



**ADVISORY GROUP
OF EXPERTS**

**MINUTES No. 8
of the session of the Advisory Group of Experts**

Lviv, Ukraine

May 11, 2024

Start of session: 12:30 p.m.

End of session: 13:05 p.m.

Those present at the session of the members of the Advisory Group of Experts:

Oksana Vasylychenko, Aleš Zalar, Nataliia Kuznietsova (in remote mode using electronic video-conferencing), Maureen O'Connor, Yaroslav Romaniuk, Hanna Suchocka.

Deputy members of the Advisory Group of Experts present at the session:

Marec Zubik, Volodymyr Kuzmenko, Thomas Griffith (all in remote mode using electronic video-conferencing), Vasyl Shakun.

Suggested agenda:

1. On the formation of a general list of all assessed candidates for the position of judge of the Constitutional Court of Ukraine.
2. On ranking voting for candidates for the position of judge of the Constitutional Court of Ukraine and formation of their ranking list.
3. On submitting to the Council of Judges of Ukraine and the Committee of the Verkhovna Rada of Ukraine on Legal Policy of ranking lists and reasoned decisions regarding assessed candidates for the position of judge of the Constitutional Court of Ukraine.

Voted:

- Oksana Vasylychenko: "FOR"
- Aleš Zalar: "FOR"
- Nataliia Kuznietsova: "FOR"
- Maureen O'Connor: "FOR"
- Yaroslav Romaniuk: "FOR"
- Hanna Suchocka: "FOR"

Total: "FOR" – 6 votes, "AGAINST" – 0 votes.

Decided: the suggested agenda is approved.



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Consideration of agenda items:

1. On the formation of a general list of all assessed candidates for the position of judge of the Constitutional Court of Ukraine.

Heard:

Aleš Zalar who informed the Advisory Group of Experts (hereinafter – the Advisory Group) has completed the assessment of the compliance of candidates for the position of judge of the Constitutional Court of Ukraine, who were admitted to the competitive selection by the Council of Judges of Ukraine and the Committee of the Verkhovna Rada of Ukraine on Legal Policy, with the criteria of high moral qualities and recognized level of competence in the field of law and, according to the law “On the Constitutional Court of Ukraine”, Methodology for Assessing Moral Qualities and the Level of Competence in the Field of Law of the Advisory Group of Experts approved by the Minutes No. 2 of the meeting of the Advisory Group of Experts of December 04, 2023, is to form a general list of all assessed candidates for the position of judge of the Constitutional Court of Ukraine in an alphabetical order.

Accordingly, Aleš Zalar announced the general list of all assessed candidates for the position of judge of the Constitutional Court of Ukraine in an alphabetical order, admitted to the competitive selection by the Council of Judges of Ukraine, namely:

1. Alla Oliinyk
2. Oleksandra Yanovska

Aleš Zalar also proposed to form a general list of all assessed candidates for the position of judge of the Constitutional Court of Ukraine in an alphabetical order, admitted to the competitive selection by the Committee of the Verkhovna Rada of Ukraine on Legal Policy, namely:

1. Yurii Barabash
2. Oleksandr Vodiannikov
3. Serhii Riznyk

2. On ranking voting for candidates for the position of judge of the Constitutional Court of Ukraine and formation of their ranking list.

Regarding the candidates for the position of judge of the Constitutional Court of Ukraine, admitted by the Council of Judges of Ukraine

2.1. Ranking voting for Alla Oliinyk, candidate for the position of judge of the Constitutional Court of Ukraine

Heard:

Aleš Zalar who informed that under the self-recusal application made by the member of the Advisory Group Yaroslav Romaniuk regarding evaluation of the candidate for the position of judge of the Constitutional Court of Ukraine Alla Oliinyk, granted by the Advisory Group on January 11, 2024 (Minutes



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No. 3), deputy member of the Advisory Group Volodymyr Kuzmenko will participate in the ranking voting regarding the candidate for the position of judge of the Constitutional Court of Ukraine Alla Oliinyk, who, under part 4. Art. 10¹² of the Law of Ukraine “On the Constitutional Court of Ukraine”, exercises the authorities of the member of the Advisory Group regarding consideration of issues and voting in the decision-making process of the Advisory Group.

Additionally, Aleš Zalar proposed to the members of the Advisory Group to determine, through a rating vote, their position regarding Alla Oliinyk, candidate for the position of judge of the Constitutional Court of Ukraine, who has been admitted to the competitive selection by the Council of Judges of Ukraine.

Voted:

- Oksana Vasylchenko: gave the vote “FOR”
- Aleš Zalar: gave the vote “FOR”
- Nataliia Kuznietsova: gave the vote “FOR”
- Maureen O’Connor: gave the vote “FOR”
- Volodymyr Kuzmenko: gave the vote “FOR”
- Hanna Suchocka: gave the vote “FOR”

The candidate Alla Oliinyk received 6 votes “FOR”.

2.2. Ranking voting for Oleksandra Yanovska, candidate for the position of judge of the Constitutional Court of Ukraine

Heard:

Aleš Zalar proposed to the members of the Advisory Group to determine, through a rating vote, their position regarding Oleksandra Yanovska, candidate for the position of judge of the Constitutional Court of Ukraine, who has been admitted to the competitive selection by the Council of Judges of Ukraine.

Voted:

- Oksana Vasylchenko: gave the vote “FOR”
- Aleš Zalar: gave the vote “FOR”
- Nataliia Kuznietsova: did not give the vote “FOR”
- Maureen O’Connor: gave the vote “FOR”
- Yaroslav Romaniuk: did not give the vote “FOR”
- Hanna Suchocka: gave the vote “FOR”

The candidate Oleksandra Yanovska received 4 votes “FOR”.



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Regarding the candidates for the position of judge of the Constitutional Court of Ukraine, who have been admitted by the Committee of the Verkhovna Rada of Ukraine on Legal Policy

2.3. Ranking voting for Yurii Barabash, candidate for the position of judge of the Constitutional Court of Ukraine

Heard:

Aleš Zalar who informed that under the self-recusal application made by the member of the Advisory Group Nataliia Kuznietsova regarding the assessment of the candidate for the position of judge of the Constitutional Court of Ukraine Barabash Yurii, granted by the Advisory Group on January 11, 2024 (Minutes No. 3), deputy member of the Advisory Group Vasyl Shakun will participate in the ranking voting regarding the candidate for the position of judge of the Constitutional Court of Ukraine Barabash Yurii, who, under part 4, Art. 10¹² of the Law of Ukraine “On the Constitutional Court of Ukraine”, exercises the authorities of the member of the Advisory Group regarding consideration of issues and voting in the decision-making process of the Advisory Group.

Aleš Zalar proposed to the members of the Advisory Group to determine, through a rating vote, their position regarding Yurii Barabash, candidate for the position of judge of the Constitutional Court of Ukraine, who has been admitted to the competitive selection by the Committee of the Verkhovna Rada of Ukraine on Legal Policy.

Voted:

- Oksana Vasylchenko: gave the vote “FOR”
- Aleš Zalar: gave the vote “FOR”
- Vasyl Shakun: gave the vote “FOR”
- Maureen O’Connor: gave the vote “FOR”
- Yaroslav Romaniuk: gave the vote “FOR”
- Hanna Suchocka: gave the vote “FOR”

The candidate Yurii Barabash received 6 votes “FOR”.

2.4. Ranking voting for Oleksandr Vodiannikov, candidate for the position of judge of the Constitutional Court of Ukraine

Heard:

Aleš Zalar proposed to the members of the Advisory Group to determine, through a rating vote, their position regarding Oleksandr Vodiannikov, candidate for the position of judge of the Constitutional Court of Ukraine, who has been admitted to the competitive selection by the Committee of the Verkhovna Rada of Ukraine on Legal Policy.

Voted:

- Oksana Vasylchenko: gave the vote “FOR”
- Aleš Zalar: gave the vote “FOR”
- Nataliia Kuznietsova: did not give the vote “FOR”
- Maureen O’Connor: gave the vote “FOR”
- Yaroslav Romaniuk: did not give the vote “FOR”
- Hanna Suchocka: gave the vote “FOR”



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The candidate Oleksandr Vodiannikov received 4 votes “FOR”.

2.5. Ranking voting for Serhii Riznyk, candidate for the position of judge of the Constitutional Court of Ukraine

Heard:

Aleš Zalar proposed to the members of the Advisory Group to determine, through a rating vote, their position regarding Serhii Riznyk, candidate for the position of judge of the Constitutional Court of Ukraine, who has been admitted to the competitive selection by the Committee of the Verkhovna Rada of Ukraine on Legal Policy.

Voted:

- Oksana Vasylichenko: gave the vote “FOR”
- Aleš Zalar: gave the vote “FOR”
- Nataliia Kuznietsova: gave the vote “FOR”
- Maureen O’Connor: gave the vote “FOR”
- Yaroslav Romaniuk: gave the vote “FOR”
- Hanna Suchocka: gave the vote “FOR”

The candidate Serhii Riznyk received 6 votes “FOR”.

Regarding the formation of a ranking list of candidates for the position of judge of the Constitutional Court of Ukraine

Heard:

Yaroslav Romaniuk, who announced the rating list of assessed candidates for the position of judge of the Constitutional Court of Ukraine formed as a result of the Advisory Group’s voting, namely:

Rating list of candidates admitted to the competitive selection by the Council of Judges of Ukraine.

1. Alla Oliinyk – 6 votes “FOR”.
2. Oleksandra Yanovska – 4 votes “FOR”.

Rating list of candidates admitted to the competitive selection by the Committee of the Verkhovna Rada of Ukraine on Legal Policy.

1. Yurii Barabash – 6 votes “FOR”.
1. Serhii Riznyk – 6 votes “FOR”.
2. Oleksandr Vodiannikov – 4 votes “FOR”.



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3. On submitting to the Council of Judges of Ukraine and the Committee of the Verkhovna Rada of Ukraine on Legal Policy of the ranking lists and reasoned decisions regarding assessed candidates for the position of judge of the Constitutional Court of Ukraine.

Heard:

Aleš Zalar, who informed that the Advisory Group has completed all the stages of the competitive selection of candidates for the position of judge of the Constitutional Court of Ukraine as provided for by the Law of Ukraine “On the Constitutional Court of Ukraine” and urgently needs to submit of the rating lists and reasoned decisions regarding the assessed candidates for the position of judge of the Constitutional Court of Ukraine to the Council of Judges of Ukraine and the Committee of the Verkhovna Rada of Ukraine on Legal Policy.

Voted:

- Oksana Vasylchenko: “FOR”
- Aleš Zalar: “FOR”
- Nataliia Kuznietsova: “FOR”
- Maureen O’Connor: “FOR”
- Yaroslav Romaniuk: “FOR”
- Hanna Suchocka: “FOR”

Total: “FOR” – 6 votes, “AGAINST” – 0 votes.

Decided: to approve the submission of the rating lists and reasoned decisions regarding the assessed candidates for the position of judge of the Constitutional Court of Ukraine to the Council of Judges of Ukraine and the Committee of the Verkhovna Rada of Ukraine on Legal Policy.

Aleš Zalar noted that all issues from the agenda were considered.

Chair of the Advisory Group of Experts

Aleš Zalar

Video recording of the live meeting broadcast:

