



IX INTERNATIONAL FORUM ON THE CASE-LAW OF THE EUROPEAN COURT OF HUMAN RIGHTS

09-10 December 2020

DRAFT PROGRAMME

The event is co-organized by the OSCE Project Co-ordinator in Ukraine within the framework of the project "Promoting Responsive Professional Judicial Education" and the Council of Europe Project "Further support for the execution by Ukraine of judgments in respect of Article 6 of the European Convention on Human Rights" funded by the Human Rights Trust Fund jointly with the Law Faculty of Ivan Franko National University of Lviv, Supreme Court, and the National School of Judges of Ukraine

Videoconferencing (Zoom)

09 December (Wednesday)

09:30 – 10:00 *Connecting and testing Zoom*

10:00 – 10:30 **Opening remarks**

- **Ambassador Henrik Villadsen**, OSCE Project Co-ordinator in Ukraine
- **Ms Hanne Juncher**, Head of Justice and Legal Cooperation Department, DG I, Council of Europe
- **Ms. Valentyna Danishevskya**, President of the Supreme Court
- **Mr. Mykola Onishchuk**, Rector of the National School of Judges of Ukraine
- **Mr. Volodymyr Melnyk**, Rector of Ivan Franko National University of Lviv

10:30 – 12:00 **Session 1: Implementation of the European standards on the right to a fair trial in the Council of Europe member states**

Moderator: *Ms Nataliia Stupnytska, National Programme Manager, Rule of Law and Human Rights, OSCE Project Co-ordinator in Ukraine*

10:30 – 10:55 **Case-law of the European Convention on Human Rights framing international solidarity**

- **Ms Ksenija Turkovic**, Vice-President of the European Court of Human Rights (Croatia)

Questions and answers

10:55 – 11:20 **Abuse of the Right to application to the European Court of Human Rights**

- **Mr Latif Huseynov**, Judge of the European Court of Human Rights (Azerbaijan)

Questions and answers

11:20 – 11:40 **Certain aspects of the application of Article 6 of the European Convention on Human Rights by the Grand Chamber of the Supreme Court**

- **Mr Dmytro Gudyma**, Judge of the Supreme Court

Questions answers

11:40 – 12:00 **Value concepts in the Convention for the Protection of Human Rights and Fundamental Freedoms: current issues of application in light of Article 6**

- **Mr Vitaliy Kosovych**, Head of the Department of Theory and Philosophy of Law, Ivan Franko National University of Lviv

Questions answers

12:00 – 12:10 **Break**

12:10 – 13:00 **Session 2: Establishment of the effective co-operation with the European Court of Human Rights**

Moderator: *Ms Marta Basystiuk*, Senior officer of the Council of Europe project “Further support for the execution by Ukraine of judgments in respect of Article 6 of the European Convention on Human Rights”

- 12:10 – 12:30 **Right to receive a consultative opinion in accordance with Protocol 16 of the ECHR in the context of the right to fair trial**
- **Mr Andrii Medvid**, Associate Professor, Lviv University of Economy and Commerce
- Questions and answers*
- 12:30 – 12:50 **Implementation of Protocol no 16 to the European Convention on Human Rights in Ukraine: current gaps and necessary amendments**
- **Ms Nina Kucheruk**, national expert of the Council of Europe project “Further support for the execution by Ukraine of judgments in respect of Article 6 of the European Convention on Human Rights”
- Questions and answers*
- 12:50 – 13:00 General discussion
- 13:00 – 14:30 **Break**
- 14:30 – 16:10** **Session 3: Issues of gender equality and access to justice in light of the case-law of the European Court of Human Rights**
- Moderator: Ms Larysa Denysenko**, Human Rights Defender, Advocate
- 14:30 – 14:50 **Current trends in modern gender policy**
- **Ms Kateryna Levchenko**, Government Commissioner for Gender Policy
- Questions and answers*
- 14:50 – 15:10 **Reinforcing “zero tolerance” stance against domestic violence: what kind of role for the judgments of the European Court of Human Rights?**
- **Mr Pavlo Pushkar**, Head of Division of the Department for the Execution of Judgments of the European Court of Human Rights, Council of Europe
- Questions and answers*
- 15:10 – 15:30 **Gender equality and access to justice: intersections**
- **Ms Tetyana Fuley**, Head of the Unit of Scientific Studies of the National School of Judges of Ukraine, Expert of the OSCE Project Co-ordinator in Ukraine
- Questions and answers*
- 15:30 – 15:50 **Women’s challenges and barriers in accessing justice during the COVID-19 pandemic**
- **Ms Mervi Patosalmi**, Gender Advisor of the Council of Europe
- Questions and answers*
- 15:50 – 16:10 **General discussion**

- 16:10 – 16:30 **Humanity as an object of legal protection (to the 70th anniversary of the adoption of the Convention for the Protection of Human Rights and Fundamental Freedoms)**
- **Mr Petro Rabinovych**, Professor of the Department of Theory and Philosophy of Law, Ivan Franko National University of Lviv
- Questions and answers*
- 16:30 – 16:50 **The stance of the High Council of Justice as to the novelties applied by the ECtHR in the context of the case of “Kulykov and Others v. Ukraine”**
- **Ms Shvetsova Larysa**, Member of the High Council of Justice, Secretary of the Third Disciplinary Chamber
- Questions and answers*
- 16:50 – 17:10 **The High Council of Justice’s position on the implementation of novelties in the ECtHR practice in the context of the execution of judgments in the case of “Oleksandr Volkov v. Ukraine”**
- **Ms Blazhivska Oksana**, Member of the High Council of Justice
- Questions and answers*
- 17:10** **Wrap-up of the first day of the Forum**

10 December (Thursday)

- 09:30 – 10:00 *Connecting and testing Zoom*
- 10:00 – 11:30** **Session 4: Implementation of the European Convention on Human Rights and the ECtHR Judgments: Promoting integration among States**
- Moderator: Ms Ganna Yudkivska**, Judge of the European Court of Human Rights (Ukraine)
- 10:00 – 10:25 **Hate speech: Limits of the State’s obligation**
- **Ms Ganna Yudkivska**, Judge of the European Court of Human Rights (Ukraine)
- Questions and answers*
- 10:25 – 10:50 **The duty to investigate cases of trafficking according to Article 4 of the European Convention of Human Rights: The Court’s Grand Chamber judgment in S.M. v. Croatia as of June 2020**
- **Mr Arnfinn Bardsen**, Judge of the European Court of Human Rights (Norway)
- Questions and answers*
- 10:50 – 11:15 **The European Convention on Human Rights and the Charter of Fundamental Rights of the European Union**
- **Ms Iulia Motoc**, Judge of the European Court of Human Rights (Romania)
- Questions and answers*

- 11:15 – 11:30 **Break**
- 11:30 – 14:30** **Session 5: Execution of judgments of the European Court of Human Rights in Ukraine: challenges and perspectives**
- Moderator:** *Ms Larysa Denysenko, Human Rights Defender, Advocate*
- 11:30 – 11:40 **Requirements of the Article 46 of the European Convention on Human Rights and the position of the ECtHR in the Burmych case**
- **Mr Hasan Bakirci**, Deputy to the Section Registrar of the Registry of the European Court of Human Rights
- Questions and answers*
- 11:40 – 11:50 **The view of the Committee of Ministers of the Council of Europe regarding the execution of Ivanov/Burmych group of judgments**
- **Mr Pavlo Pushkar**, Head of Division of the Department for the Execution of Judgments of the European Court of Human Rights, Council of Europe
- Questions and answers*
- 11:50 – 12:10 **The judgments of the ECtHR in the Volkov group of cases v Ukraine: implications for the national legislation and practice**
- **Mr Roman Kuybida**, national expert of the Council of Europe project “Further support for the execution by Ukraine of judgments in respect of Article 6 of the European Convention on Human Rights”
- Questions and answers*
- 12:10 – 12:45 **Break**
- 12:45 – 13:05 **Application of general measures: case Batkivska Turbota Foundation v. Ukraine**
- **Mr Nazar Kulchytsky**, Partner of “Vasil Kisil and Partners” Law Firm, Expert of the OSCE Project Co-ordinator in Ukraine
- Questions and answers*
- 13:05 – 13:25 **Enhancing institutional status of the sub-committee of the Verkhovna Rada of Ukraine as one of the conditions of ensuring implementation of ECtHR judgements**
- **Mr. Ruslan Sydorovych**, Partner of the “ARIO” Law Firm, people’s deputy of the 8th convocation
- Questions and answers*
- 13:25 – 13:45 **Sustainability and coherence of practice of national courts: European standards and Ukrainian experience**
- **Mr Nazariy Stetsyk**, Associate Professor of the Department of Theory and Philosophy of Law, Deputy Dean for Research, Faculty of Law, Ivan Franko National University of Lviv
- Questions and answers*

- 13:45 – 14:05 **The influence of the ECtHR’s case law on the decisions of the Constitutional Court of Ukraine**
- **Ms Svitlana Khyliuk**, Professor, Ukrainian Catholic University, Head of the Theory of Law and Human Rights Department
- Questions and answers*
- 14:05 – 14:25 **Final address of the second day of the Forum: The right to judicial protection: competition of national and international courts**
- **Mr Mykhailo Savchyn**, Professor, Uzhhorod National University, Vice-President of the World Congress of Ukrainian Lawyers, Expert of the OSCE Project Co-ordinator in Ukraine
- Questions and answers*
- 14:25 – 14:45 General discussion
- 14:45 **Closure of the Forum**