



Верховний
Суд



33rd ANNIVERSARY
OF ESTABLISHING
COMMERCIAL (ARBITRATION)
COURTS OF UKRAINE

AGENDA

International Scientific and Practical Conference

Ukraine on the Way to European Integration:
Effective Management of State Property as a Tool
for Economic Recovery of Ukraine.

MISSION AND VISION OF THE COMMERCIAL JURISDICTION

31 May 2024

10:00 – 17:30

Premier Palace Hotel Kyiv

Sofiivskiy Grand Hall, 2nd floor

5-7/29 T. Shevchenko Blvd, Y. Chykalenka Str.,
01004, Kyiv, Ukraine



Registering for Zoom conference

Time: 10:00 AM (Europe/Kyiv)

To participate in the conference, please register in advance.
After registration, you will receive a confirmation email providing
information on how to join the conference..

09:30 – 10:00

Registration of participants ([Link to ZOOM](#))



10:00 – 10:30

Opening. Welcoming speeches

Timing up
to 5 minutes

Moderator: **Larysa Rogach**, President of the Commercial Cassation Court within the Supreme Court, PhD in Law

Stanislav Kravchenko, President of the Supreme Court, PhD in Law

Remi Duflot, Deputy Head of the Delegation of the European Union to Ukraine

Wolfram Hertig, Deputy Head of Projects at the German Foundation for International Legal Cooperation (online)

Denys Maslov, Member of Parliament, Head of the Verkhovna Rada Committee on Legal Policy

Dmytro Natalukha, Member of Parliament, Chairman of the Verkhovna Rada Committee on Economic Development

Denys Maliuska, Minister of Justice of Ukraine

Mykola Onishchuk, Rector of the National School of Judges of Ukraine, LL.D.

10:30 – 12:00

Reforming corporate management of the state sector of the economy

Timing up
to 10 minutes

Moderator: **Oleksandr Baranets**, Secretary of the Judicial Chamber on Cases on Corporative Disputes, Corporative Rights and Securities of the Commercial Cassation Court within the Supreme Court

Olena Kibenko, judge of the Judicial Chamber on Cases on Corporative Disputes, Corporative Rights and Securities of the Commercial Cassation Court within the Supreme Court, LL.D., Associate Professor

Oleksandr Vodiannikov, Senior Project Associate, OSCE Support Programme for Ukraine

Oleksii Sobolev, Deputy Minister of Economy of Ukraine

Oleksii Movchan, member of the Verkhovna Rada of Ukraine, Deputy Chairman of the Committee on Economic Development

• *The role and objectives of the Supreme Court in the context of the new corporate governance legislation*

• *State enterprises in the EU law: principles of founding treaties and practice of the EU Court*

• *Corporatization of state-owned enterprises: difficulties of the process and ways to overcome them*

• *Reforming corporate governance of state-owned companies: principles, challenges and prospects*

Shcherbyna Valentyn, LL.D., Professor, Professor of the Department of Economic Law and Economic Justice of the Educational and Research Institute of Law of Taras Shevchenko National University of Kyiv, Academician of the National Academy of Legal Sciences of Ukraine, Honored Lawyer of Ukraine (online)

Volodymyr Hevko, President of the Commercial Court of Ternopil oblast, LL.D.

Oleksandra Koloheida, LL.D., Professor of the Department of Economic Law and Economic Justice of the Educational and Research Institute of Law of Taras Shevchenko National University of Kyiv

Discussion

- *Some problems of establishing supervisory boards of public sector enterprises*

- *Particularities of consideration of corporate disputes arising with the participation of legal entities of the public sector of economy*

- *Blocking and recovery of assets (shares): problems of law enforcement*

12:00-12:15

Coffee break

12:15 – 13:35

Corporatization of state property

Timing up to 10 minutes

Moderator: Tetiana Drobotova, Secretary of the Judicial Chamber on Cases Land Relations and Proprietary Rights of the Commercial Cassation Court within the Supreme Court, PhD in Law

Vitalii Zuiev, judge of the Judicial Chamber on Cases Land Relations and Proprietary Rights of the Commercial Cassation Court within the Supreme Court, PhD in Law, Associate Professor

Juliette d'Aboville, Professor at Sciences Po Paris, former member of the Executive Committee of State Shareholding Agency (APE), expert on State shareholding of Expertise France, France (online)

Vitalii Koval, Chairman of the State Property Fund of Ukraine

Oleh Podtserkovnyi, LL.D., professor, corresponding member of the National Academy of Legal Sciences of Ukraine, Head of the Department of Commercial Law and Process of the National University «Odesa Law Academy»

Oleksandr Garagonych, LL.D., Associate Professor, Associate Professor of the Department of Economic Law and Economic Justice of the Educational and Research Institute of Law of Taras Shevchenko National University of Kyiv

Discussion

- *Commercial and legal aspect of transformation of legal titles to land in the current conditions*

- *State as a shareholder: French experience*

- *Problematic and thematic analysis of the corporatization process*

- *Challenges of corporatization in the context of real rights to state property*

- *Current legal issues of state property management*

13:35 – 14:15

Break

14:15 – 15:45

Timing up
to 10 minutes

Bankruptcy of state enterprises in Ukraine in the context of the implementation of ECtHR judgments in cases «Yuriy Nikolayevich Ivanov v. Ukraine» and «Burmych and Others v. Ukraine»

Moderator: Volodymyr Pohrebniak, judge of the Judicial Chamber on Cases on Bankruptcy of the Commercial Cassation Court within the Supreme Court, LL.D.

Virgilijus Valančius, Component Lead on Support to EU Integration Process in the Justice Sector, EU Project «Pravo-Justice», former judge of the Court of Justice of the European Union (online)

Liliia Hrabovan, judge of the Commercial Court of Odesa oblast, PhD in Law

Oleh Vaskovskyi, Secretary of the Judicial Chamber on Bankruptcy of the Commercial Cassation Court within the Supreme Court, PhD in Law

Vladyslav Filatov, Director of the Bankruptcy Department of the Ministry of Justice of Ukraine

Veronica Bradautanu, Principal Counsel, Legal Transition Programme, European Bank for Reconstruction and Development (online)

Daniil Fedorchuk, Legal Affairs Director of JSC «Ukrainian Defence Industry»

Oleh Mykhaliuk, Key Expert on Economic Justice, EU Project «Pravo-Justice»

Valeriia Radzyviliuk - LL.D., Professor of the Department of Economic Law and Economic Justice of the Educational and Research Institute of Law of Taras Shevchenko National University of Kyiv

Discussion

- *EU law and insolvency: practical aspects of the Court of Justice case-law*
- *Peculiarities of bankruptcy of state-owned enterprises*
- *Bankruptcy of enterprises owned or managed by the state: problematic issues and ways to solve them*
- *The objectives of moratoriums on the application of bankruptcy procedures and the consequences of their introduction*
- *Implementation of court decisions on state-owned enterprises in the context of lifting the moratorium, related bankruptcies (including aspects of EU law) and the use of digital solutions for effective implementation*
- *Bankruptcy of state-owned enterprises of the defense industry: how to find a balance between the interests of creditors and national security?*
- *Regulatory novations in the area of liquidation of SOEs: from theory to practice*
- *Expected problems of proper law enforcement effectiveness related to the transposition of certain provisions of Directive (EU) 2019/1023 into Ukrainian legislation*

15:45-16:00

Coffee break

16:00 – 17:20

Ensuring the competitive foundations of the economy

Timing up
to 10 minutes

Moderator: Tetiana Malashenkova, judge of the Judicial Chamber on Cases on the Protection of Intellectual Property Rights, as well as Those Connected with Antimonopoly and Competition Law of the Commercial Cassation Court within the Supreme Court

Olha Bakalinska, LL.D., Professor, Head of the Innovation Development and Investment Support Division of the Economic Diplomacy Department of the Ministry of Foreign Affairs of Ukraine

Panagiotis Stamoulis, Counsellor for Competition, SOEs and Privatisations Delegation of the European Union to Ukraine (online)

Pavlo Kyrlyenko, Chair of the Antimonopoly Committee of Ukraine

Iryna Bulhakova, judge of the Judicial Chamber on Cases on the Protection of Intellectual Property Rights, as well as Those Connected with Antimonopoly and Competition Law of the Commercial Cassation Court within the Supreme Court, PhD in Law, Associate Professor

Nino Patsuriya, LL.D., Professor of the Department of Economic Law and Economic Procedure of the Educational and Research Institute of Law of Taras Shevchenko National University of Kyiv

Duro Durić, researcher at the Department of Civil Law, Civil Procedure and Bankruptcy at the Martin Luther University of Halle-Wittenberg (online)

Discussion

- *European Economic Security Strategy: Lessons and Challenges for Ukraine*
- *The importance of an effective State aid control system in Ukraine*
- *Reform of legislation on economic competition protection: improvement of national legal instruments and a key component of European integration*
- *Protection of the rights of foreign investors in cases on unfair competition*
- *The current state of legal regulation of public and defense procurement and areas for improvement in the period of post-war recovery*
- *Introduction of the Preventive Restructuring Frameworks as an Incentive for the use of Early Warning Systems and the Instruments for Avoidance of Insolvency*

17:20 – 17:30

Summary of discussions and closing remarks

Larysa Rogach, President of the Commercial Cassation Court within the Supreme Court PhD in Law



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