



**VERKHOVNA RADA OF UKRAINE**  
The Committee on Legal Policy and  
Justice



**MINISTRY OF JUSTICE  
OF UKRAINE**



# **Support to the implementation of the judicial reform in Ukraine**

## **Round table**

### **National mechanisms for enforcement of judgments of the European Court of Human Rights in Ukraine: the role of the judiciary**

#### **PROGRAMME**

**22 November 2016, Kyiv**

**Venue:**

*“Hilton Kyiv” hotel, Tarasa Shevchenka Blvd, 30*

*This event is jointly organised by the Committee of the Verkhovna Rada of Ukraine on Legal Policies and Justice, the Government Agent before the European Court of Human Rights and the Council of Europe project “Support to the implementation of the judicial reform in Ukraine”*

**Objectives of the round table:**

- to discuss effectiveness and institutional capacity of the existing legal mechanisms in Ukraine for the execution of judgments of the European Court of Human Rights;
- to exchange views with regard to the grounds leading to non-execution of many judgments of the European Court of Human Rights delivered in cases against Ukraine and pending before the Committee of Ministers of the Council of Europe;
- to elaborate on possible ways to improve the legislative framework, with special focus on the role of the judiciary in this process and its procedural powers in this area, so as to ensure timely and full execution of judgments of the European Court of Human Rights, as well as efficient coordination of all the stakeholders involved in this process.

**Participants:**

- representatives of the Administration of the President of Ukraine, Cabinet of Ministers of Ukraine;
- representatives of the Ministry of Justice of Ukraine;
- judges of the Supreme Court of Ukraine, high specialized courts of Ukraine, representatives of other judicial institutions;
- representatives of the international and civil society organizations;
- representatives and experts of the Council of Europe.

**Themes for discussion:**

- national mechanisms and institutions for the execution of the judgments of the European Court of Human Rights;
- institutional and procedural capacity of the actors of enforcement of judgments of the European Court of Human Rights;
- changes to the legislation and practice of its implementation as general measures for the execution of judgments of the European Court of Human Rights;
- other possible general measures to ensure timely and full execution of judgments of the European Court of Human Rights;
- possible ways to eliminate grounds leading to repeated submission to the European Court of Human Rights of the applications concerning the issue which has already been examined by the Court;
- mechanisms of efficient coordination of all the stakeholders involved in the process of execution of the judgments of the European Court of Human Rights.

**Expected results:**

- the participants of the round table have identified major institutional and legal obstacles for execution of judgments of the European Court of Human Rights;
- the participants have formed the suggestions on the avenues of improvement of national institutional and procedural mechanisms of the execution of the judgments of the European Court of Human Rights;
- the participants, together with the experts and representatives of the Council of Europe, have suggested recommendations regarding possible ways of co-operation between the Ukrainian authorities and the Council of Europe aimed at improvement of national legislation and practices in question.

09.30	<i>Welcoming coffee</i>
10.00 – 10.20	<p><b>Opening of the round table</b></p> <ul style="list-style-type: none"> <li>• <i>Mr Leonid Yemets, First Deputy of the Head of the Committee of the Verkhovna Rada of Ukraine on Legal Policies and Justice, Member of Parliament of VIII convocation</i></li> <li>• <i>Mr Ivan Lishchyna, Government Agent before the European Court of Human Rights</i></li> <li>• <i>Ms Genevieve Mayer, Head of the Department for the Execution of Judgments of the European Court of Human Rights, Council of Europe</i></li> <li>• <i>Ms Lilit Daneghian, Head of Justice Sector Unit 1, Justice and Legal Co-operation Department, Council of Europe</i></li> </ul>
10.20 – 10.50	<p><b>Keynote speech:</b></p> <p><b>Enforcement of judgments of the European Court of Human Rights: the Role of the Judiciary</b></p> <p><i>Ms Genevieve Mayer, Head of the Department for the Execution of Judgments of the European Court of Human Rights, Council of Europe</i></p> <p><i>Questions and answers</i></p>
10.50 – 11.30	<p><b>International experience and domestic context</b></p> <p><b>The developing role of the European Court of Human Rights in the execution of its judgments</b></p> <ul style="list-style-type: none"> <li>• <i>Dr. Costakis Paraskeva, Lecturer, University of Cyprus, Member of the European Committee for the Prevention of Torture of the Council of Europe, expert of the Council of Europe</i></li> </ul> <p><b>Strengthening the judicial capacity for execution of judgments of the European Court of Human Rights: best European practices</b></p> <ul style="list-style-type: none"> <li>• <i>Mr Pavlo Pushkar, Head of Division, Department for the Execution of Judgments of the European Court of Human Rights, Council of Europe</i></li> </ul> <p><i>Question and answers</i></p> <p><i>Moderator: Ms Inna Liniova, Project Officer of the Project “Support to the Implementation of the Judicial Reform in Ukraine”</i></p>
11.30 – 11.50	<i>Coffee break</i>

11.50 – 14.00

***National mechanisms for the execution of judgments of the European Court of Human Rights: current state of affairs and possible ways of improvement***

- ***Mr Leonid Yemets, First Deputy of the Head of the Committee of the Verkhovna Rada of Ukraine on Legal Policies and Justice, Member of Parliament of VIII convocation***

Parliamentary control over the execution of the ECtHR judgments

- ***Mr Kostiantyn Krasovskiy, Secretary of the Judicial Reform Council, Head of the Main Department of Legal Policy, Administration of the President of Ukraine – tbd***

Execution of the ECtHR judgments in the context of the judicial reform

- ***Mr Pavlo Prygunov, Head of the Department on Security, Defense and Justice, Cabinet of Ministers of Ukraine – tbd***

Control of the Cabinet of Ministers of Ukraine over the execution of the ECtHR judgments

- ***Mr Ivan Lishchyna, Government Agent before the European Court of Human Rights***

Coordination of the execution of the ECtHR judgments: main institutional and procedural issues

- ***Mr Vasyl Gumeniuk, judge of the civil chamber of the Supreme Court of Ukraine– tbd***

Role of the Supreme Court of Ukraine in the execution of the ECtHR judgments. Uniformity of judicial practice

- ***Mr Rasim Babanly, deputy Head of the Office – Head of the Scientific and Expert Division of the High Specialized Court of Ukraine for Civil and Criminal Cases***

Special features of application of the ECtHR case-law in national judicial practice

- ***The representative of the High Administrative Court of Ukraine – tbd***

Special features of application by the administrative courts of the provisions of the European Convention for Human Rights and of the case-law of the ECtHR

- ***The representative of the High Commercial Court of Ukraine – tbd***

Special features of application by the commercial courts of the provisions of the European Convention for Human Rights and of the case-law of the ECtHR

	<ul style="list-style-type: none"> <li>• <b><i>The representative of the High Council of Justice of Ukraine – tbd</i></b> Judgments of the ECtHR and the disciplinary liability of judges</li> <li>• <b><i>The representative of the High Qualification Commission of Judges of Ukraine – tbd</i></b> Impact of the ECtHR judgments on the career of judges</li> <li>• <b><i>Mr Oleksandr Pavlichenko, Head of the Board, Ukrainian Helsinki Human Rights Union</i></b> Application of the international experience in the execution of the ECtHR judgments</li> </ul> <p><i>Questions and answers</i></p> <p><i>Moderator: Dr. Costakis Paraskeva, Lecturer, University of Cyprus, Member of the European Committee for the Prevention of Torture of the Council of Europe, expert of the Council of Europe</i></p>
<b>14.00 – 14.15</b>	<b>Summary of the discussion. Concluding remarks</b>
<i>14.15 – 15.00</i>	<i>Buffet lunch</i>