



## Peculiarities of insight of the European charter on the status of judges in the context of protecting their labor rights

**M. Dei**

**ORCID 0000-0002-0626-8089**

*University of educational management National Academy of Educational Sciences of Ukraine*

**A. Kochkova**

**ORCID 0000-0003-4939-9692**

*Varna Free University "Chernorizets Hrabar", Bulgaria*

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University's education and  
law department University of  
educational management  
National Academy of  
Educational Sciences of  
Ukraine (Ukraine)

deimaryna1980@gmail.com

+380677685264

Varna Free University  
"Chernorizets Hrabar",  
Bulgaria

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The paper is devoted to questions of legal regulation of the peculiarities of insight the principles of the European Charter on the Status of Judges in the context of their labor rights in accordance with the legislation of Ukraine. It is clear that the development of the rule-of-law state, the protection of human rights and the rule of law are impossible without the effective functioning of the legal system, where one of the components of the judicial system. That is why the relevant legal system must realize the decree where a person is of the highest social value, despite the fact that those who administer justice also need proper protection. That is, it should be noted that the rights of judges as employees, taking into account the specifics of their work and status, should also be protected by the state. In joining the European community of international law, special attention should be paid to certain international standards concerning regulating relevant issues, where the European Charter on the Status of Judges of 1998, adopted within the Council of Europe, which in its turn is declarative, places particular emphasis. This document concerns, for example, issues such as appointment, status of judges, career development, responsibility, termination of judge's powers, etc. The characteristic of this document in the context of the subject under study is that most of the decree is devoted precisely to the labor rights of judges. Obviously, such decrees have become a progressive push for appropriate changes to the laws of the member states of the Council of Europe, where Ukraine did not become an exception, especially in the context of reforming the judicial system.

*Key words: judicial system; status of judges; right to work; labor rights; protection of labor rights; European Charter on the status of judges.*

## Introduction

The judicial system plays a significant role in the life of each rule-of-law state, in particular, the court as a state authority acts as the legal regulator of conflicts and the guarantor of the basic rights and freedoms of a citizen, which are guaranteed by the Main Law of any state. French scholar S. Montesquieu in the XVIII century emphasized the need for the division of state power into three independent branches, which are not controlled by one another, which are independent - legislative, executive and judicial. Despite the fact that so much time has passed since then, such a division has been a matter of urgency nowadays, especially in the context of building a rule-of-law and democratic state. Even the United Nations, in accordance with UN General Assembly Resolution 40/32 of 1985, called for states to focus on the quality of judicial proceedings. In accordance with this Resolution, the Basic Principles of Independence of the Judiciary of 1985 (the "Principles of 1985") were adopted. Accordingly, members of the judiciary, like other citizens, enjoy freedom of speech, religion, association and assembly; However, guided by such rights, judges must always behave in such a way as to ensure respect for their position and maintain the impartiality and independence of the judiciary. Judges have the freedom to organize associations of judges or other organizations and join them to protect their interests, improve their professional training and maintain their judicial independence. The 1985 principles also establish the right of judges to respond and fair investigations in case of a complaint or accusation against them.

The functioning of an effective judicial system is also important for Ukraine, since the question of the formation of a law-governed state emerged from independence, which was duly enshrined in the first article of the Constitution of Ukraine in 1996, which proclaims that Ukraine is a sovereign and independent, democratic, social and law-governed state. In the context of the urgency of the issue of the protection of labor rights of a judge, attention should be paid to such issues as, for example, the illegal dismissal of a judge. Confirmation of this, for example, is the case in the European Court of Human Rights (ECHR) *Oleksandr Volkov v. Ukraine* (2013), *Kulikov and others v. Ukraine* (Engl.: *Case Of Oleksandr Volkov v. Ukraine*) from 2013, *Kulikov and others v. Ukraine*) from 2017, who belong to this category of violated rights. These cases are indicative, since in both cases the ECtHR ruled in favor of the plaintiffs, and indeed confirmed the fact that their dismissal was in violation of the law. Even with the adoption in 1992 of the Concept of Judicial Reform in Ukraine, adopted by the Verkhovna Rada of Ukraine, a separate section on the status of judges (IV Status of Judges), one of the first decrees was concerning the immutability of judges. This principle is the main guarantee of eliminating the facts of illegal dismissals and displacements of judges. That is why, taking into consideration such examples, labor rights of judges need special protection. For example, the Recommendation of the Committee of Ministers of the Council of Europe No. R (94) 12 of 1994 concerning the independence, efficiency and role of judges, in the context of their professional activities, gives them the following labor rights: the right to receive

additional training courses in the field of law ; the right to recruit the staff of the judges for the purpose of exercising the latter more effectively their duties; the right to an appropriate remuneration that meets the dignity and responsibility of the judge's profession.

The theoretical basis of the research was the scientific works of Ukrainian scholars such as B. B. Burbanov, A. G. Biryukova, V. D. Voznyuk, M. V. Danilov, Yu. P. Dmitrenko, I. B. Ivanochko, O. M. Oliynyk, V. I. Prokopenko, N. M. Shvets, I. V. Yurevich, V. A. Yarema and others, as well as foreign researchers, among them L. B. Alekseeva, A. E. Zhalinsky, A. M. Zek, M. I. Kleandrov, V. A. Kryazhkov, Yu. A. Navalykhina, T. N. Neshtayeva, V. Kh. Rehberger, V. G. Rosenfeld, J. B. Tosam, N. Yu. Shvedova, G.V. Shonia and others.

Taking into account the current realities of the activity of the Ukrainian judicial system, it became necessary to carry out an effective reform of the system, which was implemented in 2016. Such a reform led to the adoption of the updated Law of Ukraine "On the Judiciary and Status of Judges" from 2016 and a number of innovations, in particular the creation of the Supreme Council of Justice and the Public Council for Integrity, the reform of the Supreme Court was accomplished, amendments to a number of codes have been developed and adopted, an upgrade of the judiciary, etc. In this very context there arises the question of the analysis of the decrees of the European Charter on the Status of Judges of 1998 (hereinafter - the Charter) through the view of labor relations.

## The goal of the paper is

to analyze the relevant decrees of the European Charter on the Status of Judges in accordance with the specifics of the current legislation of Ukraine.

## Methods and procedures of research

The essence of the presentation of the material in the article provided for the application of a system of general scientific, philosophical and special methods; the use of them ensures the reliability of the results obtained, the achievement of the stated goal, in particular, historical-logical, systemic, generalization, comparative methods were applied, etc.

## Results

Labor rights in general are intended to regulate labor relations and protect employees against possible violations of their rights. Thus, the state creates conditions for the full exercise of the right to work by citizens, guarantees equal opportunities in the choice of occupation and kind of employment, implements vocational training programs, training and retraining of staff in accordance with public needs. Thus, labor is the conscious activity of people, aimed at the creation of material and spiritual goods, the provision of services, activities that characterize certain consumer values.

The Universal Declaration of Human Rights of 1948 (hereinafter - GDHR) states that everyone has the right to work, to free choice of employment, to just and favorable

conditions of work and to protection from unemployment. Everyone, without any discrimination, has the right to equal pay for equal work. Everyone who works has the right to a just and satisfactory remuneration that provides for a decent person, his or her family and, if necessary, supplemented by other means of social provision. Everyone has the right to form trade unions and be members of them in order to protect their interests. In this way GDHR, actually laid the foundations for those basic standards for fair working conditions, where the judiciary is not an exception, which was subsequently expanded and enshrined in the laws of different countries of the world. However, since GDHR has a declarative character, the world community faced the issue of establishing an international treaty that would become universally obligatory for the states which ratified it. Taking into account these circumstances, in 1966 the UN General Assembly adopted the International Covenant on Economic, Social and Cultural Rights, which not only enshrines the right to work, but also contains extended safeguards on working conditions, fair remuneration, working time and other labor rights of a person.

Taking into account the importance of international labor law, its guidelines and norms could not but affect the Ukrainian legislation in this area. So in accordance with the Main Law of the state Art. 43 provides for the right of everyone to work, where the specified norm also establishes the necessity of protecting citizens against illegal dismissal and the right to timely remuneration for work, which testifies that the work of a judge as a subject of labor law, that is, an employee, is protected by the law. However, according to Art. 3 of the Labor Code of 1996 (hereinafter referred to as the Labor Code) states that labor legislation as a whole regulates the labor relations of employees of all enterprises, institutions, organizations, irrespective of the forms of ownership, type of activity and branch affiliation, as well as persons who work after an employment contract with individuals, we note that the decrees of Labor Code do not distinguish judges as a separate category of employees, that is, in the meaning of the decrees of the Labor Code, judges are hired workers, and therefore they are endowed with a corresponding complex of labor legal personality; however with the peculiarities caused by specificity of legal status of the judge in Ukraine. Also the updated Law of Ukraine "On the Judiciary and Status of Judges" in 2016 made a kind of codification act combining the decrees on the status of judges and the protection of their labor rights, in particular, the rules on the procedure for election to a position and dismissal, judicial remuneration, leave, work experience, social insurance of a judge, etc. In addition, the Internal Rules on the regulation of labor rights of judges, which are adopted by each individual court and which are used to organize its activities, should also be emphasized. An example of such documents is the Rules of the Internal Routine of the Courts, which determine the labor regime, the principles of regulation of labor relations and are introduced with the aim of improving the organization of work, ensuring labor and executive discipline, rational use of working time, high efficiency and improving the quality of work by creating the necessary conditions for a normal high-performance work of the court employees, the conditions of stimulation, the conscious and conscientious fulfillment by the court employees of their labor duties. Among the latest

rules adopted, it is important to focus on the Rules of the Internal Labor Schedule, for example, the Starosyavsky District Court of the Khmelnytsky region from 2017 (hereafter - Rules 2017). They regulate the rules of procedure for the admission and dismissal of judges and employees of the court, the rights and duties of judges and other employees, working conditions, in particular the, schedule, working hours, breaks for rest and meals, schedule on non-working and holidays, the procedure for conducting court hearings and professional development training, job-entry accounting, annual leave, promotion for good work, etc.

Thus, in the opinion of the Ukrainian researcher V.A. Yarema, the labor rights of judges must be understood as certain social and economic benefits established by acts of general and special legislation, which are entitled to the person concerned, exercising their natural right to work and gaining the status of a judge of the Constitutional The Court of Ukraine or the judge of the court of general jurisdiction, through which the proper level of its vital activity is ensured by means of engaging in labor activity and the fulfillment of the state labor function for the solution of legal disputes. However, in the sense of the foregoing decrees of the current legislation of Ukraine, the judge acts as a hired employee who enters into labor relations. On this basis, he is endowed with the entire complex of labor legal personality, except in the cases established by the rules of law, which derive from the peculiarities of professional activity exercised by judges. These peculiarities are conditioned by the high level of requirements for candidates for a position, conditions of money reward, granting of holidays, etc. It should be noted that the legal labor personality of a judge is special. This is due to the fact that it contains a list of specific qualities and abilities of a person, has its own characteristics, determined by the legal status of judges. This involves the presence of mutually determined components of the legal status, which includes signs of two statuses - the person as an employee, and the person as a civil servant.

Reiterating our attention to the study of V.A. Yarema, who considers the history of the formation of labor rights, we note that he highlights the stages of the emergence of labor rights of judges: 1) the stage of the introduction of factory laws in Europe; 2) national liberation movement and revolution in Europe; 3) modern period. It should be emphasized that on the third stage of (1949) the formation and work of the Council of Europe started - an international regional organization that acts to protect human rights, for the development of democracy and the rule of law. It was within this European mechanism for the protection of human rights, the European Charter on the Status of Judges in 1998 was adopted. This document was adopted by representatives of European countries and two international associations of judges at a meeting in Strasbourg on July 8-10, 1998, and was supported at a meeting of the Chairs of the Supreme Courts of Central and Eastern European countries in Kyiv on October 12-14, 1998, as well as judges and representatives of the Ministries of Justice from 25 European countries, at a meeting in Lisbon on April 8-10, 1999. The need for such a document was due to a keen interest in more effective promotion of the independence of judges necessary to strengthen the rule of law and to protect individual freedom in democratic states. The purpose of the

Charter is to set a benchmark for any law on the status of judges, based on the tasks to be achieved, in particular the provision of competence, independence and impartiality which the public has the right to expect from the courts and judges who are entrusted with the protection of their rights. It may be noted that the Charter serves as a means of ensuring that those whose rights are protected by courts and judges have the necessary guarantees of the effectiveness of such protection. Such guarantees of the rights of persons are ensured by the competence of judges, their independence and impartiality. It should be noted that the decrees of the Charter are of a recommendatory nature. The features of this form of document were due to the Explanatory Memorandum to the European Charter for the Status of Judges in 1998, and the fact that most of the decrees of the Charter cannot be applied, for example, in systems where judges are directly elected by citizens. In this case, it would not be possible to make a Charter containing decrees that would be compatible with such electoral systems, because then the text of the Charter would be reduced to the smallest common denominator. The Explanatory Memorandum also points out that the decrees included in the Charter, as a rule, must be adopted at the legislative level, which will also be the highest level in States with flexible constitutions.

The analysis of the Charter shows that it contains decrees on selection, appointment and initial training, inability to transfer, promotion, liability, remuneration for work and social protection, and termination of position. The Charter clearly defines the guarantee of the judiciary to maintain and improve its technical, social and cultural knowledge necessary for the performance of their duties by obtaining access to training programs at public expense, the organization of them must be ensured taking into account the relevant conditions. The norms enshrined in the Charter provide for a number of guarantees to judges carrying out their professional duties, in particular protection from social risks related to illness, maternity, disability, elderly age and death. It is separately stipulated that judges who have reached the retirement age and who worked as judges for the specified period receive an old-age pension, the level of which should be as close as possible to their last salary as a judge, etc.

An important decree of the document is the "right to appeal" in cases where the judge considers that there is a threat to his independence or independence of the trial, or in cases where such independence is violated in any way. In such situation, the judge may refer the complaint to an independent authority. That is, it means that judges do not remain unprotected in cases of violation or encroachment on their independence. The right to appeal is a necessary guarantee, otherwise it will only be a desire to establish principles aimed at protecting judges if they are not consistently supported by mechanisms that will ensure their effective implementation.

Separately, the Charter pays special attention to professional associations that may be formed by judges or to which they can freely enter in order to protect their legitimate rights to those governing bodies and decision-making bodies that may affect judicial activity. Thus, by imposing the right of judges to create and join professional associations, any possible discrimination against the

relevant right is excluded. Similar decrees are enshrined in the legislation of Ukraine, in particular, the judge has the right to participate in judicial self-government, to form civil unions and to participate in them in order to protect his rights and interests, and to increase his professional level. It should be noted that the right to incorporate judges in an association is also important in the context of the protection of labor rights of judges. The Association of Judges of Ukraine (hereinafter referred to as the "AJU"), an all-Ukrainian public organization, whose purpose is to promote the formation of civil society in Ukraine, the development of democratic legislation and justice, the strengthening of the authority of the judiciary and the strengthening of the independence of judges, the development of the legal theory and education, improving the professional qualifications of judges and organizing the exchange of experience with judges from other countries, satisfaction of information, cultural and educational and other needs of the staff of the judiciary and to protect the common interests of their members, and it is an example of such an association on the territory of Ukraine

In accordance with Clause 3.4 of the Charter, the decrees concerning the impossibility of removing a judge from a position, ie impossibility of transfer to another court or change of judge's duties without his consent, were also established. However, exceptions are allowed when the transfer is necessary in a disciplinary sense or there is a need for temporary transfer for assistance in the work of a neighboring court. Such decrees were reflected in the Law of Ukraine "On the Judiciary and Status of Judges" from 2016, where Art. 53 guarantees the protection of the judge from the transfer without his consent, except in cases of reorganization, liquidation or termination of the work of the court or disciplinary action.

In accordance with Clause 4.2 of the Charter, judges freely carry out other activities outside their judicial duties, including activities that constitute the exercise of their rights as citizens. This freedom may not be limited except where such activity outside the judicial capacity is compatible with the trust in their impartiality and independence or with the appropriate level of devotion necessary for the consideration of cases filed for their consideration with due diligence and within the limits reasonable time period. Carrying out other activities, except for literary or artistic, if they provide for the payment of remuneration, must be pre-sanctioned taking into account the conditions established by law. Consequently, according to Art. 54 of the Law of Ukraine "On the judicial system and the status of judges", the judge can not combine his activity with entrepreneurial, advocate activity, hire any other paid positions, perform other paid work (except for teaching, scientific or creative), and also become a member of the management a body or a supervisory board of an enterprise or organization with a view to obtaining a profit. According to the author, such a restriction on the joint activity of a judge is appropriate, and the exercise of the right to engage in teaching, scientific or creative activities is a necessary platform for improving the professional level of a judge, the accumulation of new relevant knowledge that meets the requirements of the time, the formation of proposals for improving the current legislation, as well as the training of young professionals in

the relevant field and transfer to them not only theoretical knowledge, but also practical experience.

The decrees of the Charter provide for the so-called "right of a judge to improve on-the-job training" as outlined in the Explanatory Note to the European Charter on the Status of Judges, which is as follows: Judges should have regular access to training materials, courses organized at public expense, with the goal to increase their professional level and qualifications. It should be noted that this provision is rather flexible and allows any state to adapt this decree to the education system existing on its territory. That is, the Charter guarantees for judges the opportunity to maintain and improve their knowledge - technical, social and cultural, necessary for the performance of their duties. Thus, the relevant decrees of the Charter are reflected in the Law of Ukraine "On the Judiciary and Status of Judges", which confirms the opportunity to improve their professional level and to carry out appropriate training for this purpose. In accordance with Section V «Judicial Qualification» of the Law of Ukraine «On the Judicial System and Status of Judges» of 2016, the peculiarities of conducting a judge's qualification assessment, which is held by the High Qualifications Commission of Judges of Ukraine, determining the professional level of a judge. So according to Art. 83 of this Law, the criteria of qualification evaluation are: professional competence (knowledge of law, ability to hold a court session and make decisions), personal competence (capacity to perform work, self-organization), social competence (balance, stress resistance, communicative) and the ability to increase their professional skills level and administer justice at a court of the appropriate level. The qualification evaluation is conducted publicly, in the presence of the judge being assessed, and any interested persons. Representatives of the judicial self-government body may participate in the consideration of the issue of judge qualification. Also, in order to prepare judges and candidates for a position of a judge, the Law "On the Judiciary and Status of Judges" provides for the creation of a National School of Judges of Ukraine, a state institution with a special status, and provides training of highly skilled personnel for the judicial system and conducts scientific research activities.

Also in accordance with the decrees of the Law of Ukraine "On the Judiciary and Status of Judges", in 2016, the grounds for disciplinary liability are indicated, which indicates that the refresher course of refresher training at the National School of Judges of Ukraine was not attended and passed in accordance with the direction specified by the body conducting the disciplinary proceedings against the judges or failure to proceed qualification assessment to confirm the judge's ability to administer justice in the relevant court, or not confirmation of the judge's ability to administer justice respectively. That is, taking into account the foregoing, this opportunity, guaranteed by the Charter in the relevant Law of Ukraine, would be obligatory for the judiciary in the context of their professional activities.

Separate items of this document contain decrees on payment and social security. Thus, the Charter states that the level of remuneration paid to judges for the performance of their professional duties should be such as to protect them from the pressure that could affect their decision or in general the behavior of judges and thus affect their independence and impartiality. The remuneration may be

different: depending on the length of service, the nature of the duties performed by the judges in their professional capacity, and the importance of the duties assigned to them, evaluation of these factors should be frank and open. The document provides guarantees to judges performing their professional duties, protection against social risks related to illness, maternity, disability, elderly age and death. In particular, the Charter stipulates that judges who have reached the retirement age and who worked as judges for the specified period receive an old-age pension, and its level should be as close as possible to their last salary as a judge. Taking into account the decrees of the Law of Ukraine "On the Judiciary and Status of Judges", 2016 provides Section IX "Provision of Judges", which regulates the decrees of judicial remuneration, which is a prototype of the relevant decrees of the Charter, which proceeds primarily from the implementation of impartial legal proceedings and the availability of proper social welfare. In this way, the remuneration consists of an official salary and additional payments for: years of service; staying in an administrative position in court; scientific degree; work that involves access to state secrets.

Legislation clearly provides for the amount of judicial remuneration, so the basic salary of a judge of a local court is 30 living wages. As for judges of the appellate and higher specialized courts, their salary is 50 living wages. Consequently, judges of the Supreme Court receive a remuneration of 75 living wages. It should be noted that since July 2018, the subsistence minimum per person in Ukraine is 1777 UAH. In addition, judges receive monthly supplementary salary for years depending on their length of service in the following sizes: if the length of service is more than 3 years, the additional payment is 15 percent; more than 5 years - 20 percent, more than 10 years - 30 percent, more than 15 years - 40 percent, more than 20 years - 50 percent, more than 25 years - 60 percent, more than 30 years - 70 percent, more than 35 years - 80 percent of the amount official salary. The judges who are in the position of deputy chairman of the court, the secretary of the court chamber, the secretary of the Plenum of the Supreme Court, the Secretary of the Grand Chamber of the Supreme Court, are granted an additional monthly supplement of 5 percent of the salary, and the chairman of the court receives an additional payment of 10 percent. It is worth noting that the judges also receive an additional payment for a candidate's degree or a doctorate in the corresponding specialty. Payment is made monthly at the rate of 15 percent for the candidate and 20 percent for the doctor from the general salary. Expenditures for the payment of judicial rewards are carried out through a separate code of the economic classification of expenditures. Thus, such a size of the judge's remuneration and all kinds of additional payments is provided for the effective ensuring of the impartiality and fairness of the work of the judge and is also aimed at protecting judges from possible pressure on them by other bodies or individuals as stipulated in paragraph 6. Rewards for work and the social protection of the Charter.

Separately, the decree on the protection of judges who have retired or reached retirement age, the Charter provides that judges who have reached the retirement age and who worked as judges for the specified period receive an old-age pension, the level of which should be as close as possible to

their last salary pay as a judge. Concerning the Law of Ukraine "On the Judiciary and Status of Judges" in 2016, we note that according to Art. 142, a retired judge, after reaching the retirement age, is paid a pension or, on his / her choice, a monthly livelihood maintenance.

It should also be noted that the Charter provides for guarantees to judges carrying out their professional duties, protection against social risks related to illness, maternity, disability, elderly age and death. Consequently, according to the legislation of Ukraine, it is determined that issues related to the organizational support of courts and the activity of judges, and the social protection of judges and their families directly concern the issues of internal court activity. In addition to that, an important issue in the context of consideration of this issue becomes art. 141 of the Law of Ukraine "On the Judiciary and Status of Judges", which states that life and health of judges are subject to compulsory state insurance at the expense of the Fund of Social Insurance against Accidents at Work and Occupational Diseases of Ukraine.

Thus, this Charter is an important guideline in the field of the functioning of the judiciary in European countries with a doctrinal focus on ensuring the competence, independence and impartiality of the courts and every judge entrusted with the protection of human rights and freedoms, and the avoidance of a reduction in the level of judiciary reached by the countries of Europe. In parallel with this, the Charter provides the state with the obligation to provide judges with all means necessary for the proper performance of their professional activities, as well as ways to the protection of their labor rights.

## Conclusions

1. Developing of the Charter became a necessary doctrinal basis for reforms, in the conditions of providing independent and impartial professional activity of the judiciary corps. This document is an international standard, an example of European benchmarks, which the states are guided by, improving their existing legislation or when adopting new legislative acts.

2. The decrees of the Charter are of a recommendatory nature and leave the implementation of many provisions at the discretion of each particular State, leaving the latter the opportunity to apply the recommendations in accordance with their laws and traditions of the judiciary, which vary from country to country. In addition to that, despite the substantial list of labor rights that should be guaranteed by state judges, this Charter does not explicitly provide for specific mechanisms for their practical implementation, in fact, to preserve its universal status.

3. In the Ukrainian judicial system, during all time of its functioning, there were various problems, including the illegal dismissal of the judges. The practice of the ECHR concerning the illegal dismissal of Ukrainian judges testifies to the fact that this problem has indeed been widespread, and its solution has led to the need for judicial reform and clear regulation of labor rights of judges.

4. Taking into account the pressure exerted on the Ukrainian judges by other bodies or certain persons, in order to avoid such negative impact on the activity and ensure the impartiality of the work of judges, States provide

them with decent working conditions, as well as high remuneration and give the right to protection of their interests and protection against pressure through the activities of professional associations.

5. The reform of the judicial system of Ukraine in accordance with European standards also envisaged the introduction of norms concerning the safety of working conditions of judges and the establishment of special state protection in relation to judges, members of their families and their property. According to the norms of Ukrainian legislation, judges and their families are under the special social and legal protection of the state, which means a higher level of protection of the labor rights of such a category of workers.

6. The legislation of Ukraine as a whole complies with the decrees of the 1998 Charter and regulates a number of labor rights, such as: the right to decent pay and proper social security as well as pension provision; the right to organize and participate in judicial self-government and public associations; the right to improve the professional level, the right to protect their violated rights through judicial self-government, the right to engage in scientific, creative and teaching activities.

7. In the context of the European vector of the development of the judicial system of Ukraine, the judge's remuneration occupies a special place, which is also stipulated by the Charter and is regulated in detail by the legislation of Ukraine. A special system of remuneration is established for judges, which corresponds to the specifics of their labor function performed by them, which is regulated by the rules of special legislation.

8. The Charter has had a positive impact on the legislation of Ukraine by consolidating in its decrees progressive European standards in the field of justice necessary for the improvement of the judicial system of Ukraine and settling issues of the status and labor rights of judges which were not previously regulated.

9. The future development of the Charter found its continuation in the adoption of other international legal acts, in particular: Recommendations of the Committee of Ministers of the Council of Europe, the conclusions of the Venice Commission, expert opinions of the International Association of Judges, the conclusions of the Advisory Council of European Judges, which continued the regulation of labor rights of judges and contained more extensive norms the relevant issue in order to protect the labor rights of judges and establish an effective judicial system in European countries.

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