



SOME REFLECTIONS ON INDEPENDENCE, IRREMOVABILITY AND SEPARATION OF THE BRANCHES OF STATE POWERS, IN THE LIGHT OF THE RECENT UKRAINIAN JUDICIAL REFORM

Moving from the analysis of the recent reform of the Ukrainian judicial system, the author gives an international overview of the principles of independence of the judiciary, irremovability of judges and separation of the branches of State powers, analysing the impact of the reform on the execution of judgments of the European Court of Human Rights regarding Ukraine. In particular, new structure of the self-governing bodies of the judiciary, changes in the disciplinary proceedings concerning judges, halving of the Supreme Court's judges and reduction of their salaries are examined, in addition to the withdrawn "lustration" system and the averted abrogation of the right of the high self-governing body of producing consultative opinions on legislation. The author highlights that the safeguard of the aforementioned principles represents, in a conventional perspective, not only the guarantee of protection of the individual judge in the guise of applicant before the Court, or of the judiciary as a whole, but also and above all the guarantee of protection of the fundamental right, awarded to everyone by Art. 6 of the Convention, to be trialed before an independent and impartial judge.