



**ADVISORY GROUP  
OF EXPERTS**

**APPROVED**

**Minutes No. 15 of the session of the Advisory Group of Experts**

**of January 28, 2025**

**DECISION No. 1.15**

*On the compliance of the candidate*

*for the position of judge of the Constitutional Court of Ukraine*

*Oksana Klymenko*

*with the criterion of high moral qualities*

The Advisory Group of Experts (hereinafter referred to as the Advisory Group) in remote mode using electronic video-conference means, consisting of the Chair of the Advisory Group Oksana Vasylychenko, Secretary of the Advisory Group Maureen O'Connor, members of the Advisory Group: Aleš Zalar, Yaroslav Romaniuk, Vasyl Shakun, Hanna Suchocka, in the presence of deputy members of the Advisory Group: Vitalii Makhinchuk, Thomas Griffith, Richard Barrett, Volodymyr Kuzmenko, having

assessed the compliance of the candidate for the position of judge of the Constitutional Court of Ukraine Oksana Klymenko (hereinafter referred to as the “Candidate”) with the criterion of high moral qualities, under the Law of Ukraine “On the Constitutional Court of Ukraine” (hereinafter referred to as the “Law”), the Regulations of the Advisory Group of Experts, approved by the decision of the Advisory Group of Experts of November 12, 2023, with amendments approved by Minutes No. 10 of the meeting of the Advisory Group of Experts dated May 30, 2024 (hereinafter referred to as the “Regulations”), the Methodology for Assessing Moral Qualities and Competency in the Field of Law of the Candidates for the Position of Judge of the Constitutional Court of Ukraine, approved by the decision of the Advisory Group of Experts on December 4, 2023, with amendments approved by Minutes No. 10 of the meeting of the Advisory Group of Experts dated May 30, 2024 (hereinafter referred to as the “Methodology”),

**established the following**

1. Under part 25, Article 10<sup>2</sup> of the Law, the Advisory Group, among other things, assesses the moral qualities of candidates for the position of judge of the Constitutional Court of Ukraine.

2. Under Article 10<sup>8</sup> of the Law, the Advisory Group, within four months from the date of receipt of all documents submitted by the candidates from the Selection Commission for the Competitive Selection of Candidates for the Position of Judge of the Constitutional Court of Ukraine regarding the persons appointed by the President of Ukraine, the Committee of the Verkhovna Rada of Ukraine in charge of issues pertaining to the legal status of the Constitutional Court of Ukraine, and the Council of Judges of Ukraine, should review and study the submitted documents, the results of the special check, other information and materials received by the Advisory Group

while exercising its powers, and after interviewing the candidate, having assessed high moral qualities of the candidate, should make a reasoned decision on the assessment of compliance with the criterion of moral qualities.

3. The criterion “high moral qualities”, envisaged by Article 10<sup>8</sup> of the Law, is determined by the Advisory Group in the course of assessment of the “integrity” component through the indicators of independence, honesty, impartiality, diligence, incorruptibility, compliance with ethical standards and demonstration of impeccable behaviour in professional activities and personal life, as well as through the component of “the legality of sources of property origin”, “compliance of the standard of living of the candidate or his/her family members with the declared income”, “compliance of the candidate's lifestyle with his/her status”, the content of which is outlined in part 1, Article 2 of the Methodology.

4. Under paragraph 1, part 3, Article 10<sup>8</sup> of the Law, a candidate may be considered compliant with the criterion of high moral qualities only if he/she is of good integrity and there are no reasonable doubts as to the legality of the sources of his/her property, the compliance of the standard of living of the candidate or his/her family members with the declared income, and the compliance of the candidate's lifestyle with his/her status. Under paragraph 4, part 3, Article 10<sup>8</sup> of the Law, a candidate fails to meet this criterion if it is proved that s/he/she does not comply with it or there are reasonable doubts about his/her compliance.

5. On August 07, 2024, the Advisory Group received from the Verkhovna Rada Committee on Legal Policy the documents of a Doctor of Law, Chief Scientific Advisor of the Legislative Development Sector on Legal Policy of the Research Service of the Verkhovna Rada of Ukraine, Oksana Klymenko, for participation in the competition for the position of judge of the Constitutional Court of Ukraine (letter No. ДГЕ- 697/24-ref as of August 07, 2024).

6. The Advisory Group reviewed, verified and analyzed the Candidate's documents, her written explanations, and information received from public authorities, public organizations, state registers, databases, legal entities under private law, as well as data received from the National Agency for the Prevention of Corruption and the National Anti-Corruption Bureau of Ukraine.

7. On January 15, 2025, the Advisory Group interviewed the Candidate aiming, in particular, to refute doubts concerning the Candidate's compliance with the criterion of high moral qualities.

8. The Advisory Group has completed its review, verification, and analysis of the Candidate's documents, individually and in their entirety, the Candidate's answers to the Advisory Group's written questions and the Advisory Group's questions during the interview and has decided that the Candidate is compliant with the criterion of high moral qualities, given the following.

9. As of the day of the interview, the Advisory Group had doubts about the Candidate's compliance with the criterion of high moral qualities, namely, such indicators of the "integrity" component as "honesty" and "diligence". At the same time, these doubts were refuted based on the results of the analysis of the Candidate's documents, each separately and in their entirety, the Candidate's answers to the written questions of the Advisory Group and the questions of the Advisory Group during the interview, and other information that the Advisory Group received during the assessment of the Candidate.

10. Accordingly, based on the results of the assessment of the Candidate's moral qualities, the Advisory Group did not find him to be non-compliant with the indicators of the integrity component of the criterion of high moral qualities (clause "a" of part 1, Article 2 of the Methodology). The Advisory Group, being governed by part 3 of Article 2 of the Methodology, also has no reasonable doubts about the

Candidate's compliance with any indicator of the "integrity" component (clause "a" of part 1, Article 2 of the Methodology).

11. The Advisory Group has also found no evidence of non-compliance and has no reasonable doubts about the Candidate's compliance with the component of "legality of the sources of property origin", "compliance of the standard of living of the candidate or his/her family members with the declared income", and "compliance of the candidate's lifestyle with his/her status" of the criterion of high moral qualities (clause "b" of Part 1 of Article 2 of the Methodology).

Thus, being guided by Articles 6 and 7 of the Regulations of the Advisory Group of Experts, approved by the decision of the Advisory Group of Experts of November 12, 2023, with changes approved by Minutes No. 10 of the meeting of the Advisory Group of Experts of May 30, 2024, the Methodology for Assessing Moral Qualities and Competency in the Field of Law of the Candidates for the Position of Judge of the Constitutional Court of Ukraine, approved by the decision of the Advisory Group of Experts of December 4, 2023, with amendments approved by Minutes No. 10 of the meeting of the Advisory Group of Experts of May 30, 2024, and Articles 10<sup>2</sup>, 10<sup>8</sup> of the Law of Ukraine "On the Constitutional Court of Ukraine", the Advisory Group of Experts

**has decided that**

for the purpose of the competitive selection of candidates for the position of a judge of the Constitutional Court of Ukraine, the candidate for the position of a judge of the Constitutional Court of Ukraine Oksana Klymenko complies with the criterion of high moral qualities.

**Signatures:**

Оксана Васильченко

(Oksana Vasylchenko)

Ганна Сухоцька

(Hanna Suchocka)

Ярослав Романюк

(Yaroslav Romaniuk)

Морін О'Коннор

(Maureen O'Connor)

Василь Шакун

(Vasyl Shakun)

Алеш Залар

(Aleš Zalar)

**Video recording of the interview broadcast:**

