorised body. At the same time, the limits of the AGE's discretion in assessing a candidate cannot be unlimited and must be subject to external public oversight.

In accordance with the objectives of administrative proceedings set out in Article 2 CAPU, an administrative court is not empowered to interfere with the discretion of a public entity beyond reviewing compliance with the criteria provided for in that Article and other laws. At the same time, the SC's assessment of the reasoning and validity of the challenged AGE decision does not constitute interference with its discretionary powers (case No. 990/85/25,⁴⁷⁴ ongoing). The limits of the AGE's discretion in assessing a candidate for the position of CCU judge are not unlimited and are subject to external public oversight. The assessment process, as well as the decision adopted on its basis, must be understandable both to the candidate for the position of CCU judge and to an independent external observer (case No. 990/76/25).⁴⁷⁵

3.5. PCIE

The digest⁴⁷⁶ of the case law of the GC SC in cases concerning appeals against decisions, actions and omissions of the HQCJ summarises the case law of that court recognising that the powers of the HQCJ, with the participation of the PCIE, to decide whether a candidate for the position of HACC judge meets the integrity criterion are discretionary and fall within their exclusive competence.⁴⁷⁷

⁴⁷² Judgment of the Grand Chamber of the Supreme Court of 16 May 2024 (case No. 9901/107/19, proceedings No. 11-47zai24).

⁴⁷³ Decision of the Administrative Cassation Court within the Supreme Court of 15 August 2024 (case No. 990/136/24, proceedings No. P/990/136/24).

⁴⁷⁴ Ruling of the Administrative Cassation Court within the Supreme Court of 28 May 2025 (case No. 990/85/25, proceedings No. P/990/85/25).

⁴⁷⁵ Decision of the Administrative Cassation Court within the Supreme Court of 25 November 2025 (case No. 990/76/25, proceedings No. P/990/76/25).

⁴⁷⁶ Digest of the Case Law of the Grand Chamber of the Supreme Court in Cases Concerning Appeals Against Decisions, Actions and Omissions of the High Qualification Commission of Judges of Ukraine. Decisions entered into the USRCD as of 01 February 2025 / Supreme Court. 2025. 93 p.

⁴⁷⁷ Judgments of the Grand Chamber of the Supreme Court of: 14 April 2021 (case No. 9901/83/19, proceedings No. 11-402zai20); 07 April 2021 (case No. 9901/87/19, proceedings No. 11-68zai21); 30 September 2020 (case No. 9901/102/19, proceedings No. 11-62zai20); 27 May 2020 (case No. 9901/88/19, proceedings No. 11-1196zai19); 16 May 2024 (case No. 9901/107/19, proceedings No. 11-47zai24).

Determining whether a candidate for the position of HACC judge meets the integrity criterion is one of the mandatory conditions for holding this position. The body that assists the HQCJ in assessing a candidate's compliance with this criterion is the PCIE.

The decision on whether candidates for the position of HACC judge meet the integrity criterion is adopted by determining the voting results of the HQCJ and PCIE members following a special joint meeting at which the issue of a candidate's compliance with the criteria specified in Part 4 Article 8 of Law No. 2447-VIII⁴⁷⁸ was discussed. The voting results are established by counting the votes.

When considering case No. 9901/83/19, the GC SC noted that, since the decision on the claimant's compliance with the criteria defined in Article 8 of Law No. 2447-VIII did not receive the number of votes required by that Article, the GC SC agreed with the ACC SC's conclusion that HQCJ Decision No. 60/vs-19 of 21 January 2019 had been adopted on the grounds, within the powers and in the manner prescribed by law.

The grounds cited by the claimant for annulling HQCJ Decision No. 60/vs-19 of 21 January 2019 are based on his disagreement with the questions that raised doubts as to whether he met the integrity criterion and, as a result, with the general opinion or personal conviction of the majority of members of the joint composition of the HQCJ and the PCIE, which was formalised in the challenged decision.

However, such circumstances cannot be subject to judicial review, since under Law No. 1402-VIII and Law No. 2447-VIII the court is not empowered to determine the questions for assessing whether candidates for positions of HACC judges meet the criteria of integrity, namely morality, honesty and incorruptibility, including with regard to the legality of the sources of origin of property, whether the standard of living of the candidate or their family members corresponds to declared income, whether the candidate's lifestyle corresponds to their status and whether they have the knowledge and practical skills required to consider cases falling within the jurisdiction of the HACC.

The special body vested with these powers is the HQCJ with the participation of the PCIE. Accordingly, their powers to decide whether a candidate meets this criterion are discretionary and fall within their exclusive competence.

In addition, in its judgment in case No. 9901/88/19,⁴⁷⁹ the GC SC stated that the PCIE is not a public entity within the meaning of CAPU. The same position was expressed in the ACC SC ruling in case No. 9901/83/19⁴⁸⁰: *'In these legal relations, the PCIE is not an independent body or public entity authorised to adopt decisions regarding a candidate's further participation in the competition announced for the position of judge. The final decision, which creates legal consequences for a person, is adopted by the HQCJ, and the format of the meeting in this case, jointly with the PCIE, does not affect the legal status of the HQCJ and its decisions in the procedure for the competitive selection of candidates for the position of HACC judge and does not confer legal personality on the PCIE in legal relations arising in connection with the adoption of HQCJ decisions with its participation'*.

⁴⁷⁸ On the High Anti-Corruption Court: Law of Ukraine No. 2447-VIII of 07.06.2018.

⁴⁷⁹ Judgment of the Grand Chamber of the Supreme Court of 27 May 2020 (case No. 9901/88/19, proceedings No. 11-1196zai19).

⁴⁸⁰ Ruling of the Administrative Cassation Court within the Supreme Court of 25 February 2019 (case No. 9901/83/19, proceedings No. P/9901/83/19).

Two of the five candidates for the position of HACC judge, *O. Kimstachov* and *Y. Bodnaruk*, in respect of whom HCCJ decisions were adopted finding that they did not meet the criteria of integrity, namely morality, honesty and incorruptibility, and did not have the knowledge and practical skills required to consider cases falling within the jurisdiction of the HACC, as a result of which they ceased their participation in the competition for the position of HACC judge, challenged these decisions in court. As of the end of November 2025:

- ▶ one case, No. 990/201/25, *O. Kimstachov*, was scheduled for consideration at a court hearing on 8 December 2025;⁴⁸¹
- ▶ in the other case, No. 990/203/25, *Y. Bodnaruk*, the claim was dismissed: *'The claimant has not convincingly demonstrated what right of his is currently violated and how declaring the challenged decision of the Commission unlawful would protect or restore that right. Formally, the challenged decision of the defendant has not been annulled and exists as a specific individual act of a state body establishing that the claimant does not meet certain criteria within a specific competition procedure. However, at present, the challenged decision does not impose any burden or have any regulatory effect on the claimant's legal status, given that his participation in the relevant competition procedure has ended'*.⁴⁸²

3.6. PIC

In its judgment in case No. 160/9844/19,⁴⁸³ the ACC SC concluded that the PIC is not a public entity and that a dispute concerning annulment of a PIC opinion is not subject to judicial consideration: *'The SC considers correct the conclusion of the court of first instance that the functions performed by the PIC in the procedure for the qualification assessment of judges are not, by their nature, 'public administrative powers' within the meaning of CAPU and, therefore, this institution does not have the features of a public entity'; 'The PIC only assists the Commission in assessment matters and cannot issue a final decision on professional ethics and integrity. A PIC opinion constitutes information contained in the candidate's dossier and is subject to examination by the Commission, together with other information, when assessing the indicators of the criteria of professional ethics and integrity'; 'Thus, the decision on confirming the ability of a candidate for the position of judge to administer justice is adopted by the HCCJ. At the same time, the existence of a negative PIC opinion in respect of a candidate for the position of judge necessarily entails the need for the Commission to conduct an interview with the candidate for the position of judge, in the form of a meeting, in order to clarify the circumstances set out in the PIC opinion and provide its own assessment of them in terms of whether such candidate for the position of judge meets the criteria of integrity and professional ethics and, consequently, to adopt, following this*

⁴⁸¹ Ruling of the Administrative Cassation Court within the Supreme Court of 01.07.2025 (case No. 990/201/25, proceedings No. P/990/201/25); Ruling of the Administrative Cassation Court within the Supreme Court of 11 November 2025 (case No. 990/201/25, proceedings No. P/990/201/25).

⁴⁸² Decision of the Administrative Cassation Court within the Supreme Court of 13 November 2025 (case No. 990/203/25, proceedings No. P/990/203/25).

⁴⁸³ Judgment of the Administrative Cassation Court within the Supreme Court of 30 March 2021 (case No. 160/9844/19, proceedings No. K/9901/9172/20).

discussion, the final decision on confirming the candidate's ability to administer justice'; 'Analysing, in the context of the disputed legal relations, the provisions of Law No. 1402-VIII concerning the legal status of the HJC and the PIC in the procedure for the qualification assessment of judges, the SC concludes that, in these legal relations, the PIC is not an independent body or public entity authorised to adopt decisions on confirming or not confirming the ability of a judge or candidate for the position of judge to administer justice in the relevant court. Accordingly, the final decision that creates legal consequences for a person is adopted by the HJC'; 'In these circumstances, the SC considers correct the conclusion of the courts of previous instances on closing the proceedings in the case with clarification that this dispute is not subject to consideration under administrative proceedings and is not subject to judicial consideration at all'.

The GC SC also summarised the case law on recognising that the powers to assess compliance with the criteria of professional ethics and integrity rest with HJC members, while a PIC opinion is to be examined only together with other information when assessing these criteria (case No. 9901/257/19⁴⁸⁴).

As follows from the content of the challenged decision, the grounds for its adoption were the HJC's reasonable doubts as to whether the claimant, a candidate for the position of judge of the Criminal Cassation Court within the Supreme Court, met the criteria of integrity and professional ethics.

The Commission adopted this decision collectively according to the internal conviction of its members and in compliance with the competition procedure. A systematic analysis of the above-mentioned normative legal acts gave the GC SC grounds to conclude that the assessment of the criteria of professional ethics and integrity is entrusted specifically to the members of the Commission and is based on the principles of equality and collective responsibility for the decision.

The GC SC also noted that the position of judge entails certain restrictions and duties arising from the need to administer justice impartially. Law-abiding and decent conduct by a judge, not only in the performance of professional duties but also in everyday life, should be a safeguard and a necessary condition for strengthening trust in the court. It therefore stated that it did not consider that, in performing the duty imposed on it by law to conduct the qualification assessment of a candidate for the position of judge against the integrity criterion, which involves clarifying and assessing all aspects of such candidate's life and activities, not only of a professional but also of a moral and ethical nature, the Commission had interfered with the claimant's private life.

The GC SC rejected the appellant's arguments that the HJC decision was unreasoned because the Commission had taken note of the PIC opinion rather than considering it in the manner provided for in Article 88 of Law No. 1402-VIII.

In addition, the GC SC indicated that the PIC only assists the Commission in assessment matters and cannot issue a final decision on professional ethics and integrity. A PIC opinion constitutes information contained in the candidate's dossier and is subject to examination by the Commission, together with other information, when assessing the indicators of the criteria of professional ethics and integrity.

⁴⁸⁴ Judgment of the Grand Chamber of the Supreme Court of 20 May 2020 (case No. 9901/257/19, proceedings No. 11-1236zai19).

3.7. Conclusions to the Section

The SC, acting through the ACC and the GC, exercises judicial control over the legality of the vetting of judges, candidates for judicial positions and candidates for positions in judicial governance bodies for compliance with the criteria of integrity and professional ethics in claims seeking annulment of relevant decisions finding non-compliance with these criteria.

The analysis shows that the SC has developed a systematic position regarding competition commissions, according to which they do not adopt final decisions but only assist the appointing or electing entity by carrying out a separate stage of the competition procedure. Judicial control is possible only in respect of the final decision of the appointing or electing entity.

The SC has also developed settled case law in the process of judicial control, according to which the powers of the body verifying a person's integrity are discretionary. In other words, only the members of this body, guided by their own internal conviction, are authorised to verify circumstances and draw conclusions as to whether candidates or judges meet or do not meet the integrity criterion. Accordingly, even a court has no right to interfere with the exercise of this function by such bodies.

At the same time, the limits of such discretion cannot be unlimited and must be subject to external public oversight. An administrative court is not empowered to interfere with the judgment or discretion of a public entity beyond reviewing compliance with the criteria provided for in Article 2 CAPU and other laws. At the same time, the SC's assessment of the reasoning and validity of the challenged decisions does not constitute interference with its discretionary powers. In its case law, the SC emphasises that any reassessment of facts established by authorised bodies when verifying a person's compliance with the integrity criteria prescribed by law falls outside the scope of judicial control (cases No. 800/330/17⁴⁸⁵ and No. 990/85/25⁴⁸⁶).

In addition, SC case law has established an approach, with the exception of the AGE, which the ACC SC recognises as a body *'vested by the state with public administrative functions in legal relations arising in the process of forming the corps of CCU judges'*, according to which competition commissions are not public authorities in the disputed legal relations.

In some cases, SC case law also indicates that disputes against competition commissions are not subject to consideration under the rules of administrative proceedings, namely in relation to the Ethics Council, the HQCJ Competition Commission, the SDI Competition Commission and the PIC.

At the same time, there are separate opinions of some SC judges who do not share the positions set out in SC decisions on the above issues. In addition, the question of defining the 'finality of decisions' is debatable for candidates who, as a result of decisions adopted by competition commissions finding that they do not meet the established criteria, effectively cease their participation in the competition. In other words, for such candidates, these decisions are final, and the inability to challenge them deprives a person of the right to judicial protection. Only the

⁴⁸⁵ Judgment of the Grand Chamber of the Supreme Court of 07 March 2024 (case No. 800/330/17, proceedings No. 11-171zai23).

⁴⁸⁶ Ruling of the Administrative Cassation Court within the Supreme Court of 28 May 2025 (case No. 990/85/25, proceedings No. P/990/85/25).

possibility of appealing against AGE decisions is enshrined in law, including a definition of which AGE decisions may be challenged in court and on what exclusive grounds. No such legislative provision is envisaged for decisions of other competition commissions.

3.8. Recommendations

1. Conduct a broad discussion on determining the final nature of decisions adopted by competition commissions, since, following the adoption of decisions finding non-compliance with the established criteria, a candidate ends their participation in the competition and this, accordingly, ultimately affects the decision of the appointing or electing entity.
2. Enshrine in law provisions that would regulate which decisions of competition commissions may be appealed, on which specific grounds, which decisions may not be appealed, as well as the rules for representing competition commissions in courts.
3. Continue summarising SC case law and developing standard approaches to resolving disputed situations concerning these issues, which will help increase legal certainty and public trust in judicial authorities.

Annex 1 to the Report

‘Competition Commissions with the Participation of International (Foreign) Experts (Judicial Authorities and the Constitutional Court of Ukraine)’

Updated Information on the Activities of Competition Commissions and the Competition Procedures for the Period from January 2026 to April 2026

1. Ethics Council

Of the five candidates whom the Ethics Council found in December 2025 to meet the criteria of professional ethics and integrity for the appointment as member of the High Council of Justice (HCJ) under the quota of the Congress of Judges of Ukraine, in **March 2026** the delegates of the XX Regular Congress of Judges of Ukraine **elected two HCJ members** (*D. Krupoderia* and *T. Spiridonova*).⁴⁸⁷ The total number of HCJ members currently stands at 19 out of the 21⁴⁸⁸ provided for by the Constitution of Ukraine,⁴⁸⁹ while two seats under the quota of the Congress of Advocates of Ukraine remain vacant, as the Congress **has still not launched the selection of candidates for two vacant HCJ member positions under its quota**.⁴⁹⁰

As the four-year term of office of three HCJ members expires in August 2026 (two under the quota of the Verkhovna Rada of Ukraine (VRU) and one under the quota of the Congress of Representatives of Legal Higher Education Institutions (HEIs) and Academic Institutions), the

⁴⁸⁷ [The XX Regular Congress of Judges of Ukraine elected two members of the High Council of Justice. High Council of Justice. 2026.](#)

⁴⁸⁸ [Composition of the High Council of Justice. High Council of Justice. 2026.](#)

⁴⁸⁹ [Constitution of Ukraine No. 254k/96-VR of 28.06.1996, Article 131.](#)

⁴⁹⁰ [Membership Check. Analytics. New Europe Center. 2026.](#)

relevant **competitions** for these vacant positions were **announced in February 2026**.⁴⁹¹ As of April 2026, the HCJ Secretariat had completed the acceptance of documents from candidates for the election of an HCJ member by the Congress of Representatives of Legal HEIs and Academic Institutions (12 persons submitted applications and the date of the Congress was set for 28 May 2026).⁴⁹² As of April 2026, documents for participation in the competition for HCJ member positions under the VRU quota had been submitted by 32 candidates.⁴⁹³

2. Competition Commission for the Selection of Candidates for the Positions of Members of the High Qualification Commission of Judges of Ukraine (HQCJ Competition Commission)

As of April 2026, the **next composition of the HQCJ Competition Commission was still being formed**⁴⁹⁴ (the competition to fill vacant positions of members of the HQCJ Competition Commission was announced at the end of July 2025). Parliament has not decided to continue the participation of international (foreign) experts, as envisaged in the European Commission's 2025 Enlargement Report.⁴⁹⁵

3. Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector (SDI Competition Commission)

As of the end of March 2026, two positions of disciplinary inspector remained vacant.⁴⁹⁶ No new competitions for the positions of SDI disciplinary inspectors have been announced.

4. Advisory Group of Experts (AGE)

As part of the competition for the positions of judge of the Constitutional Court of Ukraine (CCU) under the quota of the Congress of Judges of Ukraine, announced by the CJU in June 2025, in January 2026 the AGE informed the CJU that, following the vote on two candidates (*O. Klymenko* and *P. Saliuk*), although the AGE had assessed both as meeting the criterion of high moral qualities, neither confirmed that they meet the criterion of a recognised level of competence.⁴⁹⁷ As a result,

⁴⁹¹ [Announcement on holding a competition for two positions of members of the High Council of Justice and on the start of accepting documents from persons seeking to participate in the competition. Verkhovna Rada of Ukraine. 2026; On the Announcement of a Competition and Determination of the Time and Place for Holding the Congress of Representatives of Legal Higher Education Institutions and Academic Institutions: Decision of the High Council of Justice No. 208/0/15-26 of 12.02.2026.](#)

⁴⁹² [Acceptance of documents from candidates for HCJ membership from the Congress of Scholars has ended. High Council of Justice. 2026.](#)

⁴⁹³ [Candidates for the position of member of the High Council of Justice \(announcement published on 9 February 2026\). Verkhovna Rada of Ukraine. 2026.](#)

⁴⁹⁴ [Formation of the Competition Commission for the Selection of HQCJ Members. Documents. High Council of Justice.](#)

⁴⁹⁵ [Ukraine 2025 Report. Communication on EU Enlargement Policy. Brussels, 04.11.2025, SWD\(2025\) 759 final.](#)

⁴⁹⁶ Information obtained during an interview with a representative of the Competition Commission for Conducting the Competition for the Positions of Head of the Service of Disciplinary Inspectors, Deputy Head of the Service of Disciplinary Inspectors and Disciplinary Inspector, conducted on 25.03.2026.

⁴⁹⁷ [Decision of the Council of Judges of Ukraine No. 5 of 22.01.2026. Council of Judges of Ukraine. 2026.](#)

the competition for two vacant positions of CCU judge under the quota of the Congress of Judges of Ukraine was discontinued.⁴⁹⁸

In this connection, in January 2026 a **new competition was announced to select candidates for two positions of CCU judge under the quota of the Congress of Judges of Ukraine.**⁴⁹⁹ In April 2026, a list of 18 candidates admitted to the competitive selection for the position of CCU judge was published⁵⁰⁰ and submitted to the AGE.⁵⁰¹

As of April 2026, the **competition for two vacant positions of CCU judge under the VRU quota, announced in October 2025, was ongoing.**⁵⁰² At the beginning of April 2026, the AGE adopted decisions on whether 15 candidates for these positions met the criterion of high moral qualities. Of these, 10 candidates met the criterion of high moral qualities and proceeded to the next stage of the competition — assessment of the level of competence in the field of law; four did not meet the criterion, while no decision was adopted in respect of one candidate, but under the provisions of the Law of Ukraine ‘On the Constitutional Court of Ukraine’ he does not proceed to the next stage of assessment.⁵⁰³ In mid-April 2026, the AGE conducted the written assessment of these 10 candidates.⁵⁰⁴ The AGE is expected to submit the list of candidates to the VRU Committee on Legal Policy in May 2026.⁵⁰⁵

As of April 2026, **one vacant position under the quota of the President of Ukraine remained unfilled:** the candidate (*M. Savchyn*) recommended by the AGE and the competition commission has not been appointed, although recommended in the first half of 2025; no new competition for the relevant position has been announced.⁵⁰⁶

5. Public Council of International Experts (PCIE)

As part of the competition for positions in the High Anti-Corruption Court (HACC), announced on 3 June 2025, in February–March 2026 the HQCJ, jointly with the PCIE, held special joint meetings, in which 73 candidates were allowed to participate. Sixty-nine candidates took part in these meetings, while seven withdrew from the competition at their own request. Following the joint vote of HQCJ and PCIE members, 22 judicial candidates who confirmed that they met the criteria defined by law continued their participation in the competition for HACC judge positions.⁵⁰⁷ At the end of April 2026, the HQCJ, acting as a panel, began conducting interviews and determining the results of the qualification assessment of candidates as part of the competition for HACC

⁴⁹⁸ [Decision of the Council of Judges of Ukraine No. 5 of 22.01.2026.](#) Council of Judges of Ukraine. 2026.

⁴⁹⁹ Ibid.

⁵⁰⁰ [The list of candidates for the position of CCU judge has been published on the website of the Council of Judges of Ukraine.](#) Council of Judges of Ukraine. 2026.

⁵⁰¹ [Publication by the Advisory Group of Experts on the social network Facebook.](#) 2026.

⁵⁰² [Candidates for the position of CCU judge admitted to the competitive selection under the quota of the Verkhovna Rada of Ukraine, announced on 14.10.2025.](#) Advisory Group of Experts.

⁵⁰³ [Publication by the Advisory Group of Experts on the social network Facebook.](#) 2026.

⁵⁰⁴ [Publication by the Advisory Group of Experts on the social network Facebook.](#) 2026.

⁵⁰⁵ [Membership Check.](#) Analytics. New Europe Center. 2026.

⁵⁰⁶ Ibid.

⁵⁰⁷ [Competition for positions in the High Anti-Corruption Court: results of special meetings.](#) High Qualification Commission of Judges of Ukraine. 2026.

judge positions.⁵⁰⁸ These interviews are expected to be completed in May, after which the HCCJ is to form the final ranking and recommend the winners of the competition for appointment to the positions of judges of the HACC and its Appeal Chamber.⁵⁰⁹

6. Expert Council

The HCCJ received 356 applications to participate in the competitions for positions in the Specialised District Administrative Court (SDAC) and the Specialised Administrative Court of Appeal (SACA).⁵¹⁰ A total of 280 candidates were admitted to participate in the competitions: 171 in the competition for positions in the SDAC (for 17 vacant judge positions) and 109 in the competition for positions in the SACA (for 10 vacant judge positions). There are 210 unique candidates, of whom 70 candidates are applying for judge positions in both specialised courts simultaneously.⁵¹¹

In April 2026, 194 candidates for positions in the SDAC and SACA successfully passed the test on knowledge of the history of Ukrainian statehood (the first stage of the competition);⁵¹² following the cognitive abilities test (the second stage of the competition), 136 candidates achieved the minimum admissible passing score;⁵¹³ 127 candidates successfully passed the test on general knowledge in the field of law and knowledge of the specialisation of the SDAC and SACA (the third stage of the competition) and were admitted to the fourth stage of the qualification exam — completion of a practical assignment on the specialisation of the SDAC and SACA, scheduled for May 2026.⁵¹⁴

7. Public Integrity Council (PIC)

Overall, in 2025 the PIC adopted 506 decisions,⁵¹⁵ including 298 opinions (58.9%), 178 information submissions concerning candidates/judges (35.2%) and 30 decisions to cancel

⁵⁰⁸ Competition to the HACC: four candidates confirmed their ability to administer justice. High Qualification Commission of Judges of Ukraine. 2026.

⁵⁰⁹ Interview. Information on broadcasts of interviews with candidates for the positions of judges of the High Anti-Corruption Court. High Qualification Commission of Judges of Ukraine. 2026.

⁵¹⁰ Competitions for positions in the SDAC and SACA: 280 candidates admitted to qualification assessment. Judiciary of Ukraine. 2026.

⁵¹¹ Ibid.

⁵¹² Candidates for positions of judges of the Specialised District Administrative Court and/or the Specialised Administrative Court of Appeal who successfully passed the test on knowledge of the history of Ukrainian statehood and were admitted to the second stage of the qualification exam — testing of cognitive abilities. High Qualification Commission of Judges of Ukraine. 2026.

⁵¹³ Coded results of cognitive abilities testing within the competitions for vacant judge positions in the Specialised District Administrative Court and/or the Specialised Administrative Court of Appeal. High Qualification Commission of Judges of Ukraine. 2026.

⁵¹⁴ Results of testing of general knowledge in the field of law and knowledge of the specialisation of the relevant court within the competitions for vacant judge positions in the Specialised District Administrative Court and the Specialised Administrative Court of Appeal have been approved. High Qualification Commission of Judges of Ukraine. 2026.

⁵¹⁵ Based on an analysis of PIC documents published between 01.01.2025 and 31.12.2025 on the website of the Public Integrity Council.

opinions (5.9%). At the same time, the PIC's third composition adopted 290 documents (57.3%), while the fourth composition adopted 216 documents (42.7%).⁵¹⁶

During the **first quarter of 2026, the PIC adopted 144 decisions**,⁵¹⁷ including 80 opinions (55.5%), 60 information submissions concerning candidates/judges (41.7%) and four decisions cancelling opinions (2.8%).

In April 2026, the PIC adopted a decision to **exclude one of its members** on the grounds of conduct contrary to the PIC's values (para. 3 Part 3 Article 5 of the Rules of Procedure of the PIC). The decision was prompted by the defence of a dissertation, whose content indicated that the work had been prepared with improper use of artificial intelligence.⁵¹⁸

⁵¹⁶ [Based on an analysis of PIC documents published between 01.01.2025 and 31.12.2025 on the website of the Public Integrity Council.](#)

⁵¹⁷ Ibid.

⁵¹⁸ [Publication by the Public Integrity Council on the social network Facebook. 2026.](#)

