

MINUTES No. 5 of the session of the Advisory Group of Experts

The session has been held in remote mode using electronic videoconferencing March 23, 2024

Start of session: 3:30 p.m.

End of session: 4:35 p.m.

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

Oksana Vasylchenko, Aleš Zalar, Nataliia Kuznietsova, Maureen O'Connor, Yaroslav Romaniuk, Hanna Suchocka.

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

Richard Barrett, Marec Zubik, Volodymyr Kuzmenko, Thomas Griffith, Vasyl Shakun.

Suggested agenda:

1. On adoption of the decision related to the compliance of all candidates for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities

- 1.1. Deciding on the compliance of Andreychuk Liubomyr, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.
- 1.2. Deciding on the compliance of Barabash Yuriy, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.
- 1.3. Deciding on the compliance of Bychkov Ihor, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.
- 1.4. Deciding on the compliance of Vodiannikov Oleksandr, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.
- 1.5. Deciding on the compliance of Voynarivskyi Mykola, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.
- 1.6. Deciding on the compliance of Volkova Olena, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.
- 1.7. Deciding on the compliance of Denysenko Nataliya, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.
- 1.8. Deciding on the compliance of Kaminska Nataliya, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.



- 1.9. Deciding on the compliance of Karmaza Oleksandra, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.
- 1.10. Deciding on the compliance of Kyrychenko Yuliya, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.
- 1.11. Deciding on the compliance of Liubchenko Pavlo, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.
- 1.12. Deciding on the compliance of Muzyka Maksym, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.
- 1.13. Deciding on the compliance of Nazarov Ivan, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.
- 1.14. Deciding on the compliance of Alla Oliinyk, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.
- 1.15. Deciding on the compliance of Pavlish Pavlo, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.
- 1.16. Deciding on the compliance of Radutnyi Oleksandr, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.
- 1.17. Deciding on the compliance of Ratush Volodymyr, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.
- 1.18. Deciding on the compliance of Riznyk Serhii, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.
- 1.19. Deciding on the compliance of Rohatiuk Ihor, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.
- 1.20. Deciding on the compliance of Savchyn Mykhaylo, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.
- 1.21. Deciding on the compliance of Tkachenko Oleksandr, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.
- 1.22. Deciding on the compliance of Tsymbalistyi Taras, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.
- 1.23. Deciding on the compliance of Shynkar Tetiana, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.



- 1.24. Deciding on the compliance of Yanovska Oleksandra, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.
- 1.25. Deciding on the compliance of Yaromenok Roman, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.
- 2. On approval of the terms and conditions for conduct of written evaluation of candidates for the position of the judge of the Constitutional Court of Ukraine in assessing the level of competence in the field of law;
- 3. On approval of the composition of the external group of international experts to prepare written questions and questions for additional interviews to determine the level of competence in the field of law of candidates for the position of judge of the Constitutional Court of Ukraine;
- 4. On approval of guidelines for the preparation of written questions and questions for additional interviews to assess the level of competence in the field of law of candidates for the position of judge of the Constitutional Court of Ukraine;
- 5. On the announcement of the date of written assessment of candidates for the position of judge of the Constitutional Court of Ukraine.

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:** the suggested agenda is approved.

Consideration of agenda items:

1. On adoption of the decision related to the compliance of all candidates for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities

Heard:

Aleš Zalar who informed that in the time span from March 2 to March 8, 2024 the Advisory Group, while assessing the eligibility of candidates for the position of judge of the Constitutional Court of Ukraine by the criterion of high moral qualities, conducted interviews with candidates for the position of judge of the Constitutional Court of Ukraine from the Congress of Judges of Ukraine and the Verkhovna Rada of Ukraine, aiming to refute any doubts regarding high moral qualities of the candidates for the position of judge of the Constitutional Court of Ukraine.

Besides that, Aleš Zalar drew attention to the fact that in accordance with subparagraph 3 of part thirty, Article 102 of the Law of Ukraine "On the Constitutional Court of Ukraine", the members of the Advisory Group who have declared their self-recusal regarding the candidates for the position of judge of the Constitutional Court of Ukraine shall not participate in the voting on the respective candidates.



1.1 Adopting a decision related to the compliance of Andreychuk Liubomyr, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities

Heard:

Aleš Zalar, who, based on the results of evaluation of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Andreychuk Liubomyr, candidate for the position of a judge of the Constitutional Court of Ukraine, as such that does not comply with the criterion of high moral qualities.

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: that Andreychuk Liubomyr, candidate for the position of a judge of the Constitutional Court of Ukraine, does not comply with the criterion of high moral qualities in the framework of the competitive selection of candidates for the position of a judge of the Constitutional Court of Ukraine.

Алеш Залар	Наталія Кузнєцова
(Aleš Zalar)	(Nataliia Kuznietsova)
Ганна Сухоцька	Оксана Васильченко
(Hanna Suchocka)	(Oksana Vasylchenko)
Морін О'Коннор	Ярослав Романюк
(Maureen O'Connor)	(Yaroslav Romaniuk)



1.2 Adopting a decision related to the compliance of Barabash Yuriy, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities

Heard:

Aleš Zalar who informed that under the self-recusal application made by the member of the Advisory Group of Experts Nataliia Kuznietsova regarding the assessment of the candidate for the position of judge of the Constitutional Court of Ukraine Barabash Yuriy, granted by the Advisory Group on January 11, 2024 (Minutes No. 3), deputy member of the Advisory Group of Experts Vasyl Shakun will participate in the decision-making regarding the eligibility of the candidate for the position of judge of the Constitutional Court of Ukraine Barabash Yuriy by the criterion of high moral qualities, 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 of Experts regarding consideration of issues and voting in the decision-making process of the Advisory Group of Experts.

Aleš Zalar, who, based on the results of evaluation of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Barabash Yuriy, candidate for the position of a judge of the Constitutional Court of Ukraine, as such that complies with the criterion of high moral qualities.

Voted:

- Oksana Vasylchenko: "FOR"
- Aleš Zalar: "FOR"
- Vasyl Shakun: "FOR"
- Maureen O'Connor: "FOR"
- Yaroslav Romaniuk: "FOR"
- Hanna Suchocka: "FOR"
- Total: "FOR" 6 votes, "AGAINST" 0 votes

Decided: that Barabash Yuriy, candidate for the position of a judge of the Constitutional Court of Ukraine, complies with the criterion of high moral qualities in the framework of the competitive selection of candidates for the position of a judge of the Constitutional Court of Ukraine.

Алеш Залар	Василь Шакун
(Aleš Zalar)	(Vasyl Shakun)
Ганна Сухоцька	Оксана Васильченко
(Hanna Suchocka)	(Oksana Vasylchenko)
Mopiн O'Koннop	Ярослав Романюк
(Maureen O'Connor)	(Yaroslav Romaniuk)



1.3 Adopting a decision related to the compliance of Bychkov Ihor, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities

Heard:

Aleš Zalar, who, based on the results of evaluation of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Bychkov Ihor, candidate for the position of a judge of the Constitutional Court of Ukraine, as such that does not comply with the criterion of high moral qualities.

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: that Bychkov Ihor, candidate for the position of a judge of the Constitutional Court of Ukraine, does not comply with the criterion of high moral qualities in the framework of the competitive selection of candidates for the position of a judge of the Constitutional Court of Ukraine

Signatures:

Алеш Залар (Aleš Zalar) Наталія Кузнєцова (Nataliia Kuznietsova) Ганна Сухоцька Оксана Васильченко (Hanna Suchocka) Оксана Васильченко (Oksana Vasylchenko) Морін О'Коннор (Maureen O'Connor) Ярослав Романюк (Yaroslav Romaniuk)



1.4 Adopting a decision related to the compliance of Vodiannikov Oleksandr, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities

Heard:

Aleš Zalar, who, based on the results of evaluation of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Vodiannikov Oleksandr, candidate for the position of a judge of the Constitutional Court of Ukraine, as such that complies with the criterion of high moral qualities.

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: that Vodiannikov Oleksandr, candidate for the position of a judge of the Constitutional Court of Ukraine, complies with the criterion of high moral qualities in the framework of the competitive selection of candidates for the position of a judge of the Constitutional Court of Ukraine.

Алеш Залар	Наталія Кузнєцова
(Aleš Zalar)	(Nataliia Kuznietsova)
Ганна Сухоцька	Оксана Васильченко
(Hanna Suchocka)	(Oksana Vasylchenko)
Морін О'Коннор	Ярослав Романюк
(Maureen O'Connor)	(Yaroslav Romaniuk)



1.5 Adopting a decision related to the compliance of Voynarivskyi Mykola, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities

Heard:

Aleš Zalar, who, based on the results of evaluation of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Voynarivskyi Mykola, candidate for the position of a judge of the Constitutional Court of Ukraine, as such that does not comply with the criterion of high moral qualities.

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: that Voynarivskyi Mykola, candidate for the position of a judge of the Constitutional Court of Ukraine, does not comply with the criterion of high moral qualities in the framework of the competitive selection of candidates for the position of a judge of the Constitutional Court of Ukraine

(Yaroslav Romaniuk)

Signatures:

(Maureen O'Connor)

Алеш Залар (Aleš Zalar)	Наталія Кузнєцова (Nataliia Kuznietsova)
(Thos Zului)	(i valania i valenie iso va)
Ганна Сухоцька	Оксана Васильченко
(Hanna Suchocka)	(Oksana Vasylchenko)
Manin O'Vanuan	(Incorred Destantion
Морін О'Коннор	Ярослав Романюк



1.6 Adopting a decision related to the compliance of Volkova Olena, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities

Heard:

Aleš Zalar who informed that under the self-recusal application made by the member of the Advisory Group of Experts Yaroslav Romaniuk regarding assessment of the candidate for the position of judge of the Constitutional Court of Ukraine Volkova Olena, granted by the Advisory Group on January 11, 2024 (Minutes No. 3), deputy member of the Advisory Group of Experts Volodymyr Kuzmenko will participate in the decision-making regarding the eligibility of the candidate for the position of judge of the Constitutional Court of Ukraine Volkova Olena by the criterion of high moral qualities, who, under part four, Art. 10¹² of the Law of Ukraine "On the Constitutional Court of Ukraine" is exercising the authorities of the member of the Advisory Group of Experts regarding consideration of issues and voting in the decision-making process of the Advisory Group of Experts.

Aleš Zalar, who, based on the results of evaluation of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Volkova Olena, candidate for the position of a judge of the Constitutional Court of Ukraine, as such that does not comply with the criterion of high moral qualities.

Voted:

- Oksana Vasylchenko: "FOR"
- Aleš Zalar: "FOR"
- Nataliia Kuznietsova: "FOR"
- Maureen O'Connor: "FOR"
- Volodymyr Kuzmenko: "FOR"
- Hanna Suchocka: "FOR"

Total: "FOR" - 6 votes, "AGAINST" - 0 votes

Decided: that Volkova Olena, candidate for the position of a judge of the Constitutional Court of Ukraine, does not comply with the criterion of high moral qualities in the framework of the competitive selection of candidates for the position of a judge of the Constitutional Court of Ukraine.

Алеш Залар	Наталія Кузнєцова
(Aleš Zalar)	(Nataliia Kuznietsova)
Ганна Сухоцька	Оксана Васильченко
(Hanna Suchocka)	(Oksana Vasylchenko)
Морін О'Коннор	Володимир Кузьменко
(Maureen O'Connor)	(Volodymyr Kuzmenko)



1.7 Adopting a decision related to the compliance of Denysenko Nataliya, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities

Heard:

Aleš Zalar, who, based on the results of evaluation of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Denysenko Nataliya, candidate for the position of a judge of the Constitutional Court of Ukraine, as such that complies with the criterion of high moral qualities.

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: that Denysenko Nataliya, candidate for the position of a judge of the Constitutional Court of Ukraine, complies with the criterion of high moral qualities in the framework of the competitive selection of candidates for the position of a judge of the Constitutional Court of Ukraine.

Signatures:

Алеш Залар (Aleš Zalar) Наталія Кузнєцова (Nataliia Kuznietsova) Ганна Сухоцька (Hanna Suchocka) Оксана Васильченко (Oksana Vasylchenko) Морін О'Коннор (Maureen O'Connor) Ярослав Романюк (Yaroslav Romaniuk)



1.8 Adopting a decision related to the compliance of Kaminska Nataliya, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities

Heard:

Aleš Zalar, who, based on the results of evaluation of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Kaminska Nataliya, candidate for the position of a judge of the Constitutional Court of Ukraine, as such that does not comply with the criterion of high moral qualities.

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: that Kaminska Nataliya, candidate for the position of a judge of the Constitutional Court of Ukraine, does not comply with the criterion of high moral qualities in the framework of the competitive selection of candidates for the position of a judge of the Constitutional Court of Ukraine.

Signatures:

Алеш Залар (Aleš Zalar) Наталія Кузнєцова (Nataliia Kuznietsova) Ганна Сухоцька (Hanna Suchocka) Оксана Васильченко (Oksana Vasylchenko) Морін О'Коннор (Maureen O'Connor) Ярослав Романюк (Yaroslav Romaniuk)



1.9 Adopting a decision related to the compliance of Karmaza Oleksandra, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities

Heard:

Aleš Zalar, who, based on the results of evaluation of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Karmaza Oleksandra, candidate for the position of a judge of the Constitutional Court of Ukraine, as such that does not comply with the criterion of high moral qualities.

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: that Karmaza Oleksandra, candidate for the position of a judge of the Constitutional Court of Ukraine, does not comply with the criterion of high moral qualities in the framework of the competitive selection of candidates for the position of a judge of the Constitutional Court of Ukraine.

(Yaroslav Romaniuk)

Signatures:

(Maureen O'Connor)

Алеш Залар	Наталія Кузнєцова
(Aleš Zalar)	(Nataliia Kuznietsova)
Ганна Сухоцька	Оксана Васильченко
(Hanna Suchocka)	(Oksana Vasylchenko)
Морін О'Коннор	Ярослав Романюк



1.10 Adopting a decision related to the compliance of Kyrychenko Yuliya, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities

Heard:

Aleš Zalar, who, based on the results of evaluation of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Kyrychenko Yuliya, candidate for the position of a judge of the Constitutional Court of Ukraine, as such that does not comply with the criterion of high moral qualities.

Voted:

- Oksana Vasylchenko: "AGAINST"
- Aleš Zalar: "FOR"
- Nataliia Kuznietsova: "FOR"
- Maureen O'Connor: "FOR"
- Yaroslav Romaniuk: "FOR"
- Hanna Suchocka: "FOR"
- Total: "FOR" 5 votes, "AGAINST" 1 vote.

Decided: that Kyrychenko Yuliya, candidate for the position of a judge of the Constitutional Court of Ukraine, does not comply with the criterion of high moral qualities in the framework of the competitive selection of candidates for the position of a judge of the Constitutional Court of Ukraine.

Signatures:

Алеш Залар
(Aleš Zalar)

Ганна Сухоцька (Hanna Suchocka)

Mopiн O'Коннор (Maureen O'Connor) Наталія Кузнєцова (Nataliia Kuznietsova)

Оксана Васильченко (Oksana Vasylchenko)

Ярослав Романюк (Yaroslav Romaniuk)



1.11 Adopting a decision related to the compliance of Liubchenko Pavlo, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities

Heard:

Aleš Zalar, who, based on the results of evaluation of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Liubchenko Pavlo, candidate for the position of a judge of the Constitutional Court of Ukraine, as such that does not comply with the criterion of high moral qualities.

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: that Liubchenko Pavlo, candidate for the position of a judge of the Constitutional Court of Ukraine, does not comply with the criterion of high moral qualities in the framework of the competitive selection of candidates for the position of a judge of the Constitutional Court of Ukraine.

Алеш Залар	Наталія Кузнєцова
(Aleš Zalar)	(Nataliia Kuznietsova)
Ганна Сухоцька	Оксана Васильченко
(Hanna Suchocka)	(Oksana Vasylchenko)
Морін О'Коннор	Ярослав Романюк
(Maureen O'Connor)	(Yaroslav Romaniuk)



1.12 Adopting a decision related to the compliance of Muzyka Maksym, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities

Heard:

Aleš Zalar, who, based on the results of evaluation of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Muzyka Maksym, candidate for the position of a judge of the Constitutional Court of Ukraine, as such that does not comply with the criterion of high moral qualities.

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: that Muzyka Maksym, candidate for the position of a judge of the Constitutional Court of Ukraine, does not comply with the criterion of high moral qualities in the framework of the competitive selection of candidates for the position of a judge of the Constitutional Court of Ukraine.

Signatures:

Алеш Залар (Aleš Zalar)

Ганна Сухоцька (Hanna Suchocka)

Mopiн O'Коннор (Maureen O'Connor) Наталія Кузнєцова (Nataliia Kuznietsova)

Оксана Васильченко (Oksana Vasylchenko)

Ярослав Романюк (Yaroslav Romaniuk)



1.13 Adopting a decision related to the compliance of Nazarov Ivan, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities

Heard:

Aleš Zalar who informed that under the self-recusal application made by the member of the Advisory Group of Experts Nataliia Kuznietsova regarding evaluation of the candidate for the position of judge of the Constitutional Court of Ukraine Nazarov Ivan, granted by the Advisory Group on January 11, 2024 (Minutes No. 3), deputy member of the Advisory Group of Experts Vasyl Shakun will participate in the decision-making regarding the eligibility of the candidate for the position of judge of the Constitutional Court of Ukraine Nazarov Ivan by the criterion of high moral qualities, 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 of Experts regarding consideration of issues and voting in the decision-making process of the Advisory Group of Experts.

Aleš Zalar, who, based on the results of evaluation of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Nazarov Ivan, candidate for the position of a judge of the Constitutional Court of Ukraine, as such that does not comply with the criterion of high moral qualities.

Voted:

- Oksana Vasylchenko: "FOR"
- Aleš Zalar: "FOR"
- Vasyl Shakun: "FOR"
- Maureen O'Connor: "FOR"
- Vasyl Shakun: "FOR"
- Hanna Suchocka: "FOR"

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

Decided: that Nazarov Ivan, candidate for the position of a judge of the Constitutional Court of Ukraine, does not comply with the criterion of high moral qualities in the framework of the competitive selection of candidates for the position of a judge of the Constitutional Court of Ukraine.

Signatures: Алеш Залар (Aleš Zalar)	Василь Шакун (Vasyl Shakun)
Ганна Сухоцька	Оксана Васильченко
(Hanna Suchocka)	(Oksana Vasylchenko)
Морін О'Коннор	Ярослав Романюк
(Maureen O'Connor)	(Yaroslav Romaniuk)



1.14 Adopting a decision related to the compliance of Alla Oliinyk, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.

Heard:

Aleš Zalar who informed that under the self-recusal application made by the member of the Advisory Group of Experts 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 No. 3), deputy member of the Advisory Group of Experts Volodymyr Kuzmenko will participate in the decision-making regarding the eligibility of the candidate for the position of judge of the Constitutional Court of Ukraine Alla Oliinyk by the criterion of high moral qualities, 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 of Experts regarding consideration of issues and voting in the decision-making process of the Advisory Group of Experts.

Aleš Zalar, who, based on the results of evaluation of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Alla Oliinyk, candidate for the position of a judge of the Constitutional Court of Ukraine, as such that complies with the criterion of high moral qualities.

Voted:

- Oksana Vasylchenko: "FOR"
- Aleš Zalar: "FOR"
- Nataliia Kuznietsova: "FOR"
- Maureen O'Connor: "FOR"
- Volodymyr Kuzmenko: "FOR"
- Hanna Suchocka: "FOR"

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

Decided: that Alla Oliinyk, candidate for the position of a judge of the Constitutional Court of Ukraine, complies with the criterion of high moral qualities in the framework of the competitive selection of candidates for the position of a judge of the Constitutional Court of Ukraine.

Алеш Залар	Наталія Кузнєцова
(Aleš Zalar)	(Nataliia Kuznietsova)
Ганна Сухоцька	Оксана Васильченко
(Hanna Suchocka)	(Oksana Vasylchenko)
Морін О'Коннор	Володимир Кузьменко
(Maureen O'Connor)	(Volodymyr Kuzmenko)



1.15 Adopting a decision related to the compliance of Pavlo Pavlish, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities

Heard:

Aleš Zalar, who, based on the results of evaluation of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Pavlo Pavlish, candidate for the position of a judge of the Constitutional Court of Ukraine, as such that does not comply with the criterion of high moral qualities.

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: that Pavlo Pavlish, candidate for the position of a judge of the Constitutional Court of Ukraine, does not comply with the criterion of high moral qualities in the framework of the competitive selection of candidates for the position of a judge of the Constitutional Court of Ukraine.

Підписи:

Алеш Залар (Aleš Zalar)	Наталія Кузнєцова (Nataliia Kuznietsova)
Ганна Сухоцька	Оксана Васильченко
(Hanna Suchocka)	(Oksana Vasylchenko)
Морін О'Коннор	Ярослав Романюк
(Maureen O'Connor)	(Yaroslav Romaniuk)



1.16 Adopting a decision related to the compliance of Oleksandr Radutnyi, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities

Heard:

Aleš Zalar, who, based on the results of evaluation of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Oleksandr Radutnyi, candidate for the position of a judge of the Constitutional Court of Ukraine, as such that does not comply with the criterion of high moral qualities.

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: that Oleksandr Radutnyi, candidate for the position of a judge of the Constitutional Court of Ukraine, does not comply with the criterion of high moral qualities in the framework of the competitive selection of candidates for the position of a judge of the Constitutional Court of Ukraine.

Алеш Залар	Наталія Кузнєцова
(Aleš Zalar)	(Nataliia Kuznietsova)
Ганна Сухоцька	Оксана Васильченко
(Hanna Suchocka)	(Oksana Vasylchenko)
Морін О'Коннор	Ярослав Романюк
(Maureen O'Connor)	(Yaroslav Romaniuk)



1.17 Adopting a decision related to the compliance of Volodymyr Ratush, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities

Heard:

Aleš Zalar, who, based on the results of evaluation of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Volodymyr Ratush, candidate for the position of a judge of the Constitutional Court of Ukraine, as such that does not comply with the criterion of high moral qualities.

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: that Volodymyr Ratush, candidate for the position of a judge of the Constitutional Court of Ukraine, does not comply with the criterion of high moral qualities in the framework of the competitive selection of candidates for the position of a judge of the Constitutional Court of Ukraine.

Алеш Залар	Наталія Кузнєцова
(Aleš Zalar)	(Nataliia Kuznietsova)
Ганна Сухоцька	Оксана Васильченко
(Hanna Suchocka)	(Oksana Vasylchenko)
Mopiн O'Коннор	Ярослав Романюк
(Maureen O'Connor)	(Yaroslav Romaniuk)



1.18 Adopting a decision related to the compliance of Serhii Riznyk, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities

Heard:

Aleš Zalar, who, based on the results of evaluation of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Serhii Riznyk, candidate for the position of a judge of the Constitutional Court of Ukraine, as such that complies with the criterion of high moral qualities.

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: that Serhii Riznyk, candidate for the position of a judge of the Constitutional Court of Ukraine, complies with the criterion of high moral qualities in the framework of the competitive selection of candidates for the position of a judge of the Constitutional Court of Ukraine.

Signatures:

Алеш Залар (Aleš Zalar) Наталія Кузнєцова (Nataliia Kuznietsova) Ганна Сухоцька Оксана Васильченко (Hanna Suchocka) (Oksana Vasylchenko)

Mopiн O'Коннор (Maureen O'Connor) Ярослав Романюк (Yaroslav Romaniuk)



1.19 Adopting a decision related to the compliance of Ihor Rohatiuk, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities

Heard:

Aleš Zalar, who, based on the results of evaluation of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Ihor Rohatiuk, candidate for the position of a judge of the Constitutional Court of Ukraine, as such that does not comply with the criterion of high moral qualities.

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: that Ihor Rohatiuk, candidate for the position of a judge of the Constitutional Court of Ukraine, does not comply with the criterion of high moral qualities in the framework of the competitive selection of candidates for the position of a judge of the Constitutional Court of Ukraine.

Алеш Залар	Наталія Кузнєцова
(Aleš Zalar)	(Nataliia Kuznietsova)
Ганна Сухоцька	Оксана Васильченко
(Hanna Suchocka)	(Oksana Vasylchenko)
Mopiн O'Коннор	Ярослав Романюк
(Maureen O'Connor)	(Yaroslav Romaniuk)



1.20 Adopting a decision related to the compliance of Mykhailo Savchyn, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities

Heard:

Aleš Zalar, who, based on the results of evaluation of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Mykhailo Savchyn, candidate for the position of a judge of the Constitutional Court of Ukraine, as such that does not comply with the criterion of high moral qualities.

Voted:

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

Total: "FOR" – 5 votes, "AGAINST" – 1 vote.

Decided: that Mykhailo Savchyn, candidate for the position of a judge of the Constitutional Court of Ukraine, does not comply with the criterion of high moral qualities in the framework of the competitive selection of candidates for the position of a judge of the Constitutional Court of Ukraine.

Алеш Залар	Наталія Кузнєцова
(Aleš Zalar)	(Nataliia Kuznietsova)
Ганна Сухоцька	Оксана Васильченко
(Hanna Suchocka)	(Oksana Vasylchenko)
Морін О'Коннор	Ярослав Романюк
(Maureen O'Connor)	(Yaroslav Romaniuk)



1.21 Adopting a decision related to the compliance of Oleksandr Tkachenko, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities

Heard:

Aleš Zalar, who, based on the results of evaluation of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Oleksandr Tkachenko, candidate for the position of a judge of the Constitutional Court of Ukraine, as such that does not comply with the criterion of high moral qualities.

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: that Oleksandr Tkachenko, candidate for the position of a judge of the Constitutional Court of Ukraine, does not comply with the criterion of high moral qualities in the framework of the competitive selection of candidates for the position of a judge of the Constitutional Court of Ukraine.

Signatures:

(Maureen O'Connor)

Алеш Залар (Aleš Zalar) Наталія Кузнєцова (Nataliia Kuznietsova) Ганна Сухоцька Оксана Васильченко (Hanna Suchocka) Оксана Васильченко (Oksana Vasylchenko) Ярослав Романюк

Ярослав Романюк (Yaroslav Romaniuk)



1.22 Adopting a decision related to the compliance of Taras Tsymbalistyi, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities

Heard:

Aleš Zalar, who, based on the results of evaluation of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Taras Tsymbalistyi, candidate for the position of a judge of the Constitutional Court of Ukraine, as such that complies with the criterion of high moral qualities.

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: that Taras Tsymbalistyi, candidate for the position of a judge of the Constitutional Court of Ukraine, complies with the criterion of high moral qualities in the framework of the competitive selection of candidates for the position of a judge of the Constitutional Court of Ukraine.

Алеш Залар	Наталія Кузнєцова
(Aleš Zalar)	(Nataliia Kuznietsova)
Ганна Сухоцька	Оксана Васильченко
(Hanna Suchocka)	(Oksana Vasylchenko)
Морін О'Коннор	Ярослав Романюк
(Maureen O'Connor)	(Yaroslav Romaniuk)



1.23 Adopting a decision related to the compliance of Tetiana Shynkar, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities

Heard:

Aleš Zalar, who, based on the results of evaluation of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Tetiana Shynkar, candidate for the position of a judge of the Constitutional Court of Ukraine, as such that does not comply with the criterion of high moral qualities.

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: that Tetiana Shynkar, candidate for the position of a judge of the Constitutional Court of Ukraine, does not comply with the criterion of high moral qualities in the framework of the competitive selection of candidates for the position of a judge of the Constitutional Court of Ukraine.

Алеш Залар	Наталія Кузнєцова
(Aleš Zalar)	(Nataliia Kuznietsova)
Ганна Сухоцька	Оксана Васильченко
(Hanna Suchocka)	(Oksana Vasylchenko)
Mopiн O'Коннор	Ярослав Романюк
(Maureen O'Connor)	(Yaroslav Romaniuk)



1.24 Adopting a decision related to the compliance of Oleksandra Yanovska, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities

Heard:

Aleš Zalar, who, based on the results of evaluation of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Oleksandra Yanovska, candidate for the position of a judge of the Constitutional Court of Ukraine, as such that complies with the criterion of high moral qualities.

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: that Oleksandra Yanovska, candidate for the position of a judge of the Constitutional Court of Ukraine, complies with the criterion of high moral qualities in the framework of the competitive selection of candidates for the position of a judge of the Constitutional Court of Ukraine.

Signatures:

Алеш Залар (Aleš Zalar) Наталія Кузнєцова (Nataliia Kuznietsova) Ганна Сухоцька (Hanna Suchocka) Оксана Васильченко (Oksana Vasylchenko) Морін О'Коннор (Maureen O'Connor) Ярослав Романюк (Yaroslav Romaniuk)



1.25 Adopting a decision related to the compliance of Yaromenok Roman, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities

Heard:

Aleš Zalar, who, based on the results of evaluation of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Roman Yaromenok, candidate for the position of a judge of the Constitutional Court of Ukraine, as such that complies with the criterion of high moral qualities.

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: that Roman Yaromenok, candidate for the position of a judge of the Constitutional Court of Ukraine, complies with the criterion of high moral qualities in the framework of the competitive selection of candidates for the position of a judge of the Constitutional Court of Ukraine.

Алеш Залар	Наталія Кузнєцова
(Aleš Zalar)	(Nataliia Kuznietsova)
Ганна Сухоцька	Оксана Васильченко
(Hanna Suchocka)	(Oksana Vasylchenko)
Mopiн O'Коннор	Ярослав Романюк
(Maureen O'Connor)	(Yaroslav Romaniuk)



2. Adoption a decision based on the results of discussion of the issue related to the approving the terms and conditions for conduct of written evaluation of candidates for the position of the judge of the Constitutional Court of Ukraine in assessing the level of competence in the field of law

Heard:

Aleš Zalar who proposed to approve the terms and conditions for conduct of written evaluation of candidates for the position of the judge of the Constitutional Court of Ukraine in assessing the level of competence in the field of law, including the procedure, duration and other organizational and procedural issues, and publish them.

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.

Resolved: to approve the terms and conditions for conduct of written evaluation of candidates for the position of the judge of the Constitutional Court of Ukraine in assessing the level of competence in the field of law.

3. Adoption a decision based on the results of discussion of the issue related to the approving the composition of the external group of international experts to prepare written questions and questions for additional interviews to determine the level of competence in the field of law of candidates for the position of judge of the Constitutional Court of Ukraine

Heard:

Aleš Zalar who proposed to approve the composition of the external group of international experts to prepare written questions and questions for additional interviews to determine the level of competence in the field of law of candidates for the position of judge of the Constitutional Court of Ukraine and informed that the names of the members of the external group of international experts shall not be disclosed to maintain confidentiality and avoid the leak of information related to the content of tasks/questions.

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 composition of the external group of international experts to prepare written questions and questions for additional interviews to determine the level of competence in the field of law of candidates for the position of judge of the Constitutional Court of Ukraine.

4. Adopting a decision based on the results of discussion of the issue related to approving guidelines for the preparation of written questions and questions for additional interviews to assess the level of competence in the field of law of candidates for the position of judge of the Constitutional Court of Ukraine

Heard:

Aleš Zalar who proposed to approve the guidelines for the preparation of written questions and questions for additional interviews to assess the level of competence in the field of law of candidates for the position of judge of the Constitutional Court of Ukraine, including general requirements for the form and content of a task and describe an overall aim of a written task.

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 guidelines for the preparation of written questions and questions for additional interviews to assess the level of competence in the field of law of candidates for the position of judge of the Constitutional Court of Ukraine

5. Adopting a decision based on the results of discussion of the issue related to announcing the date of a written evaluation of candidates for the position of a judges of the Constitutional Court of Ukraine

Heard:

Aleš Zalar who informed that AGE members have preliminarily agreed on the date for conducting a written evaluation of candidates of the position of judges of the Constitutional Court of Ukraine, which is set for April 5, 2024. Hence, Aleš Zalar proposed to approve this date – April 5, 2024 – for conducting a written evaluation of candidates of the position of judges of the Constitutional Court of Ukraine.

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: set April 5, 2024 as the date for conducting a written evaluation of candidates of the position of judges of the Constitutional Court of Ukraine.

Heard:

Aleš Zalar who informed that given that following the results of evaluation of high moral qualities, three candidates from the Congress of Judges of Ukraine continue to participate in the competition for two vacant positions of judge of the Constitutional Court of Ukraine, the AGE will inform the Council of Judges of Ukraine about the necessity to promptly (within a period of no more than 20 days) initiate a new competition for one vacant position of a judge of the Constitutional Court of Ukraine according to provisions of Article 108 of the Law of Ukraine "On the Constitutional Court of Ukraine".

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

Chairman of the Advisory Group of Experts

Aleš Zalar

Video recording of the live meeting broadcast:

