

JUDICIAL REFORM IN UKRAINE

Actuality. Judicial reform in Ukraine is one of the key requirements insisted on both by the Ukrainian expert environment and international partners of Ukraine.

Object. The courts.

Subject. The courts of different jurisdiction in Ukraine .

Target. Reformation of the native judicial system.

Aims :

- 1) Completion eradication of the phenomena of corruption and political or administrative influence.
- 2) Simplification of the judicial system and legal proceedings with simultaneous personnel reloading.
- 3) Ensuring a decent salary level for the updated judiciary and employees of the court apparatus.
- 4) Anti-corruption control and effective judicial responsibility.

Main Body.

1. The judges of High Court are under the control of President. Though the judges of the Supreme Court of Ukraine are selected on a competitive basis, the President is the law of the last instance, which approves & appoints them. At the stage of the competition, the main candidates for the Supreme Court judges turned out to be pro-presidential functionaries. And this happened despite the fact that the Public Council of Integrity with the support of the West refused dozens of candidates. But even this do not prevent them from going through the competition. Such a mechanism for appointing the country's chief judges will allow the president to influence the court in so called manual mode.

2. Agendas will be published in the Web. Another norm radically changes habitual conventions - this is a notification of a call to court on the Internet. Moreover, not on the respondent's electronic address, but simply by publishing a call on the court site. This will concern individuals whose whereabouts are unknown to the authorities. Each citizen of Ukraine should daily check himself on the courts' websites - it does not stipulate.

3. Pay if you want to sue. The plaintiffs were obliged to enter into something like a "pledge" when they want to apply to the court - to compensate the defendant for the costs of a lawyer in case of his winnings. It actually makes the litigation accessible only to wealthy people. And, for example, if someone wants to sue the communal monopolist due of to lack of heating, then pensioners will not simply "pull" the costs.

4. An electronic court. The physical presence is not needable during the court session. "Participants in the case have an opportunity to take part in a court session in a videoconference mode, without leaving their homes or working premises, and for witnesses and experts - in the premises of another court," the document says.

5. No more than 10 questions. Deputies the wish limit the possibility for the participants of the sessions - the prosecution and the defense - we need to ask not more than 10 questions in the trial. The remaining questions are already "abusive".

6. You may not go to court. The court may restrict access to the courtroom if there is not enough space available in the courtroom. In theory, this will allow the expulsion of all journalists or observers from the court: it is only necessary to put "their" people in advance in the free places.

7. Decisions against business. The norm that was completely unacceptable for the business community appeared in the law passed by the Rada. Now the judge will be able to unilaterally hand down orders against firms and lawyers, even if they are not participants of the process. The law gives the judge the right to do so if he suddenly noticed "deficiencies in the activities" of certain companies while considering a case where these companies are mentioned. In practice, this gives the authorities one more tool of pressure on business bypassing complex bureaucratic procedures.

8. The terms of the investigation of cases will be reduced. End to "Maidan's affairs"? An amendment was introduced to the law, which shortens the investigation period to 3 or 6 months. "This revision will reduce the length of the investigation depending on the category of the case up to 3 or 6 months. Thus, the number of failures at the start of the investigation for non-obvious crimes will increase significantly, because law-enforcers will not want to take responsibility to investigate these crimes so quickly. And all "Maydan" affairs and cases against the former leaders of the state will be closed immediately, because the proposals introduced by the deputy Lozov supported by the committee have long been there, "explained the essence of the norm in the Remedy package of reforms ". Like any norm that improves people's position,

the amendment will have retroactive effect. It turns out that all the resonant affairs of the past, including the state system of Yanukovich, fall under the norm.

9. The property registered "on a wife" will be safe. What does it mean? Suppose that if a corrupt person property is confiscated, everything that is registered on his grandparents, children and his wife - will remain "in the family" and will not be taken away.

Conclusion. Consequently, this reform has become one of the most important bricks in the establishment and improvement of the judicial system. I hope that all this will make the life in our country easier and better.

Список використаних джерел

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