



**ADVISORY GROUP  
OF EXPERTS**

**APPROVED**

**Minutes No. 5 of the meeting of the Advisory Group of Experts  
of 23 March 2024**

**DECISION No. 1.22**

*On the compliance of the candidate  
for the position of judge of the Constitutional Court of Ukraine  
Tsymbalistyi Taras with the criterion of high moral qualities*

The Advisory Group of Experts (hereinafter referred to as the Advisory Group) remotely using electronic video-conference means, consisting of the Chair of the Advisory Group Aleš Zalar, Secretary of the Advisory Group Yaroslav Romaniuk, members of the Advisory Group: Nataliia Kuznietsova, Oksana Vasylchenko, Maureen O'Connor, Hanna Suchocka, in the presence of deputy members of the Advisory Group: Marek Zubik, Volodymyr Kuzmenko, Vasyl Shakun, Thomas Griffith, Richard Barrett, having assessed the compliance of the candidate for the position of judge of the Constitutional Court of Ukraine Tsymbalistyi Taras (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 on the Advisory Group of Experts, approved by the decision of the Advisory Group of Experts on November 12, 2023, the Methodology for Assessing Moral Qualities and the Level of Competence 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 04, 2023 (hereinafter referred to as the Methodology),

**established the following:**

1. According to part twenty-five, 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. According to Article 10<sup>8</sup> of the Law, the Advisory Group within four months from the date of receiving from the selection commission 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 responsible for the legal status of the Constitutional Court of Ukraine, and the Council of Judges of Ukraine of all documents submitted by the candidates, reviews and studies the submitted documents, results of the special check, other information and materials received by the Advisory Group in the process of administration of its powers, and after interviewing with the candidate, based on the results of the assessment of high moral qualities of the candidate, makes a reasoned decision on the assessment of the compliance with the criterion of moral qualities.

3. The criterion of “high moral qualities” according to Article 10<sup>8</sup> of the Law is determined by the Advisory Group during the assessment by the indicators of independence, honesty, impartiality, diligence, incorruptibility, compliance with ethical norms and demonstration of impeccable behaviour in professional activities and personal life of the “integrity” component, as well as by 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”, the content of which is outlined in Part 1 of Article 2 of the Methodology.

4. According to paragraph 1, part three, Article 10<sup>8</sup> of the Law, a candidate may be considered compliant with the criterion of high moral qualities only if he or she is of good

integrity and there are no reasonable doubts as to the legality of the sources of his or her property origin, 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. According to 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 does not comply with it or there are reasonable doubts about his/her compliance.

5. On December 07, 2023 the Advisory Group received from the Committee of the Verkhovna Rada of Ukraine for Legal Policy the documents of Tsymbalistyi Taras, the prosecutor of the department of representation of the state interests in the matters of state and municipal property of the second administration of the Department of Representation of State Interests in court of the Office of the Prosecutor General (letter No. ДІГЕ-8/23-ref as of December 07, 2023).

6. The Advisory Group reviewed, verified, and analyzed the Candidate's documents, written explanations, and information received from public authorities and non-governmental organizations, as well as data received from the National Agency on Corruption Prevention and the National Anti-Corruption Bureau of Ukraine.

7. On March 07, 2024, the Advisory Group [interviewed](#) the Candidate, in particular, to refute doubts about 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 compliance with the criterion of high moral qualities, given the following.

9. As of the date of the interview, the Advisory Group had some doubts concerning the Candidate's compliance with the criterion of high moral qualities, viz. such "integrity" indicators as "honesty", "diligence", "compliance with ethical norms and demonstration of impeccable conduct in professional activity and personal life", as well as the component of legitimacy of the sources of property origin, correspondence of the candidate's way of living to his status. However, these doubts were refuted based on the

results of the analysis of the Candidate's documents, each separately and also in their entirety, the Candidate's responses to the Advisory Group's written questions and the questions asked by the Advisory Group at the interview, information received from state authorities and public organisations, as well as data received from the National Agency on Corruption Prevention and the National Anti-Corruption Bureau of Ukraine.

10. Therefore, based on the results of the assessment of the Candidate's moral qualities, the Advisory Group did not find that he did not comply with the indicators of the integrity component of the criterion of high moral qualities (paragraph «a», part one, Art. 2 of the Methodology). The Advisory Group, guided by part two of Article 3 of the Methodology, also has no reasonable doubts about the Candidate's compliance with any of the indicators of the integrity component (paragraph «a», part one, 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 sources of property, compliance of the candidate's or his family members' standard of living with the declared income, compliance of the candidate's lifestyle with the criterion of high moral qualities (paragraph «b», part one, Article 2 of the Methodology).

Thus, being guided by Articles 6, 7 of the Regulation on the Advisory Group of Experts, approved by the decision of the Advisory Group of Experts on November 12, 2023, the Methodology for Assessing Moral Qualities and the Level of Competence 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 04, 2023, Articles 10<sup>2</sup>, 10<sup>8</sup> of the Law of Ukraine «On the Constitutional Court of Ukraine»; the Advisory Group

**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 Taras Tsymbalistyi complies with the criterion of high moral qualities.

**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)

Recording of the interview broadcast:

