



**ADVISORY GROUP  
OF EXPERTS**

**APPROVED**

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

**of January 28, 2025**

**DECISION No. 1.25**

*On the compliance of the candidate  
for the position of judge of the Constitutional Court of Ukraine  
Mykhailo Savchyn  
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 Vasylchenko, 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 and Volodymyr Kuzmenko, having assessed the compliance of the candidate for the position of judge of the Constitutional Court of Ukraine Mykhailo Savchyn (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 October 4, 2024, the Advisory Group received from the Competition Commission the documents of Mykhailo Savchyn, Professor of the Department of Administrative, Financial, and Information Law at the State Higher Educational Institution “Uzhhorod National University,” for participation in the competitive selection for the position of judge of the Constitutional Court of Ukraine with respect to candidates appointed by the President of Ukraine (letter No. ДГЕ -836/24-in dated October 4, 2024).

6. The Advisory Group reviewed, verified and analyzed the Candidate's documents, his 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 21, 2025, 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 completed the review, verification, and analysis of the Candidate's documents, both individually and collectively, as well as the Candidate's responses to the Advisory Group's written questions and questions posed during the interview, and resolved that the Candidate meets the criterion of high moral qualities, based on the following.

9. As of the date of the interview, the Advisory Group had doubts regarding the Candidate's compliance with the criterion of high moral qualities, specifically with the indicators of the "integrity" component such as "honesty," "diligence," and "adherence to ethical norms and demonstration of impeccable behavior in professional activities and personal life," as outlined in the Advisory Group's Decision No. 1.20 "On the Non-Compliance of Candidate for the Position of Judge of the Constitutional Court of Ukraine Savchyn Mykhailo with the Criterion of High Moral Qualities," adopted by Minutes No. 5 of the Advisory Group of Experts meeting on March 23, 2024. Additionally, there were concerns regarding the Candidate's diligent adherence to tax legislation requirements in the field of income declaration and tax payment.

10. At the same time, most of the doubts, including those outlined in the Advisory Group's decision No. 1.20 "On the non-compliance of Mykhailo Vasylovych Savchyn, candidate for the position of judge of the Constitutional Court of Ukraine, with the criterion of high moral character," adopted by Protocol No. 5 of the meeting of the Advisory Group of Experts on March 23, 2024, were refuted based on the Candidate's responses to the Advisory Group's written questions, as well as responses

provided during the interview held as part of the competition announced on May 22, 2024. These doubts were further dispelled through the analysis of the Candidate's documents, both individually and in their entirety, along with other information obtained by the Advisory Group during the Candidate's evaluation.

11. Regarding the doubt about the Candidate's conscientious adherence to tax legislation requirements in the field of income declaration and tax payment, according to Part 2 of Article 2 of the Methodology, when assessing compliance with the criterion of high moral character, the Advisory Group may take into account the seriousness or gravity of the violation, the totality of circumstances, and the presence of intent in any breach of integrity. In the case of minor violations, the Advisory Group may also consider whether a sufficient amount of time has passed without any further repeated violations.

In cases of minor violations, consideration is given to whether sufficient time has passed without further repeated violations. When determining the severity of the violation, the Advisory Group considers all circumstances, including but not limited to the following: whether the violation was an isolated incident; whether the violation caused no harm or only minimal harm to private or public interests (including public trust); and whether an objective observer would perceive the violation as a display of disregard for public order resulting from neglect of rules and norms.

12. Taking into account the seriousness, severity, and totality of circumstances identified during the Candidate's assessment, the Advisory Group, guided by Part 2 of Article 2 of the Methodology, concluded that the Candidate meets the criterion of high moral qualities.

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 Mykhailo Savchyn complies with the criterion of high moral qualities.

**Signatures:**

Алеш Залар

(Aleš Zalar)

Василь Шакур

(Vasyl Shakun)

Ганна Сухоцька

(Hanna Suchocka)

Оксана Васильченко

(Oksana Vasylchenko)

Морін О’Коннор

(Maureen O’Connor)

Ярослав Романюк

(Yaroslav Romaniuk)

Video recording of the interview broadcast:

