



MINUTES No. 17
of the session of the Advisory Group of Experts

The session has been held in remote mode using electronic video-conferencing

May 29, 2025

Start of session: 5:00 p.m.

End of session: 5:20 p.m.

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

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

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

Volodymyr Kuzmenko, Thomas Griffith, Vitalii Makhinchuk, Marek Zubik.

Suggested agenda:

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

- Deciding on the compliance of Zavalniuk Ihor, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.
- Deciding on the compliance of Nykon Olesia, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.
- Deciding on the compliance of Savchak Andrii, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.
- Deciding on the compliance of Saliuk Petro, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities.

Voted:

- Oksana Vasylchenko: “FOR”
- Aleš Zalar: “FOR”
- Vasyl Shakun: “FOR”



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- 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:

Maureen O'Connor informed that, between May 17 and May 18, 2024, the Advisory Group of Experts conducted interviews with candidates for the position of judge of the Constitutional Court of Ukraine as part of the competition announced by the Congress of Judges of Ukraine 2024. These interviews aimed to assess the candidate's compliance with the criterion of high moral qualities and refute any doubts regarding the high moral qualities of such candidates.



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

Heard:

Oksana Vasylchenko, who, based on the results of an assessment of the high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Zavalniuk Ihor, a 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”
- Vasyl Shakun: “FOR”
- Maureen O’Connor: “FOR”
- Yaroslav Romaniuk: “FOR”
- Hanna Suchocka: “FOR”

Total: “FOR” – 5 votes, “AGAINST” – 1 votes.

Decided: that Zavalniuk 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)

Василь Шакун
(Vasyl Shakun)

Ганна Сухоцька
(Hanna Suchocka)

Оксана Васильченко
(Oksana Vasylchenko)

Морін О’Коннор
(Maureen O’Connor)

Ярослав Романюк
(Yaroslav Romaniuk)



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

Heard:

Oksana Vasylchenko, who, based on the results of an assessment of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Nykon Olesia, a 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”
 - Vasyl Shakun: “AGAINST”
 - Maureen O’Connor: “FOR”
 - Yaroslav Romaniuk: “AGAINST”
 - Hanna Suchocka: “FOR”
- Total: “FOR” – 3 votes, “AGAINST” – 3 votes.

Decided: in accordance with paragraph twenty of Section IV (subparagraph two) of the Law of Ukraine “On the Constitutional Court of Ukraine”, no decision was reached.

Heard:

Oksana Vasylchenko, who said that, according to the paragraph twenty of Section IV of the Law of Ukraine “On the Constitutional Court of Ukraine”, during the transitional selection period, the Advisory Group of Experts shall take decisions by at least four votes from its members, of which at least two are nominated by international organisations or the European Commission for Democracy through Law.

The candidate received four votes in favor, but only one of them was cast by a member proposed by international organisations or the European Commission for Democracy through Law. If, due to an equal number of votes in favor and against, the Advisory Group of Experts is unable to reach a decision, a repeated vote shall be held

Oksana Vasylchenko said that given these provisions of the law, as well as the equal number of votes in favor and against the candidate Nykon Olesia, the Advisory Group of Experts should hold a repeated vote.



1.3. Adopting a decision related to the compliance of Nykon Olesia, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities through a repeated vote

Heard:

Oksana Vasylchenko, who, based on the results of an assessment of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem **Nykon Olesia**, 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.

Oksana Vasylchenko also informed that in accordance with paragraph twenty of Section IV of the Law of Ukraine “On the Constitutional Court of Ukraine,” if there is an equal number of votes in favor and against after the repeated vote, the votes of three members of the Advisory Group of Experts, of whom at least two are nominated by international organisations or the European Commission for Democracy through Law, shall be decisive.

Voted:

- Oksana Vasylchenko: “AGAINST”
 - Aleš Zalar: “FOR”
 - Vasyl Shakun: “ AGAINST”
 - Maureen O’Connor: “FOR”
 - Yaroslav Romaniuk: “ AGAINST”
 - Hanna Suchocka: “FOR”
- Total: “FOR” – 3 votes, “AGAINST” – 3 votes

Decided: that, guided by paragraph twenty of Section IV (subparagraph three) of the Law of Ukraine “On the Constitutional Court of Ukraine”, Nykon Olesia, 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
(Hanna Suchocka)

Оксана Васильченко
(Oksana Vasylchenko)

Морін О’Коннор
(Maureen O’Connor)

Ярослав Романюк
(Yaroslav Romaniuk)



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

Heard:

Oksana Vasylchenko, who, based on the results of an assessment of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Savchak Andrii, a 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”
- Vasyl Shakun: “AGAINST”
- Maureen O’Connor: “FOR”
- Yaroslav Romaniuk: “AGAINST”
- Hanna Suchocka: “FOR”

Total: “FOR” – 3 votes, “AGAINST” – 3 votes.

Decided: in accordance with paragraph twenty of Section IV (subparagraph two) of the Law of Ukraine “On the Constitutional Court of Ukraine”, no decision was reached.

Heard:

Oksana Vasylchenko, who said that, according to the paragraph twenty of Section IV of the Law of Ukraine “On the Constitutional Court of Ukraine”, during the transitional selection period, the Advisory Group of Experts shall take decisions by at least four votes from its members, of which at least two are nominated by international organisations or the European Commission for Democracy through Law.

The candidate received four votes in favor, but only one of them was cast by a member proposed by international organisations or the European Commission for Democracy through Law. If, due to an equal number of votes in favour and against, the Advisory Group of Experts is unable to reach a decision, a repeated vote shall be held

Oksana Vasylchenko said that given these provisions of the law, as well as the equal number of votes in favour and against the candidate Savchak Andrii, the Advisory Group of Experts should hold a repeated vote.



Adopting a decision related to the compliance of Savchak Andrii, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities through a repeated vote

Heard:

Oksana Vasylchenko, who, based on the results of an assessment of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Savchak Andrii, 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.

Oksana Vasylchenko also informed that in accordance with paragraph twenty of Section IV of the Law of Ukraine “On the Constitutional Court of Ukraine,” if there is an equal number of votes in favour and against after the repeated vote, the votes of three members of the Advisory Group of Experts, of whom at least two are nominated by international organisations or the European Commission for Democracy through Law, shall be decisive.

Voted:

- Oksana Vasylchenko: “AGAINST”
 - Aleš Zalar: “FOR”
 - Vasyl Shakun: “ AGAINST”
 - Maureen O’Connor: “FOR”
 - Yaroslav Romaniuk: “ AGAINST”
 - Hanna Suchocka: “FOR”
- Total: “FOR” – 3 votes, “AGAINST” – 3 votes

Decided: that, guided by paragraph twenty of Section IV (subparagraph three) of the Law of Ukraine “On the Constitutional Court of Ukraine”, Savchak Andrii, 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
(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 Saliuk Petro, candidate for the position of a judge of the Constitutional Court of Ukraine, with the criterion of high moral qualities

Heard:

Oksana Vasylchenko, who, based on the results of an assessment of high moral qualities of candidates for the position of a judge of the Constitutional Court of Ukraine, proposed to deem Saliuk Petro, 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 Saliuk Petro, 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)

Василь Шакун
(Vasyl Shakun)

Ганна Сухоцька
(Hanna Suchocka)

Оксана Васильченко
(Oksana Vasylchenko)

Морін О’Коннор
(Maureen O’Connor)

Ярослав Романюк
(Yaroslav Romaniuk)



**ДОРАДЧА
ГРУПА ЕКСПЕРТІВ**

Heard:

Oksana Vasylychenko who informed that given that only a candidate continues to participate in the competition for two vacant positions of judges of the Constitutional Court of Ukraine in the competition announced by the Congress of Judges of Ukraine, based on the results of the assessment of high moral qualities, the Advisory Group of Experts will inform the Council of Judges of Ukraine about the necessity to promptly (within a period of no more than 20 days) announce a new competition for one vacant position of a judge of the Constitutional Court of Ukraine according to provisions of Article 10-8 of the Law of Ukraine “On the Constitutional Court of Ukraine”.

Oksana Vasylychenko noted that all issues from the agenda were considered.

**Chair of
the Advisory Group of Experts**

Oksana Vasylychenko

Video recording of the live meeting broadcast:

