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LUSTRATION OF JUDGES IN UKRAINE: PROBLEMS AND ASPECTS

Not much credits need to be done in order to point out the fact that nowadays one of the ways renewal government quality is organizing and conducting lustration as the peculiar of political and legal mechanism of removal from office of persons for which there is evidence about loss of confidence on the grounds provided by the law of Ukraine "On purification of government "[1].

The overwhelming majority of experts take the view that it is advisable to start lustration of the professional corps of judges as the few among the branches of government, which are about 8 thousands of judges. Today the issue of necessity of judges' lustration in Ukraine has become highly desirable proposition.

The definitions of thesis are confirmed by numerous sociological data of domestic and foreign experts. The courts take the leading position by the level of public distrust and corruption for the last four years. In despite of performed judicial reform in Ukraine, our country has become a leader in the European Court on Human Rights for the number of lost cases against it.

During the analysis of these grounds it is worth noting that lustration of judges has its difficulties and differences from the lustration other. Thus, judges are applied by the relevant constitutional guarantees and it is impossible to release them outside the Fundamental Law. Observance of the constitutional procedures for dismissal of judges is possible because of the existing precedents in the practice of the European Court of Human Rights [2, c. 178-181].

Taking into account this problem the issue of cleaning power is the requirement of society and the necessary condition for the transition to the qualitatively new level of governance. Obviously, the purpose of the Law of Ukraine "On purification of government" should be the measures of cleaning power from the persons who has compromised themselves as corrupt officials. In our opinion conducting the total replacement into force of political convictions of all personnel of government agencies is unreasonably.

List of references

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