



## ЕТИЧНА РАДА

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## ETHICS COUNCIL

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23 June 2022

Kyiv

### DECISION

#### No. 19

***On compliance of candidate  
for the position of the member of  
the High Council of Justice O. V. Zaichko  
with the professional ethics and integrity criteria  
for filling in the position of the member  
of the High Council of Justice***

The Ethics Council consisting of Chair of the Ethics Council Lev Kyshakevych (remotely by videoconference), Deputy Chairman of the Ethics Council Sir Anthony Hooper (remotely by videoconference), members of the Council: Yurii Triasun (remotely by videoconference), Volodymyr Siverin (by videoconference), Robert Cordy (remotely by videoconference), Lavly Perling (remotely by videoconference), having conducted evaluation of compliance of candidate for the position of the member of the High Council of Justice Olena Viktorivna Zaichko with the criteria of professional ethics and integrity, according to the Law of Ukraine “On the High Council of Justice”, the Rules of Procedure of the Ethics Council adopted by the Ethics Council’s Decisions No. 1 as of 1 December 2021 and No. 4 as of 9 December 2021 as amended by the Ethics Council’s Decision No. 4 as of 26 April 2022, Methodology for assessing compliance of the candidate to the position of the member of the High Council of Justice and members of the High Council of Justice with the criterion of professional ethics and integrity adopted by Decision of the Ethics Council No. 5 as of 9 December 2021,

**has established:**

On 21 September 2021 O. V. Zaichko submitted an application to the Verkhovna Rada of Ukraine on her intention to be selected as the member of the High Council of Justice from the Verkhovna Rada of Ukraine.

Pursuant to Article 6(1) of the Law of Ukraine “On the High Council of Justice”, a citizen of Ukraine who complies with the criteria of professional ethics and integrity may be elected (appointed) to the position of the member of the High Council of Justice.

Article 9(1) of the Law of Ukraine “On the High Council of Justice” stipulates that selection of candidates for the position of the member of the High Council of Justice shall be carried out based on the criteria of professional ethics and integrity.

Pursuant to Article 9<sup>1</sup>(1) of the Law of Ukraine “On the High Council of Justice”, the Ethics Council is established with a view to assisting bodies which elect (appoint) members of the High Council of Justice with establishing compliance of the candidate for the position of the High Council of Justice with the professional ethics and integrity criteria.

The Ethics Council shall evaluate compliance of a candidate for the position of the member of the High Council of Justice with the professional ethics and integrity criteria and provide a respective opinion regarding each candidate, as well as the list of candidates recommended for appointment to the position of the member of the High Council of Justice.

Pursuant to Article 9<sup>1</sup>(14) of the Law of Ukraine “On the High Council of Justice”, the Ethics Council shall carry out selection of candidates for the position of the member of the High Council of Justice in two stages:

- 1) selection of candidates pursuant to results of consideration of documents submitted by candidates, results of the special check and respective information from open sources, and formation of the list of candidates admitted to the interview;

2) conduct of interviews with selected candidates and determination of the list of candidates recommended to bodies which elect (appoint) members of the High Council of Justice.

In order to carry out such selection, rapporteurs from among members of the Ethics Council shall study documents, results of the special check, and respective information from open sources and shall prepare a draft opinion on admission or denial in admission of the candidate to the interview, which then shall be shared with other members of the Ethics Council (para. 1 of Rule 3.7.2. of the Ethics Council's Rules of Procedure).

On 21 December 2021 the Ethics Council adopted a decision on admission of candidate for the position of the member of the High Council of Justice O. V. Zaichko to the interview.

Pursuant to the Law of Ukraine "On Introducing Amendments into Some Legislative Bills of Ukraine Regarding the Procedure of Election (Appointment) to Positions of Members of the High Council of Justice and Activities of Disciplinary Inspectors of the High Council of Justice", Law of Ukraine "On the High Council of Justice", Ethics Council's Rules of Procedure, Methodology for evaluation, the Ethics Council has evaluated compliance of candidate for the position of the HCJ member O. V. Zaichko with the professional ethics and integrity criteria.

A candidate for the position of the HCJ member shall be considered as compliant with the professional ethics and integrity criteria if he/she is independent, honest, impartial, incorruptible, diligent, follows ethical norms, and displays immaculate conduct in professional activities and personal life, as well as if there are no doubts concerning legality of the sources of property origin, correspondence of the level of life of the candidate or his/her family members with the declared income, correspondence of the candidate's lifestyle with his/her status.

Having studied documents submitted by O. V. Zaichko upon the Ethics Council's request, her written explanations, information received from open sources and from civil society organizations, information received from the National Agency on Corruption Prevention, National Anti-Corruption Bureau of Ukraine, as well as

pursuant to results of the interview with O. V. Zaichko, the Ethics Council has established the following.

Candidate for the position of the member of the High Council of Justice O. V. Zaichko complies with the professional ethics and integrity criteria for filling in the position of the High Council of Justice set out in cl. 1.3 1.3.1., 1.3.2., 1.3.3, 1.3.4, 1.3.5, 1.3.6, 1.3.7, 1.3.7.6 of the Methodology for assessing compliance of the candidate for the position of the member of the High Council of Justice and members of the High Council of Justice with the criterion of professional ethics and integrity adopted by Decision No. 5 of the Ethics Council as of 9 December 2021.

Thus, being governed by Rules 2.3, 3.1, 3.15.1, and 3.2 of the Ethics Council's Rules of Procedure, Methodology for evaluation of compliance of the candidate for the position of the member of the High Council of Justice and members of the High Council of Justice with the criteria of professional ethics and integrity, Article 9<sup>1</sup> of the Law of Ukraine "On the High Council of Justice", Final and Transitional Provisions of the Law of Ukraine "On Introducing Amendments into Some Legislative Bills of Ukraine Regarding the Procedure of Election (Appointment) to Positions of Members of the High Council of Justice and Activities of Disciplinary Inspectors of the High Council of Justice", the Ethics Council

**has decided:**

to recognize candidate for the position of the member of the High Council of Justice Olena Viktorivna Zaichko as compliant with the professional ethics and integrity criteria for filling in the position of the member of the High Council of Justice.

**Chair**

*(signed)*

**Lev Kyshakevych**