



**International Scientific and Practical Conference**  
**“Criminal Procedure Code of Ukraine: Practice of Application and Prospects for Development”**

**30 October 2013**

**Venue:** Supreme Court of Ukraine, 8, Pylypa Orlyka Street, Kyiv, 30 October 2013

**Organised by:** Council of Europe under the Project “Support to the Criminal Justice Reform in Ukraine” funded by the Government of Denmark  
 Presidential Administration of Ukraine  
 National School of Judges of Ukraine  
 in partnership with  
 Supreme Court of Ukraine

**PROGRAMME**

09:00 – 09:30	Registration of Participants
09:30 – 09:50	<p><b><u>Opening remarks by organisers:</u></b></p> <p><b>Mr Yaroslav Romaniuk</b>, <i>Head of the Supreme Court of Ukraine, Ph.D. in Law</i></p> <p><b>Mr Christos Giakoumopoulos</b>, <i>Director of Human Rights, Directorate General of Human Rights and the Rule of Law, Council of Europe</i></p> <p><b>Ms Natalia Shuklina</b>, <i>Rector of the National School of Judges of Ukraine a.i., Prof., Ph.D. in Law</i></p> <p><b>H.E. Ms Merete Juhl</b>, <i>Ambassador of the Kingdom of Denmark in Ukraine</i></p>
09:50 – 11:00	<p><b><u>Introductory Session</u></b></p> <p><b>Chair: Mr Christos Giakoumopoulos</b>, <i>Director of Human Rights, Directorate General of Human Rights and the Rule of Law, Council of Europe</i></p> <p><b>H.E. Mr Jan Tombinski</b>, <i>Ambassador, Head of the Delegation of the European Union to Ukraine</i></p> <p>Rule of law-related reforms in the context of EU-Ukraine relations</p> <p><b>Keynote addresses by:</b></p> <p><b>Mr Andriy Portnov</b>, <i>Adviser to the President of Ukraine</i>  Criminal Procedure Code of Ukraine: professional application of the new legislation</p> <p><b>Mr Grygoriy Sereda</b>, <i>Deputy Prosecutor General of Ukraine, LL.D.</i>  Criminal Procedure Code of Ukraine: results and further implementation</p>

	<p><b>Introductory addresses by:</b>  <b>Ms Inna Iemelyanova</b>, <i>Deputy Minister of Justice of Ukraine</i>  <b>Mr Andriy Solodkov</b>, <i>Head of the High Specialised Court of Ukraine for Civil and Criminal Cases</i>  <b>Ms Lidia Izovitova</b>, <i>President of the Ukrainian National Bar Association, Head of the Council of Advocates of Ukraine</i>  <b>Ms Valeriya Lutkovska</b>, <i>Ukrainian Parliament Commissioner for Human Rights</i></p>
11:00 – 11:30	<b>Coffee Break</b>
11:30 - 12:30	<p><b><u>Session I. General principles of interpretation and application of the Criminal Procedure Code of Ukraine</u></b></p> <p><b>Chair:</b> <b>Ms Olga Shapovalova</b>, <i>Judge of the Supreme Court of Ukraine (retired), Head of the Training Department for Judges and Court Staff of the National School of Judges of Ukraine, Ph.D. in Law</i></p> <p><b>Speakers:</b>  <b>Mr Jeremy McBride</b>, <i>Council of Europe Consultant, Barrister, Former Chairman of the Scientific Committee of the European Union Agency for Fundamental Rights</i>  Challenges of implementation of the Criminal Procedure Code: ensuring compliance with ECHR standards  <b>Mr Mykola Korotkevych</b>, <i>Judge of the Supreme Court of Ukraine, Ph.D. in Law</i>  Ensuring the right to defence, liberty and security of individuals under the new Criminal Procedure Code  <b>Mr Stanislav Mishchenko</b>, <i>Deputy Head of the High Specialised Court of Ukraine for Civil and Criminal Cases</i>  Some aspects of implementation of the principle of legality in criminal proceedings  <b>Mr Viktor Gorodovenko</b>, <i>Head of the Court of Appeal of Zaporizhia region, LL.D.</i>  Safeguarding the right to a fair trial  <b>Ms Maria Pryndiuk</b>, <i>Deputy Head of the Court of Appeal of Kyiv</i>  Application of the general principles of criminal proceedings by the appellate courts of Ukraine</p> <p><b>Discussion</b></p>
12:30 – 13:30	<p><b><u>Session II. Pre-trial stage – how safeguards enshrined in the Criminal Procedure Code work in practice</u></b></p> <p><b>Chair:</b> <b>Ms Nadiya Stefaniv</b>, <i>Head of the Court of Appeal of Ivano-Frankivsk region</i></p> <p><b>Speakers:</b>  <b>Mr Eric Svanidze</b>, <i>Council of Europe Consultant, Former Prosecutor, Former Member of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment in respect of Georgia</i>  Challenges of implementation of the Criminal Procedure Code at the pre-trial stage: initiation of proceedings, notification of suspicion, police custody  <b>Mr Oleg Tatarov</b>, <i>Deputy Head of the Investigating Department of the Ministry of Interior, LL.D.</i></p>

	<p>Challenges of investigation of criminal offences  <b>Mr Mykola Gashovskiy</b>, <i>First Deputy Head of the Main Department of the Prosecutor General's Office of Ukraine, Ph.D. in Law</i>  The role of the prosecutor at the pre-trial investigation stage. Implementation of the procedural supervision of the pre-trial investigation  <b>Mr Andriy Vyshnevskiy</b>, <i>Head of the Coordination Centre for the Free Legal Aid Provision under the Ministry of Justice of Ukraine</i>  Challenges and new opportunities for the defence in the context of free legal aid provision  <b>Mr Valeriy Chornobuk</b>, <i>Head of the Crimea Court of Appeal, Ph.D. in Law</i>  Introduction of the institute of the investigating judge in Ukraine and its role in safeguarding an individual's rights, freedoms and interests in criminal proceedings</p> <p><b>Discussion</b></p>
13:30 – 15:00	<b>Lunch</b>
15:00 – 16:00	<p><b><u>Session III. Trial proceedings: roles of the parties in adversarial criminal proceedings and new modalities for settling cases</u></b></p> <p><b>Chair:</b> <b>Mr Stanislav Mishchenko</b>, <i>Deputy Head of the High Specialised Court of Ukraine for Civil and Criminal Cases</i></p> <p><b>Speakers:</b>  <b>Mr Evgeniy Blazhivsky</b>, <i>Rector of the National Academy of Prosecutors of Ukraine, LL.D.</i>  The role of the prosecutor in adversarial trial proceedings  <b>Mr Jeremy McBride</b>, <i>Council of Europe Consultant, Barrister, Former Chairman of the Scientific Committee of the European Union Agency for Fundamental Rights</i>  The prosecution's obligation to disclose evidence  <b>Ms Lidia Izovitova</b>, <i>President of the Ukrainian National Bar Association, Head of the Council of Advocates of Ukraine</i>  Securing rights of participants to criminal proceedings  <b>Ms Olena Pervushyna</b>, <i>Head of Holosiyivskiy District Court of Kyiv</i>  Adversarial trial and equality of arms in the light of the new Criminal Procedure Code of Ukraine  <b>Mr Mykhaylo Kviatkovskiy</b>, <i>Judge, a.i. Head of the Lutsk City and District Court of the Volyn region</i>  Plea and reconciliation agreements in criminal proceedings: challenges of application of the new institutes</p> <p><b>Discussion</b></p>
16:00 – 16:30	<b>Coffee break</b>
16:30– 18:00	<p><b><u>Session IV. Prospects for further advancing criminal justice system in Ukraine – perspectives of national and international stakeholders</u></b></p> <p><b>Chair:</b> <b>Mr Christos Giakoumopoulos</b>, <i>Director of Human Rights, Directorate General of Human Rights and the Rule of Law, Council of Europe</i></p> <p><b>Speakers:</b></p>

	<p><b>Ms Marina Klimenko</b>, <i>Judge of the Supreme Court of Ukraine</i> Enhancing the role of the Supreme Court of Ukraine in ensuring the uniform application of norms by courts of criminal jurisdiction</p> <p><b>Mr Mykola Khavronyuk</b>, <i>Director of Scientific Development of the Center for Political and Legal Reforms, Prof., LL.D.</i> Monitoring of statistical data and practice of the new Criminal Procedure Code implementation: conclusions and recommendations</p> <p><b>Ms Olga Shapovalova</b>, <i>Head of the Training Department for Judges and Court Staff of the National School of Judges of Ukraine, Ph.D. in Law</i> Domestic case law and further improvement of the criminal procedure norms</p> <p><b>Mr Mikael Lyngbo</b>, <i>Council of Europe Consultant, Former Chief of Police and Public Prosecutor of Denmark, Expert of the Danish Helsinki Committee for Human Rights</i> Prospects for further reforms in the area of the criminal justice system</p> <p><b>Mr Alexandru Albu</b>, <i>Head of Section, Good Governance and Democratisation, EU Delegation in Ukraine</i> EU support to criminal justice sector reforms in Ukraine</p> <p><b>Ms Mary Butler</b>, <i>Resident Legal Advisor, OPDAT, US Embassy in Ukraine</i> Opportunities for continuing cooperation in effective implementation of criminal justice sector reforms</p> <p><b>Discussion</b></p>
18:00 - 18:30	<b>Conclusions and closing remarks</b>