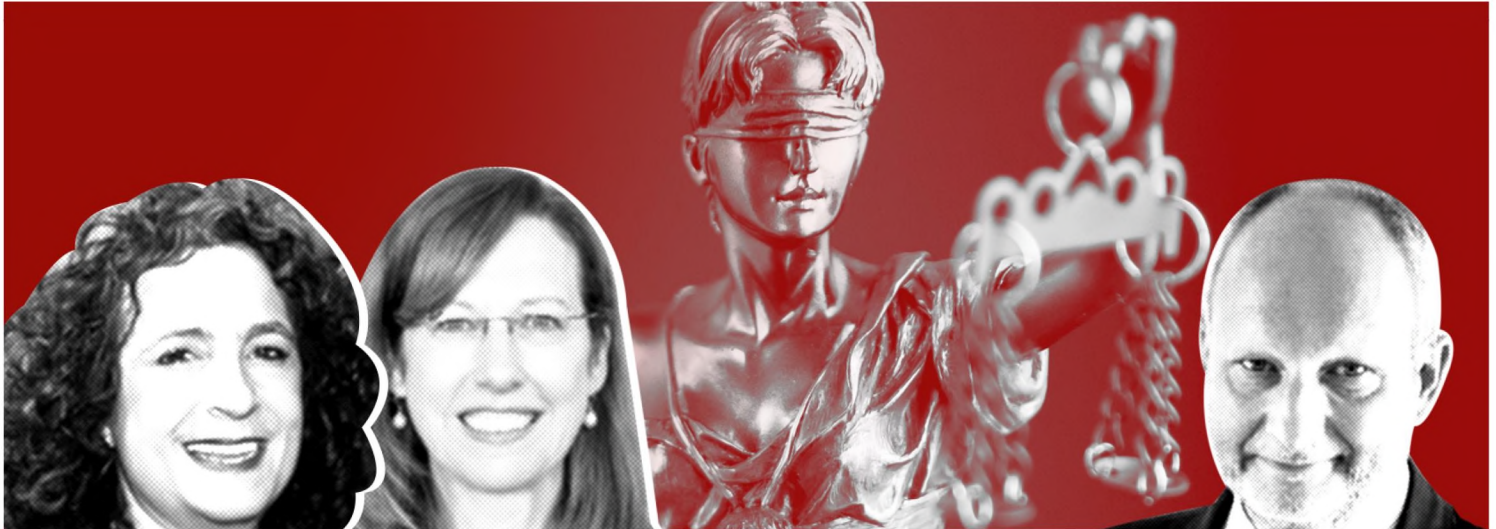


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# It is time to transform Ukraine

CHRISTINA QUINN, MATTIE MAASIKAS AND MELINDA SIMMONS - WEDNESDAY, OCTOBER 20, 2021, 3:30 P.M.



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With the support of President Volodymyr Zelensky, Ukraine is on the verge of implementing a fundamental reform, the preparation of which took thirty years.

Ukraine's new laws on judicial reform , recently passed by the Verkhovna Rada, can not only build a judicial system that Ukrainians will trust by bringing corrupt judges to justice, but also reduce the influence of privileged groups who use the existing system and undermine the rule of law in Ukraine. for their own interests.

Although the enactment of the laws was an extremely important achievement, reforms now need to be implemented, including the integrity of members of the judiciary, which is a huge challenge that requires political courage and perseverance given the strong opposition from privileged circles.

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This is the courage that will be rewarded.

The implementation of these reforms will be a significant step forward on the path to transforming Ukraine into a modern, transparent European country and will benefit all Ukrainians.

Let's clearly outline the situation - many people working in Ukraine's judiciary are professional patriotic Ukrainians who work hard to protect the country's interests.

Unfortunately, however, the current system protects rather than eliminates corrupt elements that nullify the efforts of all those who work diligently and honestly.

When corrupt people can act with impunity, virtuous people are forced to remain silent, otherwise they will face serious consequences.

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That is why the Ukrainian legislators who developed the reform introduced integrity checks, which were approved by the Venice Commission, to ensure that all current and new members of the High Qualifications Commission of Judges of Ukraine and the High Council of Justice (GRP) do not have unexplained differences between their income and property and do not demonstrate any other possible involvement in corrupt practices.

Unfortunately, the Council of Judges of Ukraine (RSU) has not yet nominated representatives to the GRP Ethics Council, the body that will perform this important task.

In addition, the RSU probably discouraged Ukrainian judges from applying for positions due to the introduction of excessive qualification requirements that exceed the requirements set by law.

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The best way to further implement judicial reform is obvious: we call on the RSU to allow those who wish to support the implementation of this reform to become members of the Ethics Council. We know that there are many professional, capable, honest lawyers who want this.

The actions of the RSU are not the only challenge to judicial reform. Another delay in its implementation occurred on October 8, when the Supreme Court of Ukraine filed a petition with the Constitutional Court to review the constitutionality of certain provisions of the law on GRP reform.

Those monitoring Ukraine's anti-corruption efforts are concerned about the ruling of the Constitutional Court: it caused last year's crisis by declaring Ukraine's register of property declarations unconstitutional and repealing key provisions of Ukraine's Law on Prevention of Corruption. .

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This decision, which was widely criticized, highlighted the urgent need to reform the Constitutional Court and gave rise to President Zelensky's statement that, in addition to judicial reform, one of his top priorities is to reform the Constitutional Court.

The President is well aware that the introduction of a transparent meritocratic procedure for the selection of judges to the Constitutional Court is a key precondition for ensuring the gradual renewal of this controversial court.

This step, together with the temporary increase in the quorum for decision-making, are one of the most important recommendations of the Venice Commission, and, in our view, they outline the right course for the future.

Unfortunately, we have not seen any progress in implementing this reform since the Venice Commission issued its opinion on this in December 2020.

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Only when the highest levels of the judiciary are considered independent and adherent to the principles will it be possible to build and maintain public confidence in the judiciary.

International business is also constantly calling for this reform to unlock foreign direct investment in Ukraine by creating a more stable, transparent investment climate and promoting the rule of law.

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So the time has come. It is time to resist the privileged circles and their allies, to insist on fair and equal treatment of all citizens in accordance with Ukrainian law, and finally to overcome the corrupt influence that nullifies the rule of law and hinders Ukraine on its path to Euro-Atlantic integration.

The international community stands ready to support you in implementing these important steps towards progress.

**Christina Quinn - US Chargé d'Affaires, US Embassy in Ukraine. Matti Maasilta - Head of the Delegation of the European Union to Ukraine. Melinda Simmons is the British Ambassador to Ukraine.**

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