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Council of Europe and the Administration of the President of Ukraine

under European Union and Council of Europe Joint Programme
“Reinforcing the fight against ill-treatment and impunity”

ROUND TABLE

PRESENTATION AND PUBLIC DISCUSSION

OF THE DRAFT OF THE CRIMINAL PROCEDURE CODE OF UKRAINE

IN THE LIGHT OF THE COUNCIL OF EUROPE LEGAL OPINION ¹

DRAFT AGENDA

23 January 2012

12, Hospitalna Street, President Hotel,
Conference hall «Predslava»

Media partner

ЗаконБізнес

¹ The legal opinion on the draft Criminal Procedure Code of Ukraine was prepared by the Justice and Human Dignity Directorate within the Directorate General of Human Rights and Rule of Law of the Council of Europe under the Joint Programme of the European Union and the Council of Europe entitled “Transparency and Efficiency of the Judicial System of Ukraine” based on the expertise of:

- Ms Lorena Bachmaier, Professor, Law School, Universidad Complutense, Madrid, Spain
- Mr Jeremy McBride, Barrister, Monckton Chambers, London, United Kingdom, Chairman of the Scientific Committee of the Fundamental Rights Agency of the European Union
- Mr Eric Svanidze, Lawyer, Council of Europe Project Long Term Consultant, former member of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) in respect of Georgia

Morning session *Moderated by: Mr Andriy Portnov, Adviser to the President of Ukraine, Head of the Main Office for Judicial System Affairs of the Administration of the President of Ukraine*

09:30 - 09:50 Opening of the round table and welcoming remarks:

- **Mr Andriy Portnov**, Adviser to the President of Ukraine, Head of the Main Office for Judicial System Affairs of the Administration of the President of Ukraine
- **Mr Vladimir Ristovski**, Ambassador, Representative of the Secretary General of the Council of Europe on the Coordination of the Council of Europe Cooperation Programmes/Head of the Council of Europe Office in Kyiv
- **Mr José Manuel Pinto Teixeira**, Ambassador, Head of the European Union Delegation in Ukraine

09:50 – 10:30 Presentation of the final version of the draft Criminal Procedure Code of Ukraine (CPC), submitted to the Parliament of Ukraine on 12 January 2012

by Mr Andriy Portnov, Adviser to the President of Ukraine, Head of the Main Office for Judicial System Affairs of the Administration of the President of Ukraine

10:30 – 10.45 General commentary on the final Draft CPC on the behalf of the experts of the Council of Europe, authors of the Legal Opinion on the Draft

by Mr Jeremy McBride, Council of Europe expert

10.45 – 11.15 Joint press-conference of the Administration of the President of Ukraine, the Council of Europe and the European Union / coffee break for the participants of the round table

11.15 – 11.45 General comments by the representatives of the legislative, executive and judicial powers (5 min. per each)

- **Mr Volodymyr Oliynyk**, First Deputy Chairman of the Parliamentary Committee on Legislative Support of Law Enforcement
- **Ms Nina Karpachova**, Ukrainian Parliamentary Commissioner for Human Rights (TBC)
- **Mr Mykhailo Havryliuk**, Deputy Prosecutor General of Ukraine
- **Mr Dmytro Vorona**, Deputy Minister of Internal Affairs of Ukraine
- **Mr Anatoliy Redka**, Deputy Chairman of the Supreme Court of Ukraine, Secretary of the Criminal Chamber of the Supreme Court

11:45 – 12:00 Commentary to the I Section of the Draft CPC

Ms Lorena Bachmaier, Council of Europe expert

12.00 – 12.20 Comments by participants of the round table (5 min. per each)

- **Mr Pavlo Hvozdyk**, Head of the Council of Judges of the general courts
- **Mr Mykola Siryi**, Senior scientific official of Koretskyi Institute of State and Law of the Scientific Academy of Ukraine, advocate

- **Ms Tetiana Varfolomeyeva**, Rector of the Academy of Advocacy of Ukraine

12.20 – 12.30 General discussion

12:30 – 12:45 Commentary to the Sections II i III of the Draft CPC

Mr Eric Svanidze, Council of Europe expert

12.45 – 13.05 Comments by participants of the round table (5min.per each)

- **Mr Mykhailo Havryliuk**, Deputy Prosecutor General of Ukraine
- **Mr Serhiy Sydorenko**, First Deputy Head of the State Penitentiary Service of Ukraine
- **Mr Mykhaylo Vilhushynskiyi**, Deputy Chairman of the High Specialised Court of Ukraine on civil and criminal cases
- **Mr Leonid Loboiko**, Professor of Criminal Procedure Department, Donetsk Legal Institute of Internal Affairs

13.05 – 13.15 General discussion

13:15 – 14:15 **Lunch**

Afternoon session: Moderated by: **Mr Artashes Melikyan**, Head of Unit, Division for Legal Co-operation, Justice and Legal Co-operation Department, Justice and Human Dignity Directorate, Directorate General of Human Rights and Rule of Law, Council of Europe

14.15 – 14.45 General discussion upon the morning session of the round table

14.45 – 15:00 Commentary to the Sections IV and V of the Draft CPC

Ms Lorena Bachmaier and Mr Jeremy McBride, Council of Europe experts

15.00 – 15.20 Comments by participants of the round table (5 min. per each)

- **Mr Anatoliy Redka**, Deputy Chairman of the Supreme Court of Ukraine
- **Mr Ruslan Kyryliuk**, Head of the State Judiciary Administration
- **Mr Oleksandr Banchuk**, Expert of the Centre for Political and Legal Studies
- **Mr Ihor Samsin**, Head of the High Qualification Commission of Judges of Ukraine

15.20 – 15.30 General discussion

15.30 – 15.45 Commentary to the Sections VI - XI of the Draft CPC

Mr Jeremy McBride, Council of Europe expert

15:45 – 16:00 Coffee break

16:00 – 16:20 Comments by participants of the round table (5 min. per each)

- **Mr Oldrich Andrysek**, UNHCR Regional Representative for Belarus, Moldova, and Ukraine

- **Mr John Engstrom**, Resident Legal Advisor, US Department of Justice OPDAT, US Embassy in Kyiv
- **Mr Oleksandr Tolochko**, Vice-Rector of the Academy of Prosecutors of Ukraine

16:20 – 16:45 General discussion and summary of the round table

16.45 – 17.00 Closing of the round table