

European Commission
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Council of Europe
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TACIS UKRAINE ACTION PROGRAMME 2004

Project on International Cooperation in Criminal Matters in Ukraine (UPIC)

AGENDA

Project Activities 2.2.1.2 & 2.2.2

Human Rights and
Judicial Cooperation Training Seminar

Academy of Prosecutors,
Kyiv, Ukraine
29-31 May 2007

Objectives of the seminar

Human Rights:

To provide a brief overview of the Convention and then to look at number of Convention articles specifically in relation to the jurisprudence of the Court to see how decisions under these Articles can and does affect the operation of the judicial cooperation conventions of the Council of Europe. The presentations under the various paragraphs of the Articles should include reference to relevant case law of the Court as necessary to provide participants with an operational understanding of how the jurisprudence can affect their decision making.

The judicial cooperation areas that should be focused on (at a minimum) are as follows:

- Extradition
- Mutual Legal Assistance (generally)
- Freezing and confiscation of criminal assets
- Terrorism
- Ne bis in idem (double jeopardy)

Judicial Cooperation:

To provide training regarding a number of conventions of the Council of Europe. From both a theoretical and operational viewpoint. Case studies should be used to highlight the operation wherever possible.

- Confiscation, Asset Recovery and Asset Repatriation
- Temporary Transfer of Prisoners
- Transfer of Proceedings – focus on paragraph 2 Art 8.
- General problems encountered with providing judicial cooperation

Tuesday, 29 May 2007
Day I – Human Rights

09:00 Registration

09:30: Opening Statements

Academy of Prosecutors
Council of Europe
Ministry of Justice
Prosecutor General's Office
UPIC Project

Grygoriy Sereda
Vesna Efendic
Kateryna Shevchenko
Oleksandr Kovalenko
Simon Regis

10:00 General Overview of the Convention – History and developments
Dmytro Tretyakov

11:00 Question and Answer Session (Q&A)

11:30 Break

12:00 Overview of Ukrainian applications and cases before the Court
Dmytro Tretyakov & Victor Kabanets

13:00 Q&A

13:30 Lunch

14:30 Extradition issues
Dmytro Tretyakov & Oleksandr Kovalenko

15:30 Q&A

16:00 Break

16:30 Interim measures (Rule 39) – procedure and practical issues
Dmytro Tretyakov & Oleksii Gotsul

17:30 Q&A

18:00 End of Day I

19:00 Official Dinner

Wednesday, 30 May 2007
Day II – Human Rights & Judicial Co-operation

09.30 Transfer of prisoners
Dmytro Tretyakov

10.00 Q&A

10.15 Confiscation
Dmytro Tretyakov

11:00 Q&A

11 :15 Break

11 :45 Opening for second session of the training seminar
Simon Regis

11:50 General overview of the judicial cooperation conventions of the Council of Europe
Ana Bucar

13:30 Lunch

15:00 Confiscation, Asset Recovery and Asset Repatriation – dealing with tangible and intangible assets
Nicolas Bottinelli

16:30 Break

17:00 Confiscation, Asset Recovery and Asset Repatriation under the law of Ukraine
Oleksandr Kovalenko & Oleg Stukonog

18:00 End of Day II

Thursday, 31 May 2007
Day III – Judicial Co-operation

09:30 Transfer of Proceedings
Nicolas Bottinelli

10:15 Transfer of Prisoners – Practical problems brought by the differences in the domestic legislation of the requesting and requested party – Case study Slovenia and Ukraine.
Ana Bucar & Speaker – speaker from the Department of international co-operation of the Ministry of Justice of Ukraine

11:15 Break

11:45 General operational problems in the granting of mutual legal assistance
Ana Bucar & Nicolas Bottinelli

13:00 Closing statements

Council of Europe
MOJ
PGO

Vesna Efendic
Kateryna Shevchenko
Oleksandr Kovalenko

13:15 Lunch