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LEGAL STATUS OF THE HIGH COUNCIL OF MAGISTRACY AS A BODY OF JUDICIAL SELF-GOVERNMENT OF FRANCE

Ukraine has chosen European integration way. It necessitates the study of legal systems of EU countries and application of their positive experiences, including on the judicial self-government.

France is one of democratic countries, which has a positive experience of the various legal institutions, one of which is the High Council of Magistracy. Therefore, this issue causes an increased interest for detailed investigation of legal aspects of the judicial self-government.

The High Council of Magistracy as a body of judicial self-government is one of the main guarantees of the professional rights of judges, the independence of trial judges and has direct impact on improving the quality of justice and establishment of public confidence in the judiciary.

As you know, in the second half of the twentieth century in France appropriate Ministries of Justice were entrusted with powers of self-government.

Today there is a tendency of devolution of self-government to individual bodies. This body is currently the High Council of Magistracy of France.

The High Council of Magistracy – is a special public authority, the main objective of which is to select candidates for judges and prosecutors, as well as to perform the functions of the disciplinary

board of judges. It was established in 1883. High Council of Magistracy is entrusted with constitutional authority. President heads the Council, his deputy is the Minister of Justice who has the right to supersede him in cases prescribed by law (Art. 65 of the Constitution of France).

The current status of the High Council of Magistracy of France is caused by the reform of 1993, which was implemented in the transition period in the French Fifth Republic.

Under the constitutional reform of 1993 and organic (constitutional) law of 1994 the legal status of it experienced significant changes.

Article 65 of the Constitution of France allows participants of process appealing to the High Council of Magistracy, under the terms established by the organic law.

On the basis of analyses of the High Council of Magistracy of France and peculiarities of its operation, it is revealed that currently exist the bodies of judicial government of the European Union, experience of which can be used to reform our national legislation to enhance public confidence in the judiciary, effective protection of professional rights and interests of judges and establishing the fundamental principles of justice.