



**ДОРАДЧА
ГРУПА ЕКСПЕРТІВ**

**MINUTES No. 3
of the meeting of the Advisory Group of Experts**

*The meeting was held in a remote mode using electronic
videoconferencing means*

January 11, 2024

Start time of the meeting: 18:30

End time of the meeting: 19:00

Members of the Advisory Group of Experts present at the meeting:

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

Substitute Members of the Advisory Group of Experts present at the meeting:

Richard Barrett, Marek Zubik, Volodymyr Kuzmenko, Ihor Protsiuk, Vasyl Shakun.

Proposed agenda:

1. Adopting a decision to approve or reject motions from the AGE Members for self-recusal in evaluating candidates for the positions of judges of the Constitutional Court of Ukraine.

Voted:

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

Total: “FOR” – 5 votes, “AGAINST” – 0 votes.

Resolved: to approve the proposed agenda.

Consideration of issues from the agenda:

Issue No. 1 from the agenda.

Have heard:

Aleš Zalar who reported that three AGE Members – Yaroslav Romaniuk, Nataliia Kuznietsova and Oksana Vasylchenko – filed motions for self-recusal given a potential conflict of interests with individual candidates. Aleš Zalar noted that all AGE Members had a possibility to review their motions and arguments set out in them, and proposed to vote on each motion.

Besides, Aleš Zalar informed that an AGE Member under consideration in a motion shall abstain from participating in the vote for the approval or rejection of their own motion.



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1.1 Adopting a decision to approve or reject a motion for self-recusal of Oksana Vasylychenko, AGE Member, from evaluating Nataliia Panchenko, candidate for the position of a judge of the Constitutional Court of Ukraine.

Have heard:

Aleš Zalar informed AGE Members that Oksana Vasylychenko filed a motion for self-recusal from evaluating candidate Nataliia Panchenko, judge of Kyiv Circuit Administrative Court. AGE Members had the opportunity to review her motion before the meeting. With no additional questions on this matter, Aleš Zalar suggested a vote to approve Oksana Vasylychenko's motion for self-recusal from evaluating Nataliia Panchenko, a candidate for the position of a judge of the Constitutional Court of Ukraine.

Voted:

- Aleš Zalar: "FOR"
- Maureen O'Connor: "FOR"
- Yaroslav Romaniuk: "FOR"
- Hanna Suchocka: "FOR"

Total: "FOR" – 4 votes, "AGAINST" – 0 votes.

Resolved: to approve the motion for self-recusal of AGE Member Oksana Vasylychenko from evaluating Nataliia Panchenko, candidate for the position of a judge of the Constitutional Court of Ukraine.

1.2 Adopting a decision to approve or reject a motion for self-recusal of Nataliia Kuznietsova, AGE Member, from evaluating Andrii Boiko, candidate for the position of a judge of the Constitutional Court of Ukraine

Have heard:

Aleš Zalar informed AGE Members that Nataliia Kuznietsova filed a motion for self-recusal from evaluating candidate Andrii Boiko, professor of the Department of Criminal Law and Procedure of Kyiv Mohyla National University. AGE Members had the opportunity to review her motion before the meeting. With no additional questions on this matter, Aleš Zalar suggested a vote to approve Nataliia Kuznietsova's motion for self-recusal from evaluating Andrii Boiko, a candidate for the position of a judge of the Constitutional Court of Ukraine.

Voted:

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

Total: "FOR" – 5 votes, "AGAINST" – 0 votes.

Resolved: to approve the motion for self-recusal of AGE Member Nataliia Kuznietsova from evaluating Andrii Boiko, candidate for the position of a judge of the Constitutional Court of Ukraine.



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1.3 Adopting a decision to approve or reject a motion for self-recusal of Nataliia Kuznietsova, AGE Member, from evaluating Oleksandr Kopylenko, candidate for the position of a judge of the Constitutional Court of Ukraine

Have heard:

Aleš Zalar informed AGE Members that Nataliia Kuznietsova filed a motion for self-recusal from evaluating candidate Oleksandr Kopylenko, Member of Parliament of Ukraine and Deputy Head of the Committee of Foreign Policy and Interparliamentary Cooperation of the Verkhovna Rada of Ukraine. AGE Members had the opportunity to review her motion before the meeting. With no additional questions on this matter, Aleš Zalar suggested a vote to approve Nataliia Kuznietsova's motion for self-recusal from evaluating Oleksandr Kopylenko, a candidate for the position of a judge of the Constitutional Court of Ukraine.

Voted:

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

Total: "FOR" – 5 votes, "AGAINST" – 0 votes.

Resolved: to approve the motion for self-recusal of AGE Member Nataliia Kuznietsova from evaluating Oleksandr Kopylenko, candidate for the position of a judge of the Constitutional Court of Ukraine.

1.4 Adopting a decision to approve or reject a motion for self-recusal of Nataliia Kuznietsova, AGE Member, from evaluating Ivan Nazarov, candidate for the position of a judge of the Constitutional Court of Ukraine

Have heard:

Aleš Zalar informed AGE Members that Nataliia Kuznietsova filed a motion for self-recusal from evaluating candidate Ivan Nazarov, Deputy Head of the National Agency for Higher Education Quality Assurance. AGE Members had the opportunity to review her motion before the meeting. With no additional questions on this matter, Aleš Zalar suggested a vote to approve Nataliia Kuznietsova's motion for self-recusal from evaluating Ivan Nazarov, a candidate for the position of a judge of the Constitutional Court of Ukraine.

Voted:

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



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Total: “FOR” – 5 votes, “AGAINST” – 0 votes.

Resolved: to approve the motion for self-recusal of AGE Member Nataliia Kuznietsova from evaluating Ivan Nazarov, candidate for the position of a judge of the Constitutional Court of Ukraine.

1.5 Adopting a decision to approve or reject a motion for self-recusal of Nataliia Kuznietsova, AGE Member, from evaluating Yurii Barabash, candidate for the position of a judge of the Constitutional Court of Ukraine

Have heard:

Aleš Zalar informed AGE Members that Nataliia Kuznietsova filed a motion for self-recusal from evaluating candidate Yurii Barabash, Professor at the Department of Constitutional Law of Ukraine and Vice-Rector for Research, Teaching and Strategic Development of Yaroslav Mudryi National Law University. AGE Members had the opportunity to review her motion before the meeting. With no additional questions on this matter, Aleš Zalar suggested a vote to approve Nataliia Kuznietsova’s motion for self-recusal from evaluating Yurii Barabash, a candidate for the position of a judge of the Constitutional Court of Ukraine.

Voted:

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

Total: “FOR” – 5 votes, “AGAINST” – 0 votes.

Resolved: to approve the motion for self-recusal of AGE Member Nataliia Kuznietsova from evaluating Yurii Barabash, candidate for the position of a judge of the Constitutional Court of Ukraine.

1.6 Adopting a decision to approve or reject a motion for self-recusal of Yaroslav Romaniuk, AGE Member, from evaluating Serhii Martiev, candidate for the position of a judge of the Constitutional Court of Ukraine

Have heard:

Aleš Zalar informed AGE Members that Yaroslav Romaniuk filed a motion for self-recusal from evaluating candidate Serhii Martiev, Judge of the Grand Chamber of the Supreme Court. AGE Members had the opportunity to review his motion before the meeting. With no additional questions on this matter, Aleš Zalar suggested a vote to approve Yaroslav Romaniuk’s motion for self-recusal from evaluating Serhii Martiev, a candidate for the position of a judge of the Constitutional Court of Ukraine.

Voted:

- Oksana Vasylchenko: “FOR”



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- Aleš Zalar: “FOR”
- Maureen O’Connor: “FOR”
- Hanna Suchocka: “FOR”

Total: “FOR” – 4 votes, “AGAINST” – 0 votes.

Resolved: to approve the motion for self-recusal of AGE Member Yaroslav Romaniuk from evaluating Serhii Martiev, candidate for the position of a judge of the Constitutional Court of Ukraine.

1.7 Adopting a decision to approve or reject a motion for self-recusal of Yaroslav Romaniuk, AGE Member, from evaluating Oleksandr Prokopenko, candidate for the position of a judge of the Constitutional Court of Ukraine

Have heard:

Aleš Zalar informed AGE Members that Yaroslav Romaniuk filed a motion for self-recusal from evaluating candidate Oleksandr Prokopenko, Judge of the Supreme Court. AGE Members had the opportunity to review his motion before the meeting. With no additional questions on this matter, Aleš Zalar suggested a vote to approve Yaroslav Romaniuk’s motion for self-recusal from evaluating Oleksandr Prokopenko, a candidate for the position of a judge of the Constitutional Court of Ukraine.

Voted:

- Oksana Vasylchenko: “FOR”
- Aleš Zalar: “FOR”
- Maureen O’Connor: “FOR”
- Hanna Suchocka: “FOR”

Total: “FOR” – 4 votes, “AGAINST” – 0 votes.

Resolved: to approve the motion for self-recusal of AGE Member Yaroslav Romaniuk from evaluating Oleksandr Prokopenko, candidate for the position of a judge of the Constitutional Court of Ukraine.

1.8 Adopting a decision to approve or reject a motion for self-recusal of Yaroslav Romaniuk, AGE Member, from evaluating Olena Volkova, candidate for the position of a judge of the Constitutional Court of Ukraine

Have heard:

Aleš Zalar informed AGE Members that Yaroslav Romaniuk filed a motion for self-recusal from evaluating candidate Olena Volkova, judge of Yuzhnoukrainsk City Court of Mykolaiv Oblast. AGE Members had the opportunity to review his motion before the meeting. With no additional questions on this matter, Aleš Zalar suggested a vote to approve Yaroslav Romaniuk’s motion for self-recusal from evaluating Olena Volkova, a candidate for the position of a judge of the Constitutional Court of Ukraine.

Voted:



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- Oksana Vasylchenko: “FOR”
- Aleš Zalar: “FOR”
- Maureen O’Connor: “FOR”
- Hanna Suchocka: “FOR”

Total: “FOR” – 4 votes, “AGAINST” – 0 votes.

Resolved: to approve the motion for self-recusal of AGE Member Yaroslav Romaniuk from evaluating Olena Volkova, candidate for the position of a judge of the Constitutional Court of Ukraine.

1.9 Adopting a decision to approve or reject a motion for self-recusal of Yaroslav Romaniuk, AGE Member, from evaluating Vadym Ihnatenko, candidate for the position of a judge of the Constitutional Court of Ukraine

Have heard:

Aleš Zalar informed AGE Members that Yaroslav Romaniuk filed a motion for self-recusal from evaluating candidate Vadym Ihnatenko, Judge of the Supreme Court. AGE Members had the opportunity to review his motion before the meeting. With no additional questions on this matter, Aleš Zalar suggested a vote to approve Yaroslav Romaniuk’s motion for self-recusal from evaluating Vadym Ihnatenko, a candidate for the position of a judge of the Constitutional Court of Ukraine.

Voted:

- Oksana Vasylchenko: “FOR”
- Aleš Zalar: “FOR”
- Maureen O’Connor: “FOR”
- Hanna Suchocka: “FOR”

Total: “FOR” – 4 votes, “AGAINST” – 0 votes.

Resolved: to approve the motion for self-recusal of AGE Member Yaroslav Romaniuk from evaluating Vadym Ihnatenko, candidate for the position of a judge of the Constitutional Court of Ukraine.

1.10 Adopting a decision to approve or reject a motion for self-recusal of Yaroslav Romaniuk, AGE Member, from evaluating Andrii Boiko, candidate for the position of a judge of the Constitutional Court of Ukraine

Have heard:

Aleš Zalar informed AGE Members that Yaroslav Romaniuk filed a motion for self-recusal from evaluating the aforementioned candidate, Andrii Boiko. AGE Members had the opportunity to review his motion before the meeting. With no additional questions on this matter, Aleš Zalar suggested a vote to approve Yaroslav Romaniuk’s motion for self-recusal from evaluating Andrii Boiko, a candidate for the position of a judge on the Constitutional Court of Ukraine.



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Voted:

- Oksana Vasylchenko: “FOR”
- Aleš Zalar: “FOR”
- Maureen O’Connor: “FOR”
- Hanna Suchocka: “FOR”

Total: “FOR” – 4 votes, “AGAINST” – 0 votes.

Resolved: to approve the motion for self-recusal of AGE Member Yaroslav Romaniuk from evaluating Andrii Boiko, candidate for the position of a judge of the Constitutional Court of Ukraine.

1.11 Adopting a decision to approve or reject a motion for self-recusal of Yaroslav Romaniuk, AGE Member, from evaluating Alla Oliinyk, candidate for the position of a judge of the Constitutional Court of Ukraine

Have heard:

Aleš Zalar informed AGE Members that Yaroslav Romaniuk filed a motion for self-recusal from evaluating candidate Alla Oliinyk, Judge of the Supreme Court. AGE Members had the opportunity to review his motion before the meeting. With no additional questions on this matter, Aleš Zalar suggested a vote to approve Yaroslav Romaniuk’s motion for self-recusal from evaluating Alla Oliinyk, a candidate for the position of a judge on the Constitutional Court of Ukraine.

Voted:

- Oksana Vasylchenko: “FOR”
- Aleš Zalar: “FOR”
- Maureen O’Connor: “FOR”
- Hanna Suchocka: “FOR”

Total: “FOR” – 4 votes, “AGAINST” – 0 votes.

Resolved: to approve the motion for self-recusal of AGE Member Yaroslav Romaniuk from evaluating Alla Oliinyk, candidate for the position of a judge of the Constitutional Court of Ukraine.

1.12 Adopting a decision to approve or reject a motion for self-recusal of Yaroslav Romaniuk, AGE Member, from evaluating Oleksandr Korovaiko, candidate for the position of a judge of the Constitutional Court of Ukraine

Have heard:

Aleš Zalar informed AGE Members that Yaroslav Romaniuk filed a motion for self-recusal from evaluating candidate Oleksandr Korovaiko, Chief Judge of Kherson Court of Appeals. AGE Members had the opportunity to review his motion before the meeting. With no additional questions on this matter, Aleš Zalar suggested a vote to approve Yaroslav Romaniuk’s motion



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for self-recusal from evaluating Oleksandr Korovaiko, a candidate for the position of a judge on the Constitutional Court of Ukraine.

Voted:

- Oksana Vasylchenko: “FOR”
- Aleš Zalar: “FOR”
- Maureen O’Connor: “FOR”
- Hanna Suchocka: “FOR”

Total: “FOR” – 4 votes, “AGAINST” – 0 votes.

Resolved: to approve the motion for self-recusal of AGE Member Yaroslav Romaniuk from evaluating Oleksandr Korovaiko, candidate for the position of a judge of the Constitutional Court of Ukraine.

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

**Chair of the Advisory Group of
Experts**

(signature)

Aleš Zalar

Video recording of the live meeting broadcast:

