
PROGRAMME INTERNATIONAL WORKSHOP



«Application of the Constitution as an Act of Direct Effect in Administrative Proceedings»

Kyiv, November 26, 2021

9.30 – 10.00 Registration

10.00 – 10.15 **Opening ceremony. Welcome remarks**

Valentyna Danishevskya, President, Supreme Court, Ukraine

Mykhailo Smokovych, President, Administrative Cassation Court, Supreme Court, Ukraine

Vsevolod Kniaziev, Secretary, Grand Chamber of the Supreme Court, Ukraine

Moderator:

Myroslava Bilak, Judge, Administrative Cassation Court, Supreme Court, Ukraine

10.15 – 11.45

Session 1 Doctrine of Application of the Provision of the Constitution as the Direct Effect Provision

Moderator: **Myroslava Bilak**, Judge, Administrative Cassation Court, Supreme Court, Ukraine

Application of the Constitution by Administrative Courts and Cooperation with the Constitutional Court: Principles and Practical Experience

Dr. Lars Brocker, President, Constitutional Court and President, Higher Administrative Court of Rhineland-Palatinate, Germany

Direct Application of the Constitution of Ukraine: Key Issues of Theory and Practice

Vasyl Lemak, Judge, Constitutional Court of Ukraine

Direct Application of the Constitution: Questions of How and When?

Rimvydas Norkus, Judge, General Court of the European Union, Luxembourg

Direct Effect of the Constitution and Legal Interpretation of its Provisions in Administrative Proceedings

Victor Horodovenko, Judge, Constitutional Court of Ukraine; Ukraine Representative to the Consultative Council of European Judges of the Committee of Ministers of the Council of Europe

Exception of Unconstitutionality and Challenges of Institutional Dialogue between the Constitutional Court and Courts of General Jurisdiction: Experience of Georgia

George Papuashvili, President, Constitutional Court of Georgia (ret.); former Member of the European Commission «For Democracy through Law» (Venice Commission), Georgia

Discussion

11.45 – 12.10 Break

12.10 – 13.45

Session 2. Non-compliance of a Law or Other Legal Act with the Constitution and Mechanisms for Procedural Cooperation of Administrative Courts with the Constitutional Court. Criteria for Administrative Court Justification of an Opinion on a Law or Other Legal Act in Contradiction with the Constitution

Moderator: **Myroslava Bilak**, Judge, Administrative Cassation Court, Supreme Court, Ukraine

Non-compliance of a Law or Other Legal Act with the Constitution: Architectonics of the Decisions of the Administrative Courts

Mykhailo Smokovych, President, Administrative Cassation Court, Supreme Court, Ukraine

Application of the Constitution of Ukraine as an Act of Direct Effect in the Consideration of Tax Disputes by the Administrative Cassation Court

Viacheslav Khokhuliak, Judge, Administrative Cassation Court, Supreme Court, Ukraine

Procedural Cooperation between Courts on Application of Direct Effect of Constitutional Provisions

Albert Yezerov, Judge, Administrative Cassation Court, Supreme Court, Ukraine

Application of the Constitution for Protection of the Rights of Victims of Armed Conflict and Forced Displacement: The Balkan Experience

Slavica Banić, Judge, Constitutional Court of Croatia (ret.), former deputy member of the European Commission «For Democracy through Law» (Venice Commission), Croatia

Application of the Constitution in a Transitional Justice Process: Considerations and Ukrainian Realities

Ganna Khrystova, National coordinator, Council of Europe Project re: «Internal Displacement in Ukraine: Building Solutions. Phase II», Ukraine

Discussion

13.45 – 14.00

Summary remarks

Myroslava Bilak, Judge, Administrative Cassation Court, Supreme Court, Ukraine

Archbishop Borys Gudziak, President, Ukrainian Catholic University (video)

Mykhailo Smokovych, President, Administrative Cassation Court, Supreme Court, Ukraine

