

# According to Lavrinovich, European Court Judges should consider the reality in Ukraine

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## Glavkom

Aleksandr Lavrinovich, former Ukrainian Justice Minister and current chair of the High Council of Justice, says that judgments at the European Court of Human Rights should be realistic as regards their implementation by the country involved. He spoke about the issue in an interview to Glavkom, in which he discussed the Court judgment on the case of Volkov, ex-judge at the Supreme Court.

“There are people who are in positions of authority because they were chosen, either by the public itself, by society, or by representative bodies elected by the public.” says Lavrinovich. “I do not know of any country that can support a mechanism restoring people to their position. Imagine if the European Court were to issue a judgment returning a State Deputy, Mayor or President to office. How could you do this if somebody else has already been elected to the position?”

According to Lavrinovich, it is not only Ukraine that has difficulty understanding how to implement judgments by the European Court: “Great Britain would very much like to leave the European Convention on Human Rights, and such statements are also heard in Germany.”

Lavrinovich believes that, when issuing judgments, judges at the European Court should consider that the Court was founded relatively recently, and with the agreement of various different countries for the sake of protecting human rights and not the rights of those in positions of authority. “The judgments it issues should be realistic in terms of their implementation and should respect the principles of law without violating the interests of society in one country or another. If you issue a judgment that is theoretically just, but do not take into account these components, it could have the reverse effect.”

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