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# **UKRAINE: Supreme Court criticizes judicial corruption**

– By Oleg Sukhov.

Pavlo Vovk, head of the Kyiv Administrative District Court, has become the epitome of corruption for society. He denies the accusations.

The Supreme Court on Sept. 18 made a rare statement for

Ukraine's judiciary – one criticizing judicial corruption.

Ukrainian courts and judicial governing bodies have routinely made statements in support of judges and officials who face corruption accusations.

But the Supreme Court went against the trend and lambasted corruption while referring to tapes implicating Judge Pavlo Vovk in corruption and obstruction of justice. Vovk and several other judges of his court were charged by the National Anti-Corruption Bureau of Ukraine in July.

Vovk, head of the Kyiv Administrative District Court, has been protected by numerous top officials and judicial governing bodies, and his case has been blocked. The court of Vovk, who denies the accusations of wrongdoing, has become the epitome of corruption for Ukrainian civil society.

President Volodymyr Zelensky has failed to condemn Vovk's alleged corruption, claiming that he had no right to interfere.

### *Statement*

“The essence of the tapes caused great damage to the judiciary,” the Supreme Court said. “This poses a risk of serious damage to the values on which an independent and fair judiciary is based and offsets everyday efforts by thousands of judges to increase society's trust in the courts.”

The court said that “the prestige of the judiciary depends on the actions of every judge.”

“The pillars on which just courts are based are competence, ethics, integrity, zero tolerance for corruption, prevention of external or internal interference, and refusal from personal connections, non-transparent procedures and getting orders (from top officials) by phone,” the court said. “In this situation the plenum of the Supreme Court calls on all

judges to demonstrate through all their procedural and non-procedural actions high standards of justice and ethics, independence and objectivity in the issuance of rulings.”

### *Supreme Court's integrity*

Despite its statement, the Supreme Court's integrity has also been compromised.

Under ex-President Petro Poroshenko, the High Council of Justice appointed 44 Supreme Court judges who judicial watchdog Public Integrity Council says violated integrity and professional ethics standards. The Public Integrity Council has also accused the High Council of Justice and the High Qualification Commission of effectively rigging the competition for Supreme Court jobs, which they denied.

One of the judges who do not meet integrity standards is the deputy head of the Supreme Court, Bohdan Lvov, according to the Public Integrity Council.

In 2016, Pavlo Grechkivsky, a member of the High Council of Justice, was charged with extorting \$500,000 for favorable court rulings with Lvov's help. Both of them deny the accusations.

Lvov is also under investigation as a potential accomplice in a case in which ex-High Commercial Court Chairman Viktor Tatkov and his deputy Artur Yemelyanov have been charged with issuing unlawful rulings. Lvov has not been officially charged in the case and denies all accusations of wrongdoing.

### *High council of justice*

The Supreme Court's statement on the Vovk case contrasts with the position of the High Council of Justice, which has done its best to defend Vovk.

In July the council lambasted the NABU for the use of the words “crimes” and “corruption” in the bureau's statements

about the Vovk case, claiming that they violated the presumption of innocence.

On Sept. 1, the council unanimously refused to suspend Vovk and other judges implicated in his case.

In the NABU recordings, Vovk mentioned the involvement of Andrii Ovsienko, head of the High Council of Justice, and council members Oleh Prudyvus, Pavlo Grechkivsky, Viktor Hryshchuk and Mykola Khudyk in his alleged bargains with the council. They did not respond to requests for comment.

### *Vovk case*

The Prosecutor General's Office pressed its first charges against Vovk and other judges of his court in August 2019. The judges were then charged with obstructing the work of the High Qualification Commission of Judges, issuing unlawful rulings and unlawfully interfering in the work of other judges.

Kyiv's Shevchenkivsky Court also helped the judges by rejecting a motion to extend the investigation and ordered the Prosecutor General's Office to either close the case or send it to trial within five days. The prosecutors did not send it to trial, and the case stalled indefinitely after that.

The NABU resurrected the case in July 2020, charging Vovk and other judges of his court with organized crime, usurpation of power, bribery and unlawful interference with government officials.

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