APPROVED
Decision of the High Qualification
Commission of Judges of Ukraine
January 22, 2025 № 20/zp-25

# REGULATION
# on the procedure and methodology of qualification evaluation, indicators of compliance with the qualification evaluation criteria and means of their establishment

*(As amended by the Commission's Decision № 99/zp-25 dated 30.04.2025*

*As amended by the Commission's Decision № 109/zp-25 dated 28.05.2025)*

This Regulation has been developed in accordance with the Law of Ukraine "On the Judiciary and the Status of Judges" (hereinafter – the Law) and defines the procedure and methodology for qualification evaluation of a judge in connection with the imposition of a disciplinary sanction or qualification evaluation of a candidate for the position of a judge within the framework of a competition for a vacant position of a judge in an appeal court, a high specialized court or the Supreme Court, as well as indicators of compliance with the qualification evaluation criteria and the means of their establishment.

## SECTION 1. General provisions

1.1. Qualification evaluation is a procedure established by law and this Regulation for determining by the High Qualification Commission of Judges of Ukraine the ability of a judge (judicial candidate) to administer justice in a relevant court based on the criteria of competence (professional, personal, social), integrity and professional ethics.

1.2. The purpose of the qualification evaluation is to determine the level of competence, integrity and professional ethics of a judge (candidate for the position of a judge).

1.3. The task of the qualification evaluation is to determine whether a judge (candidate for the position of judge) meets the requirements for the position of judge in terms of competence (professional, personal, social), integrity and professional ethics in accordance with certain indicators.

1.4. The basic principles of qualification evaluation are autonomy, prevention of conflicts of interest, objectivity, impartiality, transparency, publicity, and equality of conditions for judges (judicial candidates).

1.5. The qualification evaluation shall be conducted by the Commission in the composition determined by the Commission's decision.

1.6. The qualification evaluation includes the following stages:

1.6.1. Passing the qualification exam.

1.6.2. Dossier Study and Interview.

## SECTION 2. Indicators of compliance of a judge (judicial candidate) with the qualification evaluation criteria and means of their establishment

2.1. The compliance of a judge (judicial candidate) with the criterion of professional competence shall be evaluated (established) by the following indicators:

2.1.1. Cognitive abilities.

2.1.2. Knowledge of the history of Ukrainian statehood.

2.1.3. General knowledge in the field of law.

2.1.4. Knowledge of the court's specialization at the appropriate level.

2.1.5. Ability to apply knowledge in the field of law in a court of appropriate level and specialization.

2.2. The qualification evaluation based on the criterion of professional competence is carried out taking into account the principles of instantiation and specialization.

Indicators of a judge's (judicial candidate) compliance with the criterion of professional competence are evaluated on the basis of the results of the qualification exam.

2.3. The organizational and legal framework for preparing and conducting the qualification exam, the form and content of tests, practical assignments, and the methodology for evaluating the exam results are determined by the Regulation On the Procedure of Qualification Exam and Methodology for Evaluation of Candidates.

2.4. Compliance of a judge (judicial candidate) with the criterion of personal competence shall be evaluated (established) by the following indicators:

2.4.1. Determination and responsibility.

2.4.2. Continuous development.

2.5. Decisiveness is the ability of a judge (judicial candidate) to make timely and unapologetic decisions in a situation that is important to a person, even difficult and unpopular ones.

A judge (judicial candidate) meets the decisiveness indicator if he/she makes timely decisions, including complex and unpopular ones; does not postpone decisions even despite the difficulties; demonstrates an understanding of the urgency of decisions, making maximum efforts, including additional/overtime efforts, to make them in a timely manner instead of justifying the delay by external factors.

2.6. Responsibility is the ability of a judge (judicial candidate) to take responsibility for decisions and their consequences.

A judge (judicial candidate) meets the responsibility indicator if he or she is able to assess the consequences and make informed decisions; takes full personal responsibility for his or her decisions and their consequences; in case of obstacles and complications, does not seek to shift responsibility to others or to absolve himself or herself of responsibility by referring to external circumstances.

2.7. Continuous development is a conscious and consistent effort of a judge (judicial candidate) to develop professionally.

A judge (judicial candidate) meets the indicator of continuous development if he/she objectively assesses his/her strengths and areas of development; asks for and openly accepts feedback; learns from experience, including his/her own mistakes, and adjusts his/her approaches and behavior; has (at least verbally) formed a development plan, and sets priorities for his/her own development; regularly engages in self-development, including attending professional development events (trainings, education, professional conferences, etc.); takes and maintains an active position in the professional environment, including research and/or participation in legal projects, writing articles, columns or blogs on legal topics, etc.

2.8. Compliance of a judge (judicial candidate) with the criterion of social competence shall be assessed (established) by the following indicators:

2.8.1. Effective communication.

2.8.2. Effective interaction.

2.8.3. Sustainability of motivation.

2.8.4. Emotional stability.

2.9. Effective communication is the ability of a judge (judicial candidate) to effectively use communication as a tool to form a full understanding of the situation, establish mutual understanding and consensus in interaction with others.

A judge (judicial candidate) meets the indicator of effective communication if he or she is able to hear and understand the point of view of others; clearly and structuredly conveys his or her position; justifies his or her decisions with rational, holistic and consistent arguments; is able to defend his or her position and influence the opinion of others; speaks confidently and convincingly to the audience.

2.10. Effective interaction is the ability of a judge (judicial candidate) to build constructive relationships with colleagues and other representatives of the professional environment based on professional goals and values rather than personal interests.

A judge (judicial candidate) meets the indicator of effective interaction if he or she shows respect and makes conscious efforts to understand other points of view; does not provoke or allow interpersonal conflicts to arise; and is able to take effective measures to resolve workplace disputes.

2.11. Sustainability of motivation is a conscious motivation of a judge (judicial candidate) to continue performing professional duties of a judge within the law.

A judge (judicial candidate) meets the indicator of sustainability of motivation if he or she has and demonstrates a conscious (not situational) motivation to work as a judge; understands all the challenges and complexities of such work; can convincingly explain what motivates him or her to work as a judge (these factors coincide with the real working conditions within the legal field); has

a sustainable and conscious motivation to serve the public and build the rule of law.

2.12. Emotional stability is the ability of a judge (judicial candidate) to effectively manage his or her emotional states.

A judge (judicial candidate) meets the emotional stability indicator if he/she proves by examples his/her ability to show emotional stability in stressful situations and under psychological pressure; convincingly explains how to recover from stress and tension in professional activities and demonstrates during the interview the ability to maintain focus and emotional balance while answering questions from the Commission members, including complex and provocative ones (in particular, regarding wealth, income, integrity, etc.).

2.13. Compliance of a judge (candidate for the position of a judge) with the criteria of integrity and professional ethics shall be assessed (established) by the following indicators:

2.13.1. Independence.

2.13.2. Honesty.

2.13.3 Impartiality.

2.13.4. Good faith.

2.13.5. Probity.

2.13.6. Adherence to ethical standards and impeccable behavior in professional activities and personal life.

2.13.7. Legality of the sources of property origin, compliance of the standard of living of the judge (judicial candidate) or his/her family members with the declared income, compliance of the lifestyle of the judge (judicial candidate) with his/her status.

2.14. To evaluate the compliance of a judge (judicial candidate) with the criteria of integrity and professional ethics, the Commission shall take into account the Unified Indicators for Assessing Integrity and Professional Ethics of a Judge (Candidate for the Position of Judge) approved by the High Council of Justice.

2.15. The indicators defined in clauses 2.4, 2.8, 2.13 of this Regulation shall be evaluated on the basis of the results of the study of information contained in the judicial dossier (dossier of a judicial candidate) and the interview.

2.16. In order to determine whether a judge (judicial candidate) meets the criteria for qualification evaluation according to the indicators set forth in this Regulation, publicly available information may also be examined.

2.17. If information (data) concerning a judge (judicial candidate) becomes known during the interview, such information (data), if possible, shall be immediately attached to the judicial dossier (dossier of a judicial candidate) by the reporting member of the Commission and examined to determine whether the judge (judicial candidate) meets the qualification evaluation criteria.

## SECTION 3. Testing to check personal moral and psychological qualities

3.1 Testing for the purpose of verification of personal moral and psychological qualities shall be conducted if the Commission makes a relevant decision, in accordance with the procedure and methodology specified in this decision.

3.2. The decision to conduct such testing shall be made by the Commission in respect of all judges (judicial candidates) within the framework of the relevant qualification evaluation procedure.

3.3. The results of testing for personal moral and psychological qualities are used as one of the sources of information and are evaluated in conjunction with other collected information and materials. These results are confidential, are not made public and do not affect the number of points in the qualification evaluation of a judge (judicial candidate).

3.4. The results of tests to verify personal moral and psychological qualities shall be stored in the judicial dossier (dossier of a judicial candidate) in accordance with the procedure for the formation and maintenance of the judicial dossier (dossier of a judicial candidate).

3.5. The results of tests to verify personal moral and psychological qualities of a judge (judicial candidate) shall be valid for two years from the date of the Commission's decision on the results of the qualification evaluation and shall be taken into account in case of qualification evaluation during this period.

## SECTION 4. Application of other means of determining the indicators of compliance of a judge (judicial candidate) with the qualification evaluation criteria

4.1. Other means of determining the indicators of compliance of a judge (candidate for the position of judge) with the qualification evaluation criteria in accordance with Article 85 of the Law may be applied to persons in respect of whom the Commission has made a decision to conduct a qualification evaluation.

4.2. Other means of determining the indicators of compliance of a judge (candidate for the position of judge) with the qualification evaluation criteria are, in particular:

4.2.1. Examination of copies of individual court decisions, technical recordings of court proceedings, the court hearing log, or the court hearing protocol.

4.2.2. Regular evaluation of the judge.

4.2.3 Survey at the previous places of employment of the judge (judicial candidate).

4.2.4. Research of information:

4.2.4.1. On the participation of a judge (judicial candidate) in the work of government and self-government authorities.

4.2.4.2. On the results of the scientific activity of a judge (judicial candidate), including independent scientific research, practical application of his/her scientific achievements, and testing of results.

4.2.4.3. On the behavior of a candidate for the position of judge during representation in courts and other bodies.

4.3. Other means of determining the compliance of a judge (judicial candidate) with the qualification evaluation criteria are additional sources for determining the qualification evaluation indicators and may be used by the Commission or, on behalf of the Commission, by a member of the Commission who prepares a report based on the results of the study of the judicial dossier (dossier of a judicial candidate), or, on his/her behalf, by an inspector of the Commission.

4.4. Other means of determining whether a judge meets the qualification evaluation criteria include, in particular, the quality of preparation of the text of a court decision, the judge's compliance with the rules of court proceedings, judicial ethics, and the performance of other duties.

The Commission does not question the legality of the court decision, but takes into account the following aspects:

4.4.1. Logical structure and coherence of the text, accessibility of the decision for perception, presence of reasoning and justification.

4.4.2. Use clear language and a formal business style of speech.

4.4.3. Application of relevant sources of law.

4.5. Other means of determining the indicators of compliance of a judge (candidate for the position of judge) with the qualification evaluation criteria shall be applied taking into account the entire period of his/her professional activity.

## SECTION 5. Determination of the results of the qualification evaluation

5.1. The compliance of a judge (candidate for the position of a judge) with the qualification evaluation criteria shall be determined by the Commission members by assessing compliance with the defined indicators.

The evaluation of a judge's (candidate for the position of judge) compliance with the criteria of personal and social competence, integrity and professional ethics is carried out by the members of the Commission based on their internal conviction and using the means of their establishment.

5.2. Indicators of compliance of a judge (judicial candidate) with the qualification evaluation criteria shall be examined separately and in aggregate.

5.3. Quantitative indicators of the administration of justice (statistical data) are not decisive in the qualification evaluation process and should be examined with due regard for qualitative indicators (actual circumstances in which the judge or judicial candidate acted).

5.4. In determining the results of the qualification evaluation, the principle of autonomy applies, according to which the qualification evaluation may be conducted independently of other proceedings against a judge (judicial candidate),

and any opinion and/or evaluation of a national or international body regarding a judge (judicial candidate) is not pre-determinative and binding for consideration in evaluating the compliance of a judge (judicial candidate) with the qualification evaluation criteria. Such an opinion and/or evaluation may be taken into account when evaluating the compliance of a judge (judicial candidate) with the qualification evaluation criteria.

5.5. A judge (judicial candidate) shall be deemed to meet the indicator of compliance with the qualification evaluation criterion if he or she scores more than zero points for such indicator. If a judge (judicial candidate) does not meet one indicator, such judge (judicial candidate) does not meet the criterion. A judge (candidate for the position of a judge) shall be deemed to meet the criteria of social and personal competence criteria if they score at least 75 per cent of the maximum possible points for each of these criteria based on the results of their evaluation at the stage of "Dossier Study and Interview".

*(the third sentence of clause 5.5 of section 5 is set out in the wording of the Commission's decision No. 99/zp-25 dated 30.04.2025)*

5.6. Weight of criteria and indicators during the qualification evaluation:

5.6.1. Competence criteria:

5.6.1.1. Professional competence (according to the indicators obtained during the qualification exam) – 400 points, of which:

5.6.1.1.1. The level of cognitive abilities is 60 points.

5.6.1.1.2. The level of knowledge of the history of Ukrainian statehood is 40 points.

5.6.1.1.3. The level of general knowledge in the field of law is 50 points.

5.6.1.1.4. The level of knowledge of the court's specialization at the appropriate level is 100 points.

5.6.1.1.5. The level of ability to practically apply knowledge in the field of law in a court of the appropriate level and specialization is 150 points.

5.6.1.2. Personal competence – 50 points, of which:

5.6.1.2.1. Determination and responsibility – 25 points.

5.6.1.2.2. Continuous development – 25 points.

5.6.1.3. Social competence – 50 points, of which:

5.6.1.3.1. Effective communication – 12.5 points.

5.6.1.3.2. Effective interaction – 12.5 points.

5.6.1.3.3. Sustainability of motivation – 12.5 points.

5.6.1.3.4. Emotional stability – 12.5 points.

5.7. The evaluation of the criteria (indicators) of personal and social competence at the stage of "Dossier Study and Interview" shall be carried out by the Commission as part of the Chamber or the Panel by calculating the arithmetic mean score.

In the case of evaluating the criteria (indicators) of personal and social competence at the stage of "Dossier Study and Interview" by the Commission as part of the Panel, the calculation of the arithmetic mean score is based on the assessments of all members of the Panel.

In the case of evaluation of the criteria (indicators) of personal and social

competence at the stage of "Dossier Study and Interview" by the Commission as part of the Chamber, the calculation of the arithmetic mean score is based on the scores of the Chamber members who participated in the interview during the qualification evaluation, without taking into account the highest and the lowest score.

5.8. Criteria of integrity and professional ethics – 300 points.

5.9. The Commission shall be guided by the presumption that a judge (judicial candidate) meets the criteria of integrity and professional ethics. This presumption is rebuttable, and the level of such compliance is subject to clarification during the qualification evaluation of a judge (judicial candidate).

5.10. A judge (judicial candidate) does not meet the criteria of integrity and professional ethics in case of non-compliance or reasonable doubt about his/her compliance with at least one indicator specified in clause 2.13 of this Regulation. Such a judge (candidate for the position of a judge) shall cease to participate in the qualification evaluation and shall be recognized as having failed to confirm his/her ability to administer justice in the relevant court.

5.11. When evaluating the compliance of a judge (judicial candidate) with the qualification evaluation criteria, circumstances indicating the materiality of the violation of rules and/or norms shall be taken into account, in particular: the severity of the act and its consequences, the subjective side of the behavior, the historical context of the event, systematic nature, the recency of the violation, etc.

5.12. The number of points based on the results of the evaluation of a judge's (candidate for the position of judge) compliance with the criteria of integrity and professional ethics may be reduced by 15 points for each violation (one significant or several less significant) of the rules and/or norms.

A judge (judicial candidate) does not meet the criteria of integrity and professional ethics if the final number of points scored is less than 225.

5.13. The materiality of the violations is established by the Commission in a closed discussion and determined by voting. Each reduction of points shall be justified in the Commission's decision.

## SECTION 6. The procedure for conducting the qualification evaluation

6.1. The qualification evaluation is carried out on the basis of:

6.1.1. Application of a candidate for the position of a judge submitted for participation in the competition for a vacant position of a judge.

6.1.2. The Commission's decision regarding the imposition of a disciplinary sanction on the judge in accordance with paragraph 4 of part one of Article 109 of the Law.

6.2. A judge (judicial candidate) may submit an application to the Commission for qualification evaluation no earlier than one year after the Commission's decision based on the results of the last qualification evaluation, except in cases where the judge (or judicial candidate) submits an application for evaluation to fill a vacant judicial position in a court of a different instance or specialization.

6.3. The procedure for submitting an application for qualification evaluation for participation in the competition for a vacant judicial position shall be

determined by the Regulation on Holding Competition to Fill a Vacant Judicial Position and the terms and conditions of the competition.

6.4. Within three months from the date of receipt of the relevant written application, the Commission shall decide on the appointment of a qualification evaluation, except in the case of a qualification evaluation due to the imposition of a disciplinary sanction.

6.5. The order and terms of the qualification evaluation stages is determined by the Commission's decision. Unless otherwise decided, the first stage of the qualification evaluation is the qualification exam.

*(clause 6.5 of section 6 as amended by the Commission's decision No. 109/zp-25 dated 28.05.2025)*

6.6. If the Commission decides to change the order of the qualification evaluation stages, the procedure for admission to the next stage and the application of the minimum allowable points shall be determined by the said decision.

6.7. Based on the results of one stage of the qualification evaluation, the Commission shall decide on the admission of a judge (candidate for the position of a judge) to another stage of the qualification evaluation.

6.8. The Commission shall decide to refuse admission to the qualification evaluation if:

6.8.1. The person does not meet the requirements established by law for a candidate for the position of a judge of the relevant court.

6.8.2. The application of a judicial candidate and the documents submitted by him/her do not comply with the list and requirements established by the law and decisions of the Commission.

6.8.3. A candidate for the position of a judge has violated the deadline and procedure for applying for a qualification evaluation to participate in a competition for a vacant position of a judge.

6.8.4. The candidate for the position of a judge has applied to the Commission with a relevant application earlier than one year from the date of the Commission's decision on the results of his/her last qualification evaluation, except in cases of submitting an application for evaluation for participation in a competition for a vacant position of a judge in a court of another instance or another specialization.

6.9. The application for qualification evaluation shall be left without consideration if the judge (judicial candidate) has filed an application to leave his/her application without consideration.

6.10. Information on the qualification evaluation shall be posted on the official website of the Commission.

6.11. The Commission shall notify the judge (judicial candidate) of the time and place of the qualification evaluation no later than ten days before the date of the qualification evaluation by posting the relevant information on its official website. The notification of the time and place of the interview may be sent to the address (postal or electronic) specified in the application or to the place of work of the judge (judicial candidate).

6.12. The organization and holding of the meeting of the Commission on the qualification evaluation issue shall be carried out in accordance with the procedure established by the Law and the Rules of Procedure of the High Qualification Commission of Judges of Ukraine.

6.13. The course of the qualification evaluation, including the qualification exam and the interview, shall be recorded using video and audio recording equipment.

6.14. Audio recordings of the meetings shall be an integral part of the minutes of the meetings.

6.15. The qualification evaluation shall be conducted via live video broadcast, taking into account the requirements and restrictions set forth in clause 8, paragraph 3, Section I of the Rules of Procedure of the High Qualification Commission of Judges of Ukraine.

6.16. After determining the results of the qualification evaluation stage, the Commission shall decide on the admission to the next stage and notify the judge (judicial candidate) thereof by posting the relevant information on its official website.

6.17. Personal attendance of a judge (judicial candidate) during the qualification evaluation is mandatory.

6.18. Failure of a judicial candidate to appear for the qualification evaluation to participate in the competition for a vacant judicial position shall not prevent the competition and shall be grounds for termination of the qualification evaluation.

6.19. The examination of a judge's (judicial candidate's) dossier (hereinafter referred to as the dossier) involves the systematization, analysis, collection, and clarification of the dossier data for the purpose of preliminary assessment of the judge's (judicial candidate's) compliance with the qualification evaluation criteria.

6.20. The dossier shall be examined by a member of the Commission appointed to prepare for consideration and report on the case of qualification evaluation of a judge (candidate for the position of a judge) (hereinafter referred to as the rapporteur).

6.21. The interview involves discussing the results of the dossier examination and consists of the following stages:

6.21.1. Announcement of the report.

6.21.2. Providing the judge (judicial candidate) with an opportunity to supplement, clarify or refute the information contained in the report.

6.21.3. Consistent discussion of the indicators with the judge (judicial candidate) in order to make a final decision on confirmation or non-confirmation of the judge's (judicial candidate's) ability to administer justice in the relevant court.

6.22. The interview shall be held at the meeting of the Commission in the composition determined by the decision of the Commission.

6.23. The discussion shall be conducted by questioning the judge (judicial candidate) by the rapporteur and members of the Commission and providing answers and explanations by the judge (judicial candidate).

6.24. During the interview, the judge (judicial candidate) shall be required to discuss his/her compliance with the criteria of professional ethics and integrity.

6.25. Before the interview is conducted, the judge (or judicial candidate) has the right to:

6.25.1. Get acquainted with the materials of the dossier.

6.25.2. Provide documents (certified copies of documents) or other information that supplements, refutes or clarifies the data contained in the dossier.

6.25.3. Provide explanations, including in writing.

6.26. Written explanations shall be provided by the judge (judicial candidate) within five working days from the date of familiarization with the dossier materials, but not later than one working day before the date of the interview. Oral explanations shall be provided by the judge during the interview.

6.27. During the interview, a judge (judicial candidate) undergoing the qualification evaluation shall have the right to provide explanations on issues related to the qualification exam and information and documents contained in his/her dossier, as well as to provide comments, documents and information on the sections of the dossier.

6.28. The Commission members have the right to ask the judge (judicial candidate) questions about the indicators announced during the report, to familiarize themselves with the dossier, to ask questions to the speaker, and to raise issues before the Commission that have arisen during the review of the dossier.

6.29. If necessary, the interview may be adjourned.

6.30. If there is a need to obtain information and copies of documents and materials (including restricted access) concerning the judge (judicial candidate), his/her family members, close relatives or persons with whom the judge (judicial candidate) has family ties, the break may be extended until the Commission's requests are answered.

6.31. A break in the interview within the framework of the qualification evaluation for participation in the competition for a vacant judicial position shall not prevent the determination of the results of the competition and shall not last more than 14 calendar days.

6.32. The qualification evaluation may be suspended by the decision of the Commission in cases provided for in Articles 84 and 86 of the Law.

6.33. The qualification evaluation of a judge (judicial candidate) shall be suspended if the body conducting disciplinary proceedings against the judge decides to impose a disciplinary sanction in the form of a motion to dismiss the judge from office.

6.34. If the qualification evaluation of a candidate for a judicial position is suspended pursuant to Article 84 of the Law, his/her participation in the competition shall be terminated.

6.35. Any interested persons, as well as representatives of the judicial self-government body and/or representatives of the Public Integrity Council may be present during the interview as observers.

6.36. Representatives of the Public Integrity Council shall participate in the interview in accordance with the procedure established by the Rules of Procedure of the High Qualification Commission of Judges of Ukraine.

6.37. The interested person is obliged to notify the Commission in writing of his/her intention to attend the relevant stage of the qualification evaluation no later than ten days before the date of the relevant stage of the qualification evaluation, provide contact details for agreement with the Commission on the observation procedure.

6.38. Media representatives are not interested parties in the qualification evaluation procedure and must be accredited in accordance with the procedure determined by the Commission.

6.39. The procedure for the presence of interested persons at the place of qualification evaluation shall be determined by the Commission.

6.40. Based on the results of the first stage of the qualification evaluation, the Commission shall make one of the following decisions:

6.40.1. Decision on admission to the second stage of the qualification evaluation.

6.40.2. Decision to refuse admission to the second stage of the qualification evaluation and not to confirm the ability to administer justice in the relevant court.

A judge (judicial candidate) who is denied admission to the second stage of the qualification evaluation shall be deemed to have ceased to participate in the competition and/or qualification evaluation.

6.41. Based on the results of the qualification evaluation, the Commission makes one of the following decisions:

6.41.1. A decision regarding the confirmation of a judge's (or judicial candidate's) ability to administer justice in the relevant court.

6.41.2. A decision regarding the non-confirmation of a judge's (or judicial candidate's) ability to administer justice in the relevant court.

6.42. The decision of the Commission regarding non-confirmation of the ability of a candidate to administer justice in the relevant court shall be grounds for termination of his/her further participation in the competition for a vacant judicial position.

6.43. The Commission's decision based on the results of the qualification evaluation shall consist of an introductory, descriptive, reasoning and resolution parts.

6.44. The introductory part shall state:

6.44.1. Date and place of adoption of the decision, its number.

*(sub-clause 6.44.1 of clause 6.44 of section 6 as amended according to the decision of the Commission No. 109/zp-25 dated 28.05.2025)*

6.44.2. Full name and surname of the members of the Commission who participated in the decision-making.

6.44.3. Surname, first name, patronymic of the judge (judicial candidate) who was evaluated.

6.44.4. Name of the court in which the judge administers justice (in case of qualification evaluation due to the imposition of a disciplinary sanction on the

judge).

6.44.5. Name and surname of the member of the Public Integrity Council participating in the meeting.

6.45. The descriptive part of the decision shall state:

6.45.1. Grounds for the appointment of a qualification evaluation.

6.45.2. Brief description of its conduct.

6.46. The reasoning part of the decision shall indicate the points received by the judge (judicial candidate) based on the results of the evaluation of the relevant criteria, information on the compliance of the judge (judicial candidate) with the criteria of competence, integrity and professional ethics, information on the total number of points based on the results of the qualification evaluation, references to the grounds for its adoption, defined by the Law, or the reasons for which the Commission reached such conclusions. If there is a conclusion (information) of the Public Integrity Council on the non-compliance of a judge (judicial candidate) with the criteria of professional ethics and integrity, the reasoning part shall also indicate the reasons for accepting or rejecting the arguments set forth in it.

6.47. The resolution part of the decision must contain a conclusion on whether the judge (judicial candidate) has confirmed his/her ability to administer justice in the relevant court, as well as the number of points scored by the judge (judicial candidate) based on the results of the qualification evaluation procedure.

6.48. The introductory and resolution parts of the Commission's decision shall be announced at the Commission's meeting immediately after its adoption.

6.49. A copy of the Commission's decision based on the results of the qualification evaluation shall be provided to the judge (judicial candidate) upon his/her request.

6.50. The Commission's decision based on the results of the qualification evaluation may be appealed on the grounds and in the manner prescribed by law.

6.51. The results of the qualification evaluation of a candidate for a judicial position who has confirmed his/her ability to administer justice in the relevant court shall be used to determine the ranking of the participants in the competition for a vacant judicial position.

6.52. The results of the qualification evaluation of a judge who has confirmed his/her ability to administer justice in the relevant court, by decision of the body conducting the disciplinary proceedings, are valid only within the framework of such procedure and are not used to determine the rating of participants in the competition for a vacant position of a judge.

6.53. In order to assist the Commission in establishing suitability of a judge (judicial candidate) for the criteria of professional ethics and integrity for the purposes of qualification evaluation, the Public Integrity Council shall be established in accordance with the Law.

6.54. Consideration by the Commission of information about a judge (judicial candidate), conclusion on non-suitability of a judge (judicial candidate) for the criteria of professional ethics and integrity provided by the Public Integrity Council shall be carried out in accordance with the procedure established by the Rules of Procedure of the High Qualification Commission of Judges of Ukraine.

## SECTION 7. Peculiarities of qualification evaluation in connection with the imposition of a disciplinary sanction

7.1. The qualification evaluation of a judge in connection with the imposition of a disciplinary sanction shall be conducted in case of imposition of a disciplinary sanction against a judge as provided for in paragraph 4 of part one of Article 109 of the Law.

7.2. The organization and conduct of qualification evaluation of a judge in connection with the imposition of a disciplinary sanction shall be carried out in accordance with the rules established by this Regulation, taking into account the peculiarities provided for in this section.

7.3. The purpose of the qualification evaluation in connection with the imposition of a disciplinary sanction is to confirm the judge's ability to administer justice in the relevant court after completing a refresher course at the National School of Judges of Ukraine, as determined by the body conducting disciplinary proceedings against judges.

7.4. The basis for the appointment of a qualification evaluation in connection with the imposition of a disciplinary sanction is the decision of the body conducting disciplinary proceedings against judges.

7.5. A certified copy of the decision of the body conducting disciplinary proceedings against judges shall be sent to the Commission within one month from the date of its adoption.

7.6. The qualification evaluation of judges in connection with the imposition of a disciplinary sanction shall be conducted in accordance with the specialization of the court, in which the judge's ability to administer justice is being verified.

7.7. The qualification evaluation of judges of local and appeal general courts may be conducted taking into account their chosen specialization.

7.8. After receiving a copy of the decision, the Commission sends a request to the court where the judge works to provide information and supporting documents on the judge's specialization.

7.9. If the court fails to provide the requested information or the judge of a local or appeal general court fails to inform the Commission about the chosen specialization within 10 working days from the date of receipt of the Commission's request, the specialization for the qualification evaluation shall be determined by the Commission in accordance with the information in the judge's dossier.

7.10. The National School of Judges of Ukraine shall submit a report to the Commission within ten days from the date of completion of the judge's advanced training course.

7.11. Judges subject to disciplinary sanctions must submit an application and a questionnaire no later than 10 working days from the date of completion of the advanced training course determined by the body that conducted the disciplinary proceedings via the official website of the Commission (ksk.vkksu.gov.ua) by

filling out the relevant forms, as well as provide information on the grounds for reversal and amendment of court decisions over the past five years of the judge's administration of justice in accordance with Annexes 1 and 2 (scanned copies of the completed forms are uploaded).

7.12. Failure of a judge to appear for the qualification evaluation within the time limits set by the Commission without valid reasons shall be grounds for a decision not to confirm the judge's ability to administer justice in the relevant court.

7.13. Valid reasons for a judge's failure to appear for the qualification evaluation are circumstances that do not depend on the judge's will and that prevent the judge from participating in the qualification evaluation, which is confirmed by relevant documents. The validity of the reason for the judge's failure to appear shall be established by a reasoned decision of the Commission.

7.14. A judge shall immediately notify the Commission in writing of the reasons for his/her failure to appear, and if this was not possible, within five business days after he/she resumes work or ceases to have circumstances that caused the failure to appear for the qualification evaluation, and submit a written application to the Commission to set the timeframe for the qualification evaluation.

7.15. Failure to confirm a judge's ability to administer justice in the relevant court, in particular due to failure to appear for the qualification evaluation without valid reasons, constitutes grounds for sending the relevant decision of the Commission to the High Council of Justice to decide on the application of disciplinary sanctions against the judge provided for in part nine of Article 109 of the Law.

7.16. The result of the Commission's decision to confirm the judge's ability to administer justice in the relevant court after the disciplinary sanction has been imposed on him/her in accordance with the procedure provided for in paragraph 4 of part one of Article 109 of the Law is the repayment of the disciplinary sanction. The decision of the Commission not to confirm the judge's ability to administer justice in the relevant court shall be sent to the High Council of Justice.

## SECTION 8. Transitional provisions

8.1. The procedures of the initial qualification evaluation initiated before September 30, 2016, shall be completed in accordance with the Procedure and Methodology for Qualification Evaluation of Judges approved by the Commission's decision № 67/zp-15 dated October 21, 2015 and approved by the decision of the Council of Judges of Ukraine dated December 11, 2015 № 14, Regulation on the Examination and Methodology for its Evaluation during the Qualification Evaluation of Judges, approved by the Commission's decision of October 26, 2015 № 70/zp-15 and approved by the Council of Judges of Ukraine on December 11, 2015 № 15.

8.2. The qualification evaluation procedures to confirm the suitability of a judge for the position are completed in accordance with the Regulation on the

Procedure and Methodology of Qualification Evaluation, Indicators of Compliance with the Qualification Evaluation Criteria and Means of Their Establishment, approved by the Commission's decision of November 03, 2016 № 143/zp-16 (as amended by the Commission's decision of February 13, 2018 № 20/zp-18, as amended), and the Regulation on Administering the Exam and Methodology for Establishing its Results under Qualification Evaluation Procedure, approved by the Commission's decision of November 04, 2016 №. 144/zp-16 (as amended by the Commission's decision of February 13, 2018 №. 20/zp-18, as amended).

8.3. Procedures for the qualification evaluation of a judge to confirm his/her ability to administer justice in the relevant court in connection with the a disciplinary sanction, imposed before the entry into force of the Law of Ukraine "On Amendments to the Law of Ukraine "On the Judiciary and the Status of Judges" and certain legislative acts of Ukraine on improving the procedures for judicial career" in the form provided for in paragraph 4 of part one of Article 109 of the Law of Ukraine "On the Judiciary and the Status of Judges" shall be completed in accordance with the Regulation on the procedure and methodology of qualification evaluation, indicators of compliance with the qualification evaluation criteria and means of their establishment, approved by the decision of the Commission dated November 03, 2016 №. 143/zp-16 (as amended by the decision of the Commission dated February 13, 2018 №. 20/zp-18, with changes), and the Regulation on Administering the Exam and Methodology for Establishing its Results under Qualification Evaluation Procedure , approved by the decision of the Commission dated November 04,2016 №. 144/zp-16 (as amended by the decision of the Commission dated February 13, 2018 №. 20/zp-18, with changes).

*Non-official translation*

Annex 1

To the Regulation on the Procedure and Methodology of Qualification Evaluation, Indicators of Compliance with Qualification Evaluation Criteria and Means of Their Establishment

Information on the grounds for reversal of court decisions,
made by a judge _____(name of the court, name of the judge)
for the last five years of administration of justice

| No. s/n | Name of the parties, essence of the case | Local court decision (case number, date of court decision, outcome of the case) | Court of Appeal decision (case number, date of the court decision, outcome of the case, if any - grounds for reversal of the court decision) | Decision of the Supreme Court (Supreme Court of Ukraine, higher specialized court) (number of proceedings, date of the court decision, outcome of the case, if any - grounds for reversal of the court decision) | Note (on the results of the case consideration by the European Court of Human Rights) |
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Judge _____ _____
(signature) (initials, surname)

*Non-official translation*

Annex 2
To the Regulation on the Procedure and Methodology of Qualification Evaluation, Indicators of Compliance with Qualification Evaluation Criteria and Means of Their Establishment

Information on the grounds for changing court decisions,
made by a judge _____(name of the court, name of the judge)
for the last five years of administration of justice

| No. s/n | Name of the parties, essence of the case | Local court decision (case number, date of court decision, outcome of the case) | Court of Appeal decision (case number, date of the court decision, outcome of the case, if any - grounds for changing the court decision) | Decision of the Supreme Court (Supreme Court of Ukraine, higher specialized court) (number of proceedings, date of the court decision, outcome of the case, if any - grounds for changing the court decision) | Note (on the results of the case consideration by the European Court of Human Rights) |
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Judge _____ _____
(signature) (initials, surname)