

Attempt to destroy the High Anti-Corruption Court: what you should know about connection between the judge of the CCU and disgraced KDAC Anti-corruption reform

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Ukraine is under threat while judges of the Constitutional Court of Ukraine and other subjects of the NABU cases, whom the Court granted an indulgence, celebrate the collapse of cases against them.

For the fourth week in a row, Ukraine has been in constitutional crisis due to the [decision](#) of the Constitutional Court regarding demolition of the NACP, e-declaration system, and undermining the entire anti-corruption infrastructure.

Many reforms critical for the country remain under the CCU's focus today: the Deposit Guarantee Fund, the land market, illicit enrichment, civil confiscation of unjustified assets, the law on language, and the High Anti-Corruption Court.

Judges of the CCU do not even hide that they serve their own interests. They started the attack on e-declaration as soon as the NACP found problems in declarations of judges of the CCU.

If they destroy the HACC, judges will retain the right of permissiveness for themselves. This is not the first time because the biggest part of the decision on e-declaration system concerns declarations of judges and their alleged need for a special declaring procedure.

Moreover, according to the NACP, some judges of the CCU were in conflict of interest as they were investigated either in already initiated criminal cases regarding lies in the declaration (which had been demolished) or had other violations.

For instance, false information was found in declaration of the judge Iryna Zavgorodnya, namely concerning 615,000 UAH in 2018 and 754,000 UAH in 2019. The head of the CCU Oleksandr Tupytskyi has not declared purchase of the land plot in Crimea, there is other property missing in his declaration.

Prior to this decision, the local court had to consider protocols on violation of rules of e-declaration against Volodymyr Moysyk and Igor Slidenko, the latter was the rapporteur in the case and wrote this shameful decision.

We should note that the HACC adopted five verdicts under article 366-1. Three of them concerned judges. Due to the decision of the CCU all these decisions can be revoked under so-called exceptional circumstances. However, it is obvious from these decisions that the HACC does not consider cases on the basis of "friend or foe" principle, which judges of the CCU may not like.

Let's go back to Volodymyr Moysyk, because this judge of the CCU is the rapporteur in the case on the constitutionality of the HACC.

On November 9, Holosiyivskyi District Court of Kyiv closed the case regarding Moysyk, against whom the NACP drew up the report for untimely declaration. The reason was the well-known decision of the CCU which Moysyk had signed.

Closure of the case was expected however another thing is interesting in this story, namely Moysyk's lawyer. The CCU's judge chose Rostyslav Kravets as his defender. The same Kravets who according to detectives of the National Anti-Corruption Bureau systematically plays into hands of the criminal group of judges of Kyiv District Administrative Court.

At the end of July 2019, there [were](#) searches in KDAC building. At the same time, representatives of the PGO and the NABU released [first batch of audio recordings of conversations between judges, namely the head Pavlo Vovk](#), and Yevgen Ablov and Igor Pogribnichenko.

They revealed that artificial conditions were created under leadership of Vovk to interfere in the work of then High Qualification Commission of Judges of Ukraine (HQCJ). Judges developed the scheme for adoption of knowingly unjust decisions with the participation of controlled lawyers. Rostyslav Kravets became such a lawyer. They tried to prevent scheduled evaluation of KDAC judges by the HQCJ. Apparently, they feared dismissal according to results of evaluation.

To do this, from beginning of 2019 KDAC would receive numerous appeals organized by Vovk against members of the HQCJ. The lawyer Rostyslav Kravets, who is also defending the judge of the CCU Moysyk, has filed such appeals. The NABU [announced](#) suspicion to Kravets together with [KDAC judges](#). Kravets himself actively criticizes the HACC and its judges on his [social networks](#).

On the day of announcement of suspicions, [the NABU published new episodes of conversations between Vovk](#) and other KDAC judges. Published recordings show how judges created their own order in the HCJ, the HQJC and the State Judicial Administration, discussed legalization of illegal assets, interfered in the work of the NACP, and so on.

Moreover, KDAC had an influence on the Constitutional Court. According to the NABU, the head of KDAC was connected to the several important cases which the Constitutional Court had been considering before and worked on "correct" result. Vovk hinted at his involvement in the case of unconstitutionality of illicit enrichment of civil servants. This decision was made by the CCU in early 2019 and was supported by the judge Moysyk, who used services of "handy" lawyer Kravets.

Vast majority of signatories of the [appeal](#) on unconstitutionality of the High Anti-Corruption Court are Members of Parliament from Opposition Platform For Life. One of those MPs is Antonina Slavytska from the pro-Russian party. She is also the subject of the NABU tape-recordings about scandalous KDAC head Pavlo Vovk as his trustee. That means that in fact she is potential subject in this case. However, the CCU has already cancelled norms regarding the conflict of interest, following the initiative of the Opposition Platform For Life.

There are lots of reasons why these people need to destroy the Anti-Corruption Court. For Vovk's group this is demonstration of its influence and annulment of decisions of investigating judges of the Anti-Corruption Court in its cases. For the Opposition Platform For Life this is another blow into co-operation with the West and annulment of decisions of the Anti-Corruption Court in cases concerning Members of Parliament and financiers of the faction. For instance, Kozak, Boyko or Surkis brothers. All of them are [beneficiaries of schemes that are being investigated by the NABU](#). And investigative actions are authorized by the HACC.

While judges of the CCU and other subjects of the NABU cases, to whom the CCU granted indulgence, are celebrating the collapse of cases against themselves, the country is still under threat.

Today, the Verkhovna Rada has [left](#) the country alone with this enemy by refusing to resolve the crisis. The Constitutional Court is the time bomb that can explode again at any moment. Without blocking its work, the country is simply waiting for the next kick which will definitely happen.