



INTERNATIONAL CONFERENCE

SMALL CLAIMS PROCEDURE:

EUROPEAN AND
UKRAINIAN
EXPERIENCES

PROGRAM (FOR SPEAKERS)



НАЦІОНАЛЬНИЙ УНІВЕРСИТЕТ
«КИЄВО-МОГИЛЯНСЬКА АКАДЕМІЯ»



UNIwersYTET
JAGIELLOŃSKI
W KRAKOWIE

November 21-24 2018
Kyiv, Ukraine

NOVEMBER 21, 2018

7 PM

ARRIVAL OF THE GUESTS

National Opera visit : "Zaporozhian Beyond The Danube" by Semen Gulak-Artemovskiy, the first Ukrainian opera

NOVEMBER 22, 2018

AT 10 AM

Appeal Court of Kyiv, Solom`yanska, 2a

AT 11 AM

Civil Court of Cassation within the Supreme Court, Povitroflotsky, 10

12 AM - 1 PM

Lunch

1:30 PM

Supreme Court, Klovsky Palace, Pylypa Orlyka, 4;

3 PM

Excursion to the Verkhovna Rada of Ukraine, Hall of Panels.

7 PM

Meeting of AJEEL Editorial Board`s Members.

NOVEMBER 23, 2018

9 AM - 9:30 AM

Registration of the participants

9:30 AM - 10 AM

Greetings of the co-founders of the conference

10 AM - 11:30 AM

Panel 1. The Small Claims Procedure: various approaches and practices in National and EU Law, moderator – Dr. Roksolana Khanyk-Pospolitak

Key speakers:

1. **Marina Chervinska**, judge of the Civil Court of Cassation within Supreme Court, Deputy Chairman of the Chamber, *Practice of Civil Court of Cassation in small claims cases*
2. **Prof. Dr. Habil. Radoslaw Flejszar**, Head of Civil Procedure Department, Jagiellonian University, *The European small claims procedure and the Polish simplified procedure*
3. **Dr. Elisabetta Silvestri**, PhD, Professor of the Department of Silvestri, University of Pavia, *Small claims and procedural simplification: evidence from selected EU legal systems (interpreter – Slobodianiuk Oleksandr)*
4. **Prof. Dr. Habil. Alan Uzelac**, Head of Procedural Law Department, Faculty of Law, University of Zagreb, *Little things make big things happen: introducing proportionality through procedure in small and uncontested matters*
5. **Dr. Roksolana Khanyk-Pospolitak**, Head of Private Law Department, Law Faculty, National University "Kyiv-Mohyla Academy", *Jurisdiction of small claim cases in civil proceedings*

Discussion of the reports

11:30 AM - 12 AM

Coffee break

12 AM - 1:30 PM

Panel 1 – Continuence, moderator – Dr. Iryna Izarova

Key speakers:

1. **Maksym Tytov**, Judge, Vice-Head of the Forth Circuit Court of Kyiv, **Tetiana Korotenko**, a judge assistant *Simplified Action Procedure: new practice and experience for Ukrainian judges*
2. **Prof. Dr. Habil. Cornelius H. Van Rhee**, Professor of European Legal History and Comparative Civil Procedure Department, Maastricht University, *Why there is no need for a small claims procedure in the Netherlands (interpreter – Tereshchenko Maria)*
3. **Dr. Ute Mockel**, Judge at the Higher Regional Court, Frankfurt am Main, *Small Claims and Effective Legal Protection – The Legal Framework in Germany*
4. **Dr. Henriette Duursma-Kepplinger**, Priv.-Doz., Dr., LL.M., M.A.S. (European Law), Law Faculty, University of Salzburg, *Small Claims in Austrian Civil Procedure (interpreter – Melnichenko Katerina)*
5. **Dr. Costas Popotas**, LL.M. QUB, Court of Justice of the EU, *The European Small Claims Procedure within the Universe of European Private International Law Framework*
6. **Dr. Habil. Iryna Izarova**, assoc. prof., Law Faculty, Taras Shevchenko National University of Kyiv; **Dr. Bartosz Szolc-Narłowski**, PhD, assoc. prof. at Roman Law Department, University of Gdańsk; **Oleksandra Kovalenko**, *Privatizing of Justice: some ideas to share*

Discussion of the reports

1:30 PM - 2:30 PM

Lunch

NOVEMBER 23, 2018

2:30 PM - 4:30 PM

Panel 2. The first year of Small Claims Procedure in Ukraine: new experiences and challenges, moderator – Prof. Kostyantyn Gusarov

Key speakers:

1. **Dr. Vasil Krat**, judge of the Civil Court of Cassation within Supreme Court, *Practice of Court of Cassation in Small Claims*
 2. **Larisa Shvetsova**, Member of the High Council of Justice, Judge of the Kharkiv Region Appeal Court, *The practical value of the small claims in the light of CPC changes*
 3. **Dr. Vigita Vebraite**, PhD, assoc. prof. of Private Law Department, Faculty of Law, Vilnius University, *(Un)Popularity of small claims procedure in Lithuanian civil procedure*
 4. **Dr. Małgorzata Malczyk**, PhD, assoc. prof. of Civil Procedure Department, Jagiellonian University; **Dr. Joanna May**, PhD, assoc. prof. The Nicolaus Copernicus University in Toruń, *The European Small Claims Procedure and its place in the system of Polish separate proceedings*
 5. **Dr. Stefaan Voet**, PhD, prof. of the Department of Procedural Law, University of Leuven, *The judicial and out-of-court resolution of small and uncontested claims in Belgium (interpreter – Popyk Marta)*
 6. **Dmytro Kocherga**, lawyer, Sayenko-Kharenko, *Possibility of intellectual property cases' consideration in simplified proceedings*
 7. **Prof. Dr. Habil. Kostyantyn Gusarov**, Head of Civil Procedure Department, National University "Yaroslav the Wise Law Academy", *Simplifizing of the revire procedures in civil cases*
- Discussion of the reports

The excursion to the Economic Court of Cassation, the Supreme Court, Kopylenka, 6
The excursion to the International Commercial Arbitrary, Velyka Zhytomyrska, 33

Summaries and closure, speeches on behalf of the conference co-founders:

- Prof. Radosław Flejszar**, Jagiellonian University,
Prof. Kostyantyn Gusarov, National University "Yaroslav the Wise Law Academy",
Dr. Iryna Izarova, Taras Shevchenko National University of Kyiv,
Dr. Roksolana Khanyk-Pospolita, National University "Kyiv-Mohyla Academy"

Gala-dinnier.

National Philarmony of Ukraine visit : *Ludwig van Beethoven, Symphony 5*,
Symphony Orchestra of National Philarmony of Ukraine, Volodymyrsky Uzviz, 2
<https://www.filarmonia.com.ua/en/>

2:00 PM - 3:30 PM

3:30 PM - 4:30 PM

4:30 PM - 5 PM

5 PM - 7 PM

7 PM

NOVEMBER 24, 2018

10 AM - 12:30 AM

ROUND TABLE, TARAS SHEVCHENKO NATIONAL UNIVERSITY OF KYIV

Greetings of the participants:

Vice-Rector on Research, Education and International Relations, Chairman of the Convention of the European Collegium of the Polish and Ukrainian Universities, Candidate of Science (Philology) **Professor Petro O. BEKH**

Introducing the Court of Justice of the EU by **Dr. Costas Popotas**, LL.M. QUB, Head of Unit, Directorate-General for Administration, Court of Justice of the EU, Luxembourg;

Introduction to Mediation: Italian and European Excpetience by **prof. Elizabetta Silvestry**, Scientific Director of the Post Graduate Course for the training of mediators and ADR professionals, Department of Law, University of Pavia, Italy;

Why should Europe continue respecting arbitration as a means of international dispute resolution? by **prof. Alan Uzelac**, Organizing Course Public and Private Justice (PPJ) Director, The Inter-University Centre Dubrovnik, Croatia –the Netherlands.

Case Management in Europe: A Modern Approach to Civil Litigation by **prof. C.H. Van Rhee**, Maastricht University, EU Project "Support to Justice Sector Reforms in Ukraine"

Lunch

City tour "Ancient Kyiv" (Samovarova Maria)

Departure of the Conference Guests

1 PM - 2 PM

3 PM - 5 PM

MAIN PURPOSE OF THE CONFERENCE

International Scientific and Practical Conference
is devoted to the simplified proceedings
"Small Claims Procedure: European and Ukrainian experiences".

During the conference the discussion and sharing of the leading European countries knowledge will be provided, particularly in the field of national small claims procedures and the European Small Claims Procedure as well.

The well-known academics are among the key-speakers of the conference from the leading universities of Europe – Jagellonian University, Maastricht University, Leuven University, Salzburg University, Pavia University and Vilnius University. Moreover, we are going to discuss the practical experience with the representatives of judicial power – judges from Ukraine, Poland and Germany.

We hope that it will contribute to the further development, cooperation and dissemination of knowledge and experience of the best European practices in Ukraine.

Organizing Committee is very grateful to all the participants, particularly the members of the conference team – students of the National University "Kyiv-Mohyla Academy" and Taras Shevchenko National University of Kyiv for their help!

We really appreciate our sponsors for their support!

ORGANIZING COMMITTEE:

Prof. Radoslaw Flejszar,
Jagiellonian University

Dr. Iryna Izarova,
Taras Shevchenko National University of Kyiv

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