

**X ANNUAL JUDICIAL FORUM:  
INDEPENDENT JUDICIARY - THE BASIS OF THE STATE IN TIMES OF TURBULENCE  
30 September 2021, Hilton Kyiv**

<b>09:30- 10:00</b>	<b>Registration. Welcome coffee</b>
<b>10:00-10:20</b>	<p><b>Forum opening</b></p> <ul style="list-style-type: none"> <li>• <b>Anna Ohrenchuk</b>, President of the Ukrainian Bar Association, Managing partner at LCF Law Group, Program Coordinator of the Forum</li> <li>• <b>Lilit Daneghian-Bossler</b>, Deputy Head of Division of Cooperation Programmes, Implementation of Human Rights, Justice and Legal Co-operation Standards Department, Council of Europe, Strasbourg</li> <li>• <b>Steen Nørlov</b>, Head of Office, Representative of the Secretary General of the Council of Europe on the coordination of cooperation programmes of the Council of Europe</li> </ul>
<b>10:20-12:00</b>	<p><b>SESSION 1. The connection of the society development and the judiciary</b></p> <p><b>Moderator:</b></p> <p><b>Serhii Prytula</b>, volunteer, public figure, TV presenter</p>
	<p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <b>Dmytro Hudyma</b>, Judge of the Grand Chamber of the Supreme Court Development of the court in the context of changes in society. Who is the process driver?</li> <li>• <b>Hanna Vronska</b>, Judge of the Commercial Cassation Court within the Supreme Court Implementation of the Concept of Sustainable Development and its dependence on the judiciary</li> <li>• <b>Hennadii Druzenko</b>, Head of the Center for Constitutional Design Neither the purse nor the sword: Public reputation as a source of judicial power</li> <li>• <b>Dmytro Tretyakov</b>, Lawyer of the European Court of Human Rights, Deputy Registrar of the Administrative Tribunal of the Council of Europe Case-law of the European Court of Human Rights in cases against Ukraine: mirroring of development of society and law</li> <li>• <b>Oksana Kobryn</b>, Partner at MORIS, Law Firm Transparency of the judiciary as a key to dialog with society</li> <li>• <b>Vasyl Lemak</b>, Judge of the Constitutional Court of Ukraine Protection of the Constitution of Ukraine: the mission of the courts is feasible</li> </ul>

<p><b>12:00-12:20</b></p>	<p><b>Coffee break</b></p>
<p><b>12:20-12:40</b></p>	<p><b>KEYNOTE SPEECH. Role of the judiciary in overcoming the consequences of the armed aggression of the Russian Federation against Ukraine</b></p> <p><b>Oleksii Reznikov</b>, Deputy Prime Minister of Ukraine, Minister for Reintegration of the Temporary Occupied Territories of Ukraine</p>
<p><b>12:40 – 13:10</b></p>	<p><b>EXPERT TALK</b></p> <p><b>Moderator:</b></p> <p><b>Anna Ohrenchuk</b>, President of the Ukrainian Bar Association, Managing partner at LCF Law Group, Program Coordinator of the Forum</p> <p><b>Special guest:</b></p> <p><b>Yevhen Chychvarkin</b>, owner of Hedonism Wines</p>
<p><b>13:10-14:10</b></p>	<p><b>Lunch</b></p>
<p><b>14:10-15:30</b></p>	<p><b>SESSION 2. New tools for simplifying access to justice – recommendation of the Council of Europe and Ukrainian development</b></p> <p><b>Co - Moderators:</b></p> <ul style="list-style-type: none"> <li>• <b>Iryna Kushnir</b>, Manager of Council of Europe Project "Support for judicial institutions and processes to strengthen access to justice in Ukraine"</li> <li>• <b>Serhii Boyarchukov</b>, Managing Partner at Alekseev, Boyarchukov and Partners, Law Firm</li> </ul>

	<p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <b>Roman Babii</b>, People's Deputy of Ukraine, Chairman of the Subcommittee on Enforcement of Judgments of the European Court of Human Rights and Alternative Dispute Resolution of the Verkhovna Rada Committee on Legal Policy</li> <li>• <b>Rasim Babanli</b>, Head of the Department of Analytical and Legal Work of the Supreme Court, Ph.D.</li> <li>• <b>Mykola Kozlov</b>, acting Director General of the State Enterprise Information Judicial Systems of the State Tax Administration</li> <li>• <b>Oksana Litvinova</b>, Digital Transformation Project Manager of the Ministry of Digital Transformation of Ukraine</li> <li>• <b>Serhii Chornutskyi</b>, Deputy Head of the State Judicial Administration of Ukraine</li> </ul> <p><b>In focus:</b></p> <ul style="list-style-type: none"> <li>• The Guidelines, adopted by the Committee of Ministers of the Council of Europe, on online dispute resolution mechanisms in civil and administrative court proceedings</li> <li>• Court in a smartphone - information and telecommunication system of pre-trial investigation. The Draft law No. 5246 (Oksana Litvinova - the Ministry of Digital Transformation of Ukraine)</li> <li>• Implementation of ESITS: achievements, failures, prospects (Kozlov, Chornutskyi, the High Council of Justice)</li> <li>• Database of legal positions of the Supreme Court: new opportunities for an advocate.</li> <li>• On-line court hearings: contemporary challenge (Oksana Litvinova - the Ministry of Digital Transformation of Ukraine)</li> </ul>
<p><b>15:30-16:00</b></p>	<p><b>Coffee break</b></p>
<p><b>16:00-17:20</b></p>	<p><b>SESSION 3. Mediation: principles of the Council of Europe and possible ways of their implementation in Ukraine</b></p> <p><b>Moderator:</b></p> <p><b>Oleh Horetskyi</b>, Managing Partner Goretzky and Partners, Law Firm</p>

	<p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <b>Andrii Kostin</b>, People's Deputy of Ukraine, Chairman of the Verkhovna Rada Committee on Legal Policy</li> <li>• <b>Yurii Chumak</b>, Judge of the Commercial Cassation Court within the Supreme Court</li> <li>• <b>Rimantas Simaitis</b>, international expert of the Council of Europe (Lithuania)</li> <li>• <b>Nina Betetto</b>, President of the Consultative Council of European Judges, judge of the Supreme Court of Slovenia, international expert of the Council of Europe</li> <li>• <b>Svitlana Serhieieva</b>, Coordinator of the UBA Committee on Mediation, Advocate, Mediator of the Deutsche Anwalt Akademie, Partner at Sergeyev Law Office JSC, Vice-President of the Ukrainian Academy of Mediation, Expert of the EU Pravo-Justice Project</li> <li>• <b>Luiza Romanadze</b>, Advocate, Mediator (DDA), President of the Ukrainian Academy of Mediation, Expert of the EU Pravo-Justice Project</li> </ul> <p><b>In Focus:</b></p> <ul style="list-style-type: none"> <li>• Council of Europe Recommendations on the institution of a pre-trial mediation and the practice of the Council of Europe member-states on motivating parties to use mediation</li> <li>• Prospects for the development of mediation in Ukraine: legislative and practical aspects</li> <li>• Prospects for the introduction of mediation as a mandatory pre-trial procedure for dispute resolution</li> <li>• Government Priority Action Plan for 2021 (facilitation and development of mediation) and announced government bills (Ministry of Justice; Ministry of Finance)</li> </ul>
17:20-17:30	Closing remarks

**X JUDICIAL FORUM:**

**Independent Judiciary - the basis of the state in times of turbulence**

**1 October 2021, Hilton Kyiv**

09:30-10:00	Registration. Welcome coffee
10:00-10:10	<p><b>Welcoming remarks</b></p> <ul style="list-style-type: none"> <li>• <b>Anna Ohrenchuk</b>, President of the Ukrainian Bar Association, Managing Partner of LCF Law Group, Program Coordinator of the Forum</li> <li>• <b>Lilija Gretarsdottir</b>, Head of the Division of Co-operation Programmes</li> </ul>

<p><b>10:10-10:40</b></p>	<p><b>EXPERT TALK 1. Judicial reform: risks and perspectives</b></p> <p><b>Moderator:</b></p> <p><b>Anna Ohrenchuk</b>, President of the Ukrainian Bar Association, Managing Partner of LCF Law Group, Program Coordinator of the Forum</p> <p><b>Speaker</b></p> <p><b>Valentyna Danishevskya</b>, President of the Supreme Court</p>
<p><b>10:40-12:00</b></p>	<p><b>SESSION 1. Judicial reform: recent developments and priority steps</b></p> <p><b>Co- Moderators:</b></p> <ul style="list-style-type: none"> <li>• <b>Denys Buhai</b>, Partner at VB PARTNERS, Attorney at Law, President of the UBA (2013-2017, 2019-2021)</li> <li>• <b>Nataliia Bohatska</b>, Head of the South-Western Commercial Court of Appeal</li> </ul>
	<p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <b>Andrii Kostin</b>, People's Deputy of Ukraine, Chairman of the Verkhovna Rada Committee on Legal Policy (video record)</li> <li>• <b>Bohdan Monich</b>, Head of the Council of Judges of Ukraine</li> <li>• <b>Roman Yermolychev</b>, Deputy Minister of Finance of Ukraine</li> <li>• <b>Oleksii Malovatskyi</b>, Acting Head of the High Council of Justice</li> <li>• <b>Mykola Onishchuk</b>, Rector of the National School of Judges of Ukraine</li> <li>• <b>Serhii Demchenko</b>, Head of the working group on funding of the judiciary</li> <li>• <b>Lyudmila Volkova</b>, Counsel at AVELLUM</li> </ul> <p><b>In focus:</b></p> <ul style="list-style-type: none"> <li>• HQCJ and HCJ activities: new rules of the game</li> <li>• Funding of the judiciary as a guarantee of judicial independence</li> <li>• Ensuring the independence of judges (Volkova, Malovatskyi)</li> </ul>
<p><b>12:00-12:30</b></p>	<p><b>Coffee break</b></p>
<p><b>12:30-13:50</b></p>	<p><b>SESSION 2. Ensuring the uniformity of application of law by courts: the recommendations of the Council of Europe and the achievements of the judiciary of Ukraine</b></p> <p><b>Moderators:</b></p>

	<ul style="list-style-type: none"> <li>• <b>Nataliia Blazhivska</b>, Judge of the Administrative Cassation Court within the Supreme Court</li> <li>• <b>Dmytro Treťiakov</b>, Lawyer of the European Court of Human Rights, Deputy Registrar of the Administrative Tribunal of the Council of Europe</li> </ul>
	<p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <b>Victor Horodovenko</b>, Judge of the Constitutional Court of Ukraine Legal interpretation in the practice of the Constitutional Court of Ukraine and the Supreme Court: some aspects of comparison</li> <li>• <b>Oleh Tkachuk</b>, Judge of the Civil Cassation Court within the Supreme Court Evolution of legal conclusions of the Supreme Court: retreat, change, clarification, new format of decisions of the Supreme Court</li> <li>• <b>Viktoriia Dzharty</b>, Judge of the Commercial Court of Kyiv Binding nature vs taking into account the conclusions of the Supreme Court: which concept is more effective</li> <li>• <b>Volodymyr Kravchuk</b>, Judge of the Administrative Cassation Court of the Supreme Court Judicial control over the observance of obligatory conclusions of the Supreme Court by state authorities</li> <li>• <b>Andrii Nyzhnyy</b>, co-managing partner of Hillmont Partners Restrictions on cassation appeals in minor cases and other obstacles to the unity of case law</li> </ul>
13:50-14:40	Lunch
<p><b>PARALLEL SESSIONS</b></p>	
14:40-15:40	<p><b>SESSION 3.1. Procedural dilemmas as challenges for ensuring the right to a fair trial</b></p> <p><b>Moderator:</b></p> <p><b>Oleksandr Shkelebei</b>, Managing Partner, Head of Litigation Practice ESQUIRES</p>

	<p><b>Speakers:</b></p> <ul style="list-style-type: none"><li>• <b>Olena Kibenko</b>, Judge of the Commercial Cassation Court within the Supreme Court Scientific opinion in court proceedings: ways to improve the application of a legal expert's opinion and the opinion of the Scientific Advisory Board at the Supreme Court</li><li>• <b>Kostiantyn Bohatyr</b>, Judge of the South-Western Commercial Court of Appeal Abuse of procedural rights: from ascertaining to solving the problem</li><li>• <b>Volodymyr Vashenko</b>, Partner at VB PARTNERS, Attorney at Law Sanction policy of the state</li><li>• <b>Oleh Marchenko</b>, Partner of Dispute Resolution Practice at Marchenko Partners International responsibility of the state for denial of justice</li></ul>
14:40-15:40	<p><b>SESSION 3.2. Round table “Antitrust disputes”</b></p> <p><b>Moderators:</b></p> <ul style="list-style-type: none"><li>• <b>Oleksandr Vozniuk</b>, Chairman of the UBA Committee on Competition Law, Partner at Asters</li><li>• <b>Nina Sydorenko</b>, Counsel at LCF Law Group</li></ul>

	<p><b>Participants or experts:</b></p> <ul style="list-style-type: none"> <li>• <b>Anzhelika Konoplianko</b>, Deputy Chairman of the Antimonopoly Committee of Ukraine - State Commissioner</li> <li>• <b>Hanna Kryvoshei</b>, Director of the Legal Department of the AMC</li> <li>• <b>Iryna Bulgakova</b>, Judge of the Commercial Cassation Court within the Supreme Court</li> <li>• <b>Vadym Bosyi</b>, Judge of the Commercial Court of Kyiv City</li> <li>• <b>Yulia Kartavtseva</b>, Judge of the Commercial Court of Kyiv City</li> <li>• <b>Serhii Sherbakov</b>, Judge of the Commercial Court of Kyiv City</li> <li>• <b>Volodymyr Adrienko</b>, Judge of the Northern Commercial Court of Appeal</li> <li>• <b>Olena Korotun</b>, Judge of the Northern Commercial Court of Appeal</li> <li>• Corporate sector representatives</li> <li>• <b>Oleksandr Nahorny</b>, Deputy Chairman of the UBA Committee on Competition Law, Counsel at Sayenko Kharenko</li> <li>• <b>Serhii Benedysiuk</b>, Partner at LCF Law Group Ksenia Prohur (Pohruzhalska), Senior Lawyer at Baker McKenzie</li> <li>• <b>Oksana Marchenko</b>, judge of the Commercial Court of the Kyiv City</li> <li>• <b>Oleksii Yevsikov</b>, Judge of the Northern Commercial Court of Appeal</li> <li>• <b>Olena Pertsova</b>, AEQUO</li> <li>• <b>Yulia Yanova</b>, Director of the Research and Investigation Department of the Non-Manufacturing Pharmaceuticals and Retail Markets of the AMCU</li> </ul>	<p><b>In focus:</b></p> <ul style="list-style-type: none"> <li>• Grounds for cancellation of AMCU decisions: latest cases</li> <li>• Standards of proof during the AMCU's consideration of cases related to the violation of economic competition, unfair competition and judicial appeal against the AMCU decisions; quality of the AMCU decision</li> <li>• Expertise in cases connected with a violation of economic competition and unfair competition: problems of commissioning an expert examination by the court and provision of expert opinion by the parties to the case</li> <li>• Discretion of the AMCU and the limits of judicial review of the AMCU decisions: court approaches</li> <li>• Assessment and prospects of implementation of the first stage of the reform of the legislation on protection of economic competition (draft law no. 5431 of 27.04.2021):</li> <li>• Change of the powers of the AMCU (collection of evidence, inspections, discretion in opening a case, etc.)</li> <li>• leniency and settlement of cases</li> <li>• Introduction of joint and subsidiary forms of liability in paying fines, damages, etc</li> </ul>
15.40-16.10	<p><b>Coffee break</b></p>	
16.10-17.10	<p><b>SESSION 4.</b></p> <p><b>20 years of the execution of the ECHR judgments by Ukraine: an adult view on the state of affairs</b></p> <p><b>Moderator:</b></p> <p><b>Ivan Lishchyna</b>, Attorney-at-Law, Deputy Minister of Justice of Ukraine – Agent before the European Court of Human Rights (2016-2021)</p>	

	<p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <b>Olha Dubinska</b>, Legal Officer of the Department for the Execution of Judgments of the European Court of Human Rights of the Directorate General of Human Rights and Rule of Law of the Council of Europe General status of implementation of the decisions of the Cabinet of Ministers of the CoE and the last meeting of the Cabinet of Ministers of the CoE in September</li> <li>• <b>Pavlo Pushkar</b>, Head of Division of the Department for the Execution of Judgments of the European Court of Human Rights, Council of Europe</li> <li>• <b>Dmytro Hudyma</b>, Judge of the Grand Chamber of the Supreme Court</li> <li>• <b>Valeriia Kolomiets</b>, Deputy Minister of Justice of Ukraine for European Integration</li> <li>• <b>Iryna Zharonkina</b>, Senior National Expert, Head of the Protection of Property Rights and Enforcement of Judgments component of the EU Pravo-Justice Project</li> </ul>	
17:10-18:10	<p><b>SESSION 5. Enforcement of judgments: the international aspect</b></p> <p><b>Moderator:</b></p> <ul style="list-style-type: none"> <li>• <b>Yuliia Atamanova</b>, Partner at LCF Law Group, Attorney at Law</li> </ul>	
	<p><b>Participants or experts:</b></p> <ul style="list-style-type: none"> <li>• <b>Robert Michael Shaw</b>, Partner at Holland &amp; Knight</li> <li>• The concept of jurisdictional immunity of a state: features of application in the execution of decisions of international arbitration</li> <li>• <b>Evhen Petrov</b>, Judge of the Civil Cassation Court within the Supreme Court</li> <li>• Public order of the state as an "obstacle" to the execution of a decision of international arbitration</li> <li>• <b>Olexandr Protsiuk</b>, Counsel at CMS Reich-Rohrwig Hainz</li> </ul>	<p><b>In focus:</b></p> <ul style="list-style-type: none"> <li>• Recognition and enforcement of judgements of international arbitration: formal or judicial procedure</li> <li>• Precautionary measures of international arbitration: problems of recognition and enforcement</li> <li>• Application of principle of reciprocity in the enforcement of national judgments in foreign jurisdictions</li> </ul>
18:10-18:20	<p><b>Final remarks. Forum closing</b></p>	
18:20 - 19:30	<p><b>Dinner</b></p>	