

## VII JUDICIAL FORUM

### JUSTICE SYSTEM: GLOBAL AND NATIONAL TRANSFORMATION

15 NOVEMBER 2018

12:30 13:00	Registration. Morning Coffee.
13:00 13:15	<p><b>Forum opening. Welcoming remarks.</b></p> <p><b>Andriy Stelmaschuk</b>, President of the Ukrainian Bar Association, Managing Partner at Vasil Kisel &amp; Partners <b>Mykola Onischuk</b>, First Deputy Head of the Union of Lawyers of Ukraine, Head of Kyiv City Branch of the Union of Lawyers of Ukraine, Vice-President of the World Congress of Ukrainian Lawyers. <b>Anna Ogrenchuk</b>, Member of the Judicial Reform Council under the President of Ukraine, Chair of the UBA Procedural Law Committee, Managing Partner of the LCF Legal Group <b>Inna Liniova</b>, Project Manager of the Council of Europe Project «Supporting Ukraine in the execution of judgments of the European Court of Human Rights»</p>
13:15 14:15	<p><b>KEYNOTE SPEECH. Informational Technologies in Justice Service.</b></p> <p><b>Moderator</b> <b>Yuliya Kurylo</b>, Partner at SK GROUP</p> <p><b>Keynote speaker</b> <b>Jin Ho Verdonschot</b>, expert in legal tech and innovation in justice sector at Justice Leadership Group, the author of the Dutch Rechtswijzer platform (the first on-line platform for the resolution of individual disputes, the Netherlands)</p> <p><b>At a glance:</b></p> <ul style="list-style-type: none"><li>• Architecture of justice technology of justice</li><li>• Online dispute resolution (ODR)</li><li>• Interaction between ODR and national court systems</li><li>• Practical experience in ODR implementation in the Netherlands and other countries</li><li>• The first experience of using ODR by consumers</li><li>• The impact of ODR on the load of the judicial system</li></ul>
14:15 15:45	<p><b>Session 1. The Future of Innovation: Challenges and Opportunities for the Judiciary System of Ukraine.</b></p> <p><b>Moderator</b> <b>Maksym Bakhmatov</b>, Managing Partner at <a href="#">UNIT.City</a> (invited)</p> <p><b>Participants:</b> <b>Bert Maan</b>, International Expert of the EU PRAVO-Justice Project <b>Vitaliy Kuzmyshyn</b>, Chair of the Seventh Administrative Court of Appeal <b>Oleksandr Oliylyk</b>, Director of the Department of Justice and National Security at the Ministry of Justice of Ukraine <b>Dmytro Foremnyi</b>, Representative of the Hague Institute for Innovation in Law (HiIL), co-founder of Kyiv Legal Hackers community <b>Oleksiy Solomko</b>, Council at ADER HABER, National Expert of the Council of Europe project «Supporting Ukraine in the execution of judgments of the European Court of Human Rights» <b>Mykyta Polataiko</b>, Head of IT Practice at AEQUO <b>Oleksandr Popov</b>, Head of Platforma Business Line at JURLIGA <b>Ivan Horodyskyi</b>, Partner at Dexis Partners, Director of the Law School at the Ukrainian Catholic University <b>Kyrylo Zakharov</b>, CEO/Co-founder of "Sud na doloni" (Pocket Justice) (expert from the audience)</p>

	<p><b>At a glance:</b></p> <ul style="list-style-type: none"> <li>• Innovative technologies as a tool for improving the efficiency of justice</li> <li>• The concept of the structure and functionality of the SJITS (Single Judicial Information and Telecommunication System)</li> <li>• "Electronic Court" system: the first experience of launching pilot projects</li> <li>• Introduction of electronic arrest of funds - a step towards automating the process of compulsory debt collection</li> <li>• The first litigation tech startup projects in Ukraine</li> </ul>
15:45 16:15	Coffee Break
16:15 17:45	<p><b>Session 2. Litigation in the era of information technology. Use of digital components in the trial.</b></p> <p><b>Moderator</b> <b>Mariia Ortynska</b>, Managing Partner at IPStyle, Patent Attorney</p> <p><b>Participants:</b> <b>Prof. Dr. Lorena Bachmaier Winter</b>, Complutense University Madrid (Spain), an international expert of the Council of Europe <b>Remko Van Ree</b>, International Expert of the EU PRAVO-Justice Project <b>Olesya Duplyak</b>, Judge of the Economic Court of Kyiv Judge <b>Mykyta Nuralin</b>, Attorney at VB PARTNERS <b>Nazar Chernyavskiy</b>, Partner at Sayenko Kharenko</p> <p><b>At a glance:</b></p> <ul style="list-style-type: none"> <li>• Trends in litigation as a consequence of the dilemma of society, products and business processes</li> <li>• Features of cybercrime investigations</li> <li>• Specificity of the evidence base in IT/IP disputes</li> <li>• Electronic evidence</li> <li>• New methods of conducting forensic examinations</li> </ul>
17:45 18:00	<p><b><u>Presentation of the Project of the Association for the Development of Judicial Self-Government of Ukraine «Increasing the Awareness of Children with the Judiciary» with the support of the USAID New Justice Project</u></b> <b>Yuliia Ivanina</b>, Judge of Dniprovsky District Court of Kyiv</p>

## 16 NOVEMBER 2018

08:30- 09:00	Registration. Morning Coffee.
09:00- 09:15	<p><b>Welcoming remarks</b></p> <p><b>Andriy Stelmashchuk</b>, President of the Ukrainian Bar Association <b>Marten Ehnberg</b>, Head of the Council of Europe Office in Ukraine <b>Anna Ogrenchuk</b>, Member of the Judicial Reform Council under the President of Ukraine, Chair of the UBA Procedural Law Committee, Managing Partner at LCF Law Group</p>
09:15- 10:15	<p><b><u>Judicial reform in Ukraine in the context of the Council of Europe standards and recommendations</u></b></p> <p><b>Gerhard Reissner</b>, Floridsdorf District Court Judge (Austria), Member of the Consultative Council of European Judges, international expert of the Council of Europe <b>Prof. Dr. Lorena Bachmaier Winter</b>, Complutense University Madrid (Spain), an international expert of the Council of Europe <b>Diana Kovacheva</b>, Doctor of International Law and International Relations, International Expert of the Council of Europe</p>

<p>10:15-11:15</p>	<p><b>Panel Discussion. Judicial Reform in Ukraine: A Glimpse into the Future</b></p> <p><b>Moderator</b>  <b>Anna Ogrenchuk</b>, Member of the Judicial Reform Council under the President of Ukraine, Chair of the UBA Procedural Law Committee, Managing Partner at LCF</p> <p><b>Participants</b></p> <p><b>Gerhard Reissner</b>, Floridsdorf District Court Judge (Austria), Member of the Consultative Council of European Judges, international expert of the Council of Europe  <b>Prof. Dr. Lorena Bachmaier Winter</b>, Complutense University Madrid (Spain), an international expert of the Council of Europe  <b>Oleksiy Filatov</b>, Deputy Head of the Presidential Administration, Coordinator of the Judicial Reform Council under the President of Ukraine  <b>Valentyna Danishevska</b>, Chair of the Supreme Court  <b>Vasyl Lemak</b>, Judge of the Constitutional Court of Ukraine  <b>Igor Benedysiuk</b>, Chair of the High Council for Justice, member of the Judicial Reform Council under the President of Ukraine, member of the Constitutional Commission  <b>Sergiy Koziakov</b>, Chair of the High Qualifications Commission of Judges of Ukraine, member of the Judicial Reform Council under the President of Ukraine  <b>Diana Kovacheva</b>, Doctor of International Law and International Relations, International Expert of the Council of Europe</p> <p><b>At a glance</b></p> <ul style="list-style-type: none"> <li>• Judicial Reform: interim results and next steps towards implementation</li> <li>• The first results of the work of the Supreme Court. Ensuring the unity of judicial practice. Interaction with ECHR on questions of obtaining advisory opinions</li> <li>• First experience in reviewing constitutional complaints</li> <li>• New High Specialized Courts: High Anti-Corruption Court and High Court on Intellectual Property</li> <li>• Features of the process of establishing and launching new district courts</li> <li>• Outcomes of the first wave of the qualification examination of judges</li> <li>• Second contest to the positions of judges to the Supreme Court</li> </ul>
<p>11:15-11:30</p>	<p><b>Q&amp;A Session</b></p>
<p>11:30-12:00</p>	<p>Coffee Break</p>
<p>12:00-13:30</p>	<p><b>Session 1. Interaction between the Grand Chamber and Cassation Courts in the Supreme Court: Synergistic Efficiency</b></p> <p><b>Moderators</b>  <b>Dovidas Vitkauskas</b>, Head of the EU PRAVO-Justice Project  <b>Tetyana Lysovets</b>, Senior Partner at Sokolovsky &amp; Partners</p> <p><b>Participants</b>  <b>Bohdan Lvov</b>, Deputy Chair of the Supreme Court, Head of the Economic Court of Cassation  <b>Oleg Tkachuk</b>, Judge of the Grand Chamber of the Supreme Court  <b>Vitalii Urkevych</b>, Judge of the Grand Chamber of the Supreme Court  <b>Vsevolod Knyazev</b>, Secretary of the Grand Chamber of the Supreme Court  <b>Alla Lesko</b>, Judge of the Civil Court of Cassation in the Supreme Court  <b>Andrii Savchuk</b>, Partner at Moris Group, Head of Dispute Resolution Practice</p> <p><b>At a glance</b></p> <ul style="list-style-type: none"> <li>• Summary of judicial practice by the Supreme Court: the procedure for informing the legal community and society</li> <li>• Criteria for identifying an exclusive legal issue for referring a case to the Grand Chamber</li> <li>• Unloading the Great Chamber: ways to improve legislation</li> </ul>

	<ul style="list-style-type: none"> <li>• Criteria of for judgmental cassation filters</li> <li>• Differentiation of jurisdictions: Is there a point in determining the key categories of disputes?</li> <li>• The first experience in examining model cases and the prospect of introducing procedures in other jurisdictions</li> <li>• Deviation from the positions of the Supreme Court of Ukraine and the higher specialized courts: key decisions of the Supreme Court</li> <li>• Trust in the Supreme Court: <i>quo vadis?</i></li> </ul>	
13:30-14:15	Lunch	
<b>PARALLEL SESSIONS</b>		
14:15-15:30	<b>Session 2.1. Current Positions of the Supreme Court: Civil and Commercial Affairs</b>	
	<b>Moderators</b> <b>Yuriy Chumak</b> , Judge of the Commercial Court of Cassation in the Supreme Court <b>Oleksandr Shkelebei</b> , Managing Partner at Esquires	
	<b>Participants</b>	
	<b>Oleh Gromovyi</b> , Managing Partner at GENTLS	Participant's appeal against company's decisions
	<b>Sergiy Zhukov</b> , Judge of the Commercial Court of Cassation in the Supreme Court	Judicial control over liquidators' actions
	<b>Aminat Suleymanova</b> , Co-managing Partner at AVELLUM <b>Andriy Fortunenko</b> , Associate at AVELLUM	Bank disputes. New approaches to accruing interest on credit funds
	<b>Vasyl Krat</b> , Judge of the Civil Court of Cassation in the Supreme Court	Prohibition of controversial behaviour: new approach to consideration of disputes concerning the recognition of agreements invalid.
	<b>Session 2.2. Current positions of the Supreme Court: Administrative Jurisdiction</b>	
	<b>Moderators</b> <b>Maryna Boyaryntseva</b> , judge of the District Administrative Court of Kyiv <b>Andrii Gavrylyuk</b> , Deputy Director of Legal Department at FOZZY GROUP	
	<b>Participants</b>	
<b>Yevhenii Zhuravskiy</b> , Senior Consultant PwC Ukraine	Criminal proceedings against a counterparty and proof of substance of the transaction	
<b>Yan Bernazyuk</b> , Judge of the Cassation Administrative Court in the Supreme Court	Disputes with the Deposit Insurance Fund concerning appeals against decisions on the voidness of transactions	
<b>Sergiy Gryshko</b> , Partner at Redcliffe Partners	Right to Bring A Claim to the Court as a Maturity Test for the Judiciary	
<b>Illia Chernohorenko</b> , General Director of the Directorate of Legal Policy in the Judiciary, Judicial System and Related Legal Institutions of the Ministry of Justice of Ukraine	Appeals against decisions of the Ministry of Justice of Ukraine upon consideration of appeals in the sphere of state registration	

	<p><b>Session 2.3. Current Positions of the Supreme Court: Protection of Interests in Criminal Cases.</b></p> <p><b>Moderators</b>  <b>Olha Prosiانيuk</b>, Managing Partner at AVER LEX  <b>Nataliia Dmytruk</b>, Judge of the Holiivsky District Court of Kyiv</p> <p><b>Participants</b></p>									
	<p><b>Denys Bugay</b>, Partner at VB PARTNERS</p>	<p>Defence tactics in cases involving international element. How to avoid extradition</p>								
	<p><b>Yevhen Hrushovets</b>, Partner at Ario Law Firm</p>	<p>Defence in criminal cases: features of strategizing</p>								
	<p><b>Nataliia Antonyuk</b>, Judge of the Grand Chamber of the Supreme Court</p>	<p>Crediting the term of pre-trial detention to the term of sentence ("Savchenko Law" application)</p>								
	<p><b>Anton Yanchuk</b>, Head of the National Agency for the Investigation and Return of Assets</p>	<p>Detection, investigation and management of assets, obtained from corruption and other crimes: features and first results of ARMA activities</p>								
<p>15:30-16:00</p>	<p>Coffee break</p>									
<p>16:00-16:30</p>	<p><b>Special Report. Problematic Issues of Applying New Procedural Norms: the View of the Judicial Community</b></p> <p><b>Moderator</b>  <b>Tetiana Ihnatenko</b>, Counsel at LCF Law Group</p> <p><b>Participants</b>  <b>Nataliia Bogatska</b>, Chair of the Association of Judges of Economic Courts of Ukraine, Judge of the Southwest Economic Court of Appeal  <b>Galyna Dibrova</b>, Chair of the Committee of the Council of Judges of Ukraine, Judge of the Odessa Appeal Economic Court</p>									
<p>16:30-18:00</p>	<p><b>Session 3. Ukraine on the international court arena: results and recommendations of future actions.</b></p> <p><b>Moderator</b>  <b>Artem Stoyanov</b>, Senior Partner at LCF</p> <p><b>Participants</b></p> <table border="1" data-bbox="301 1574 1527 2098"> <tr> <td data-bbox="301 1574 965 1697"> <p><b>Pavlo Byelousov</b>, Counsel at AEQUO, head of International Arbitration and Cross-Border Litigation</p> </td> <td data-bbox="965 1574 1527 1697"> <p>International investment disputes against Ukraine</p> </td> </tr> <tr> <td data-bbox="301 1697 965 1854"> <p><b>Dmytro Tretyakov</b>, Head of the Department of the Filtering Section of the Secretariat of the European Court of Human Rights, a non-judicial speaker on Ukraine</p> </td> <td data-bbox="965 1697 1527 1854"> <p>The main categories of cases against Ukraine presently considered by the European Court of Human Rights</p> </td> </tr> <tr> <td data-bbox="301 1854 965 1977"> <p><b>Rodrigo Monardes</b>, Counsel, Permanent Mission of Chile to the Organization for Economic Co-operation and Development</p> </td> <td data-bbox="965 1854 1527 1977"> <p>Recent trends in investor-state dispute settlement and investment treaty practice</p> </td> </tr> <tr> <td data-bbox="301 1977 965 2098"> <p><b>Ivan Lyshchyna</b>, Deputy Minister of Justice of Ukraine</p> </td> <td data-bbox="965 1977 1527 2098"> <p>Commissioner for European Court of Human Rights - Interstate appeals «Ukraine v. Russia» to the ECHR</p> </td> </tr> </table>		<p><b>Pavlo Byelousov</b>, Counsel at AEQUO, head of International Arbitration and Cross-Border Litigation</p>	<p>International investment disputes against Ukraine</p>	<p><b>Dmytro Tretyakov</b>, Head of the Department of the Filtering Section of the Secretariat of the European Court of Human Rights, a non-judicial speaker on Ukraine</p>	<p>The main categories of cases against Ukraine presently considered by the European Court of Human Rights</p>	<p><b>Rodrigo Monardes</b>, Counsel, Permanent Mission of Chile to the Organization for Economic Co-operation and Development</p>	<p>Recent trends in investor-state dispute settlement and investment treaty practice</p>	<p><b>Ivan Lyshchyna</b>, Deputy Minister of Justice of Ukraine</p>	<p>Commissioner for European Court of Human Rights - Interstate appeals «Ukraine v. Russia» to the ECHR</p>
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18:00- 18:30	<b>Final remarks. Forum Closing</b> <b>Anna Ogrenchuk</b> , Member of the Judicial Reform Council under the President of Ukraine, Chair of the UBA Procedural Law Committee, Managing Partner at LCF Law Group <b>Inna Liniova</b> , Project Manager of the Council of Europe Project «Supporting Ukraine in the execution of judgments of the European Court of Human Rights»
18:30- 20:00	<b>Evening Reception</b>