

# Selection of SAPO head stopped as the OP is not satisfied with leader of the competition

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After integrity interviews the competition for position of head of the SAPO was stopped again. The whole week has passed since the completion of integrity examination phase, and the Competition Commission has not met to determine dates and details of next stages. The key reason for the pause is that the Presidential Office is clearly not satisfied with the leader of the rating, namely detective of the NABU Oleksander Klymenko, who led investigation regarding Oleg Tatarov.

After all, only two candidates passed to next stages: Klymenko and prosecutor of the Prosecutor General's Office Andriy Synyuk. The process itself is already discredited. The parliamentary quota of the Commission expelled worthy independent candidates and brazenly tried to nominate pro-government ones (for instance, Kostin from the party "Servant of the People", who clearly did not comply with the principle of political neutrality), while international experts didn't allow those to whom there were questions regarding integrity.

The point is that according to approved procedure, the candidate who has the highest number of points in the overall ranking wins in future, while the other becomes his deputy. Today, Klymenko has 212 points and he is the leader with the large gap, Synyuk has 195 points. In next stages the Commission will no longer vote for candidates, but will set points for the written task and for the interview. The maximum number of points that each candidate can score at these stages is 55.

**There are several scenarios of the way out of this situation for the Office. Namely:**

- 1) Agree with Synyuk, get loyalty guarantees from him and pull him to the leading position through manipulations with points (deliberate overestimation to one candidate and underestimation of another candidate), and clench teeth and admit Klymenko to the position of deputy (who has no real authority);
- 2) Disrupt the process with the help of scandalous KDAC.

Leadership and the number of judges of "Vovk's" KDAC are now under investigation by the NABU and the SAPO due to the article on seizure of power. So, they will only be happy to do a favor to current government. The price of such service will be delaying the liquidation of court. The corresponding appeal of one of candidates for the position of head of the SAPO in KDAC already exists.

Last week, KDAC refused to consider the case in the general proceeding. This means that there will be no public meetings in the case, so the judge Ogurtsov, who is close to the chairman of the court Vovk, will decide the fate of competition without open consideration in his own office.

**What KDAC can do at the request of the Presidential Office:**

- 1) to cancel the procedure for holding the competition, and most importantly, voting principle approved by the Commission, according to which decisions are made with the obligatory support of five members of the Commission from the Parliament and two from the Council of Prosecutors (namely, international experts). This option will actually cancel the current process and restart the competition without taking into account

the position of international partners.

2) to return to the last stage of the competition pro-government candidates who did not pass the stage of integrity. For instance, Yermak's person, the head of the committee of the Rada Andriy Kostin or the head of Lviv Regional Prosecutor's Office Anton Voytenko.

This is the reason for delaying the competition now. In case of uncertainty in Synyuk's loyalty, the Office will take time to receive decision of KDAC with the help of the parliamentary quota.

It is unknown what Zelenskyi expected during his trip to the United States. After all, the competition to the SAPO is something that international partners are watching first of all. This is indicator and test of the government's desire to build independent institutions.

Let me just remind you that earlier the President Biden responded very clearly to Ukraine's desire regarding membership in the NATO. "It depends on whether it meets the criteria. They still have to get rid of corruption and meet other criteria to get Membership Action Plan."

Manipulation with points in the competition, as well as decision of still not liquidated KDAC will only weaken negotiating positions of the President. Because such obvious problems with the Competition are another confirmation of inability of current government to take transparent and decisive steps in the fight against corruption.

When you understand consequences of manipulations of Zelenskyi's historic trip to Washington, the Office may want to move falsifications to the fall in order not to exacerbate. But it will actually also be very clear signal that the Office, in spite of everything, has chosen the scenario of pulling the "manual" head.

For the country this will mean another 5 years of another "Kholodnytskyi" and dumping of top-level corruption cases.