

Ukraine judicial actions draw concern from U.S, NGOs

Ukraine

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Analyst: "With these latest chapters of his controversial presidency, Poroshenko continues to pursue his policy of doing the bare minimum to satisfy the demands of Western institutions for reform and fighting corruption."

KYIV, Aug 1, 2017 - Ukrainian President Petro Poroshenko signed into law on July 31 a controversial bill reforming the Constitutional Court that was approved by parliament in mid-July, Concorde Capital informed clients today. Poroshenko praised the "absolutely transparent" competitive selection of judge to the court, in which every citizen has the ability to become familiar with any candidate. Until now, the president made all the appointments, which had to be approved by parliament. The law also allows any citizen or company to file a complaint with the court. Critics in parliament argued that the bill gives the court excessive authority, such as halting any legislative norm whose constitutionality is being questioned. They also argued that the law in essence enables the president to secure three direct appointments. Other critics include Amnesty International and the Kharkiv Human Rights Group, who argued that the final draft includes an unauthorized rider, added after the parliamentary vote, that politicizes the procedure for selecting the nation's human rights ombudsman by changing its selection to an open process, rather than the current secret ballot. "We call upon you not to sign Bill #6427-D, whose text was falsified, and take under your control the situation with the goal of not allowing the politicization of national human rights institutions," stated a July 21 appeal by human rights advocates. In a related matter, the U.S. Embassy in Ukraine published a tweet on July 31 in which it lauded "a number of strong Supreme Court nominations, but integrity concerns of many nominees remain." In a subsequent tweet, it recommended that the High Council of Justice independently review each candidate. The tweets referred to the July 27 publishing of the 120 candidates that were approved by a selection process to nominate judges for Ukraine's Supreme Court, which consists of 48 judges and has been inactive since Euromaidan. Ukraine's Anti-Corruption Action Centre estimated that 80% of former judges with a dubious reputation were approved by the selection committee, whose work was nonetheless lauded by the president. Concorde analyst Zenon Zawada added: "With these latest chapters of his controversial presidency, Poroshenko continues to pursue his policy of doing the bare minimum to satisfy the demands of Western institutions for reform and fighting corruption. He is also pursuing a policy of consolidating his rule and influence over key institutions, which is beginning to show authoritarian tendencies, a view that is shared by former Georgian President Saakashvili, who suddenly had his Ukrainian citizenship stripped last week, and MP Serhiy Leshchenko, who works closely with Western NGOs and EU institutions.

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