

**Rules for Completing and Submitting
the Declaration of Integrity and Family Ties of Candidate for the Position of a
Judge**

I. General Provisions

1. The Declaration of Integrity and Family Ties of Candidate for the Position of Judge (hereinafter referred to as the Declaration) shall be submitted personally by completing it on the official website of the High Qualification Commission of Judges of Ukraine.

2. Persons subject to the declaration requirement and the time limits for submitting the Declaration:

- persons who have expressed their intention to participate in a selection procedure or competition for a judicial position shall submit the Declaration within the time limit established by the High Qualification Commission of Judges of Ukraine for the submission of the relevant documents;

- candidates for a judicial position who participate in a selection procedure or competition for a judicial position (for the purposes of completing and submitting the Declaration, this category also includes persons in respect of whom a decision has been adopted to recommend their appointment to a judicial position and/or a decision has been adopted to submit a motion for their appointment to a judicial position) shall submit the Declaration annually between 1 January and 30 April of the year following the reporting year;

- candidates for a position as a local court judge who are included in the reserve for filling vacant judicial positions shall submit the Declaration annually between 1 January and 30 April of the year following the reporting year.

3. A candidate for a judicial position may refrain from submitting the annual Declaration if, between 1 January and 30 April inclusive, that candidate has already submitted the Declaration as a person who expressed an intention to participate in a selection procedure or competition for a judicial position.

4. Where a candidate simultaneously participates in two or more selection procedures and/or competitions for a judicial position or is included in one or more reserves for filling vacant judicial positions, the candidate shall submit one Declaration annually between 1 January and 30 April of the year following the reporting year.

5. Once a candidate has completed participation in a selection procedure or competition and has been appointed to a judicial position (or the period of inclusion in the reserve has ended), the Declaration shall no longer be submitted.

6. A candidate for a judicial position who already holds judicial office shall not submit the annual Declaration of a candidate for a judicial position.

7. The Declaration shall be completed in the official language, in accordance with the conventions of formal written communication and without abbreviations, including abbreviations of last names, first names, patronymics, positions held and places of work (service), etc.

8. The declarant shall complete the Declaration truthfully, accurately and in full.

9. Unless there is evidence to the contrary, the information and affirmations provided by the declarant shall be deemed accurate.

10. When completing the Declaration, the year preceding the year in which the Declaration is submitted (the reporting year) shall be indicated in the "for the year" field.

11. The Declaration shall be completed in a manner that prevents the disclosure of restricted-

access information (information on whether family members or close persons belong to the personnel of the intelligence agencies of Ukraine and/or hold positions involving the direct performance of operational-search, counter-intelligence or intelligence activities, or the protection of public officials in accordance with the Law of Ukraine “On State Protection of State Authorities of Ukraine and Public Officials”).

For this purpose, it is recommended that “restricted-access information” be indicated, and the “Period of Service in the Position” field may be left blank.

12. The following amendments (clarifications, changes or additions) may be made to the Declaration:

- by a person who has expressed an intention to participate in a selection procedure or competition for a judicial position, before submitting (signing or forwarding) the documents required to participate in the relevant procedure;

- by a candidate for a judicial position, between 1 January and 30 April of the relevant year.

Such amendments shall be made by completing and submitting a new Declaration. The reasons for the amendments shall be stated in the “Space for Additional Information” field. In such a case, the most recently submitted Declaration shall be deemed valid.

13. In the “Space for Additional Information” field in Sections II and III of the Declaration, the declarant may clarify or explain any information provided in the relevant sections.

14. The provision by the declarant of inaccurate, including incomplete, information, failure to submit the Declaration, or intentional or grossly negligent late submission of the Declaration may result in the termination of the declarant’s further participation in the selection procedure or competition for a judicial position.

II. Information on the Declarant’s Family Ties

15. Information on family ties shall reflect the situation as of 31 December of the reporting year preceding the year in which the Declaration is submitted.

16. Information on family ties shall be provided for the last five years, comprising the reporting year and the four years preceding it.

17. Persons with whom the declarant has family ties include:

- (a) the declarant’s husband or wife, as well as the relatives of either spouse or the relatives of a person who cohabits with, but is not married to, the candidate for a judicial position (father, mother, stepfather, stepmother, son, daughter, stepson, stepdaughter, brother, sister, grandfather, grandmother, great-grandfather, great-grandmother, grandson, granddaughter, great-grandson, great-granddaughter, son-in-law, daughter-in-law, father-in-law, mother-in-law, husband’s father, husband’s mother, nephew, niece, biological uncle, biological aunt, male cousin, female cousin, adoptive parent or adopted child);

- (b) persons who cohabit with the declarant, share a household and have mutual rights and obligations with the declarant, except where such mutual rights and obligations are not of a family nature, including persons who cohabit with, but are not married to, the declarant.

18. Where a person falls within the list set out in subparagraph (a) of paragraph 17 of these Rules, the relationship shall be specified in the “Degree of Family Ties” field in Section II of the Declaration using the term provided in that subparagraph.

19. Where a person falls within the list set out in subparagraph (b) of paragraph 17 of these Rules, “close person” shall be entered in the “Type of Ties” field in Section II of the Declaration.

20. Where, during the reporting period, the declarant had family ties that had ceased for any reason by 31 December of the reporting year, including as a result of divorce or death, information shall be provided on the person with whom those ties existed and on that person’s relevant relatives.

21. For the purposes of completing the Declaration:

- son-in-law means the husband of a daughter or stepdaughter;

- daughter-in-law means the wife of a son or stepson.

22. The Declaration shall include information (last name, first name and patronymic; place of work or service; position held; and period in office) on persons who, as of 31 December of the reporting year and/or at any time during the five years preceding the year in which the Declaration is submitted (the reporting period), are or were:

(a) a member of the High Council of Justice; the Head, Deputy Head or a disciplinary inspector of the Disciplinary Inspectors Service of the High Council of Justice; or an employee of the Secretariat of the High Council of Justice;

(b) a member of the High Qualification Commission of Judges of Ukraine, or an employee or inspector of the Secretariat of the High Qualification Commission of Judges of Ukraine;

(c) a judge or an employee of a court administration;

(d) a judge of the Constitutional Court of Ukraine or an employee of the Secretariat of the Constitutional Court of Ukraine;

(e) a prosecutor, an officer of a law enforcement or law and order agency, an advocate or a notary;

(f) a member of the Public Integrity Council;

(g) a member of the Ethics Council, the Expert Council or the Advisory Group of Experts; a member of the Selection Commission conducting the selection of candidates for membership of the High Qualification Commission of Judges of Ukraine; or a member of the selection commission conducting the competition for the positions of Head, Deputy Head or disciplinary inspector of the Disciplinary Inspectors' Service of the High Council of Justice;

(h) an official of the State Judicial Administration of Ukraine or one of its territorial offices;

(i) the President of Ukraine;

(j) the Head or a Deputy Head of the Office of the President of Ukraine;

(k) the Secretary or a Deputy Secretary of the National Security and Defence Council of Ukraine;

(l) a Member of Parliament of Ukraine, a member of the Verkhovna Rada of the Autonomous Republic of Crimea or a member of a local council;

(m) a member of the Cabinet of Ministers of Ukraine; the head or deputy head of a central executive authority, including an authority with special status; or a member of the Council of Ministers of the Autonomous Republic of Crimea;

(n) the head or deputy head of the National Anti-Corruption Bureau of Ukraine or the National Agency on Corruption Prevention;

(o) the Ukrainian Parliament Commissioner for Human Rights;

(p) a member of the Accounting Chamber;

(q) a member of the Central Election Commission;

(r) a member of the Board or Council of the National Bank of Ukraine;

(s) a member of the Antimonopoly Committee of Ukraine or of a national commission regulating natural monopolies, including the National Commission for State Regulation of Communications and Informatisation; the National Commission for State Regulation of Electronic Communications, Radio-Frequency Spectrum and Postal Services; the National Commission for State Regulation of Financial Services Markets; or the National Securities and Stock Market Commission;

(t) the head or deputy head of a local state administration; (u) a city, village or settlement mayor, or a deputy mayor.

23. Where, during the reporting period, the last name, first name or patronymic of a person with whom the declarant has family ties changed, the current last name, first name or patronymic shall be stated in the Declaration and the previous one shall be indicated in brackets.

III. Declarant's Statements

24. Statements 1–6 in Section III of the Declaration shall cover the period from 1 January to 31 December of the year preceding the year in which the Declaration is submitted (the reporting year or reporting period).

25. Where the Declaration is submitted by a declarant who has not served as a judge during the last five years, Statements 4–5 in Section III shall be made with due regard to the rules of professional ethics that apply or applied to that declarant and to the rules of judicial professional ethics, compliance with which may reasonably be expected of a candidate for a judicial position from the time of admission to participate in a selection procedure or competition for a judicial position.

26. Statement 7 in Section III of the Declaration shall cover the period from 20 February 2014 to 31 December of the reporting year preceding the year in which the Declaration is submitted.

27. Statement 8 in Section III of the Declaration shall cover the entire period up to and including 31 December of the reporting year.

28. The statement “I have not committed any acts that resulted in disciplinary proceedings or disciplinary sanctions against me” concerns the fact of disciplinary liability and shall be answered “Do not confirm” where any type of disciplinary sanction was imposed on the declarant during the reporting period, irrespective of the outcome of its review or appeal.

If, at the time of submitting the Declaration, a disciplinary sanction imposed during the reporting period has been revoked or amended, this shall be indicated in the field “Space for Additional Information Regarding Section III of the Declaration”.