#  As of 09.04.2025

**SUPREME COURT**

**ADMINISTRATIVE CASSATION COURT**

**A G E N D А**

**VIII International Scientific and Practical Conference**

**"Administrative Justice in Ukraine: Theoretical and Practical Issues.**

**The 20th Anniversary of the Adoption of the Code of Administrative Procedure
of Ukraine: Experience and Prospects of Administrative Justice
in Ensuring the Protection of Rights and Freedoms in a Democratic Society"**

**3–4 July 2025**

**Venue:**

Administrative Cassation Court

within the Supreme Court

Kyiv, 8 Kniaziv Ostrozkykh str, 5th building

**Concept**

6 July 2025 marks the 20th anniversary of the adoption by the Verkhovna Rada of Ukraine of the Code of Administrative Procedure of Ukraine. This landmark legislative act established the jurisdiction of administrative courts, outlined procedures for applying to these courts, and regulated the conduct of administrative proceedings. It also became one of the first legal instruments to embody the constitutional principle of the rule of law.

Article 125 of the Constitution of Ukraine provides that administrative courts shall act to protect the rights, freedoms and interests of individuals in the field of public law relations.

Administrative justice is a fundamental requirement of a democratic society, where public administration is carried out in accordance with the rule of law, based on justice, legality, legal certainty, and equality before the law.

The introduction of judicial control over decisions, actions, or omissions of public authorities, their officials, and employees—through a number of important procedural mechanisms—has made it possible to ensure effective judicial protection of individuals' rights, freedoms, and interests against violations by public authorities. The impact of administrative courts' judicial activity is significant: from 1 September 2005 till 1 January 2025, they considered more than 20 million cases and materials.

The introduction of administrative procedures into the national legal system has not been an easy process. Over the past twenty years, a tremendous amount of both procedural and non-procedural work has been carried out: initiating legislative proposals to address regulatory conflicts and legal gaps, testing new procedural institutions and mechanisms, and providing legal justification for the delimitation of court case jurisdiction, among other efforts.

Overall, since the introduction of administrative justice in Ukraine, more than 140 amendments and additions have been made to the Code of Administrative Procedure of Ukraine. Additionally, nearly a dozen decisions have been issued by the constitutional jurisdiction body in response to submissions regarding the compliance (constitutionality) of the Code with the Constitution of Ukraine, with some of its provisions having been declared unconstitutional.

In order to effectively perform its functions, administrative justice must evolve in line with the needs of a democratic society and the outcomes of its digital transformation. This includes introducing technological innovations in the justice sector, systematically analysing the effectiveness of procedural mechanisms and institutions, and initiating, when necessary, amendments to procedural legislation to ensure the fulfilment of the tasks assigned by the legislator, particularly in the context of martial law. It must also ensure the unity and consistency of case law, contribute to European integration, and address the systemic issue of non-enforcement or prolonged enforcement of administrative court decisions where the debtors are state bodies, state-owned enterprises, institutions, and organisations.

These and other theoretical and practical issues of administrative proceedings will be the focus of discussion at the Conference.

Discussion and Exchange of Experience on the Following Issues:

theoretical and practical aspects of the application of the Code of Administrative Procedure of Ukraine (CAP of Ukraine) through the prism of 20 years of functioning of administrative proceedings in Ukraine;

identification of procedural challenges in administrative proceedings, particularly in the context of the martial law regime, and finding ways to overcome them;

law enforcement and implementation of procedural mechanisms to ensure the sustainability and unity of case law;

adaptation of the administrative proceedings of Ukraine to international standards and development of recommendations based on international experience and practice of democratic states to improve administrative justice in Ukraine.

**DAY 1**

**3 July 2025**

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| **9:00–9:30**  | **Participant registration, welcome coffee** |
| **Opening of the Conference*****Moderatgor****:* ***Mykhailo Smokovych***, President of the Administrative Cassation Court within the Supreme Court, LL.D. |
| **9:30–10:20** | ***Stanislav Kravchenko****,*President of the Supreme Court, PhD in Law |
| ***Mykhailo Smokovych***, President of the Administrative Cassation Court within the Supreme Court, LL.D. |
| representative of partners |
| representative of partners  |
| representative of partners |
| **Session 1****20th Anniversary of the Adoption of the Code of Administrative Procedure of Ukraine: Innovations, Specifics, Achievements, Challenges and Prospects*****Topics for discussion:***the impact of administrative justice on the state's fulfilment of its constitutional obligation to ensure human rights and freedoms as the highest social value; improvement of the CAP of Ukraine through the prism of what is possible and what is real in the field of protecting human rights and freedoms; whether the CAP of Ukraine meets the current needs of administrative proceedings, and if not, what legislative changes it requires; whether there is a need to amend the CAP of Ukraine to incorporate the case law of the EU Court of Justice and the ECHR;current trends in the development of administrative justice in EU member states. |
| **10:20–11:20** | ***Moderators****:* **Andrii Rybachuk**, judge of the Supreme Court in the Administrative Cassation Court, Secretary of the Judicial Chamber on cases on Protection of Social Rights, PhD in Law**Volodymyr Kravchuk**, judge of the Supreme Court in the Administrative Cassation Court, LL.D. |
| *Speakers:**Time limit* – *up to 15 minutes***Lars Brocker**, President of the Constitutional Court and President of the Higher Administrative Court of Rhineland-Palatinate **Jacek Chlebny**,President of the Supreme Administrative Court of Poland1. *Name SURNAME*
2. *Name SURNAME*
 |
| **11:20 – 11.40** | **Discussion** |
| **11.40 – 12.00** | **Coffee break** |
| **Session 2****Legal Principles in Administrative Proceedings: Architecture of Effective Application** ***Topics for discussion:***applicability of substantive and procedural principles in administrative proceedings; the principle of the rule of law as a fundamental procedural tool in administrative proceedings;enshrining the principle of formality in administrative proceedings as a manifestation of care for the individual;appealing to an administrative court based on constitutional provisions of direct effect as a guarantee for the protection of human rights and freedoms, rather than their restriction;whether the principles of competitiveness and equality of litigants before the law and the court are sufficiently regulated to prevent procedural discrimination;whether there is a need to improve the rules of territorial and subject-matter jurisdiction of administrative cases;taking into account the principle of a fair trial in accordance with Article 6 of the ECHR by the administrative courts of Ukraine;reservations in the interpretation of the procedural principles of administrative proceedings. |
| **12:00–13:00** | ***Moderators****:* **Andrii Rybachuk**, judge of the Supreme Court in the Administrative Cassation Court, Secretary of the Judicial Chamber on Cases on Protection of Social Rights, PhD in Law**Volodymyr Kravchuk**, judge of the Supreme Court in the Administrative Cassation Court, LL.D. |
| *Time limit* – *up to 15 minutes**Speakers:***Skirgailė Žalimienė**, President of the Supreme Administrative Court of Lithuania**Andreas Korbmacher**, President of the Federal Administrative Court of Germany1. *Name SURNAME*
2. *Name SURNAME*
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| **13:00 –13:15** | *Discussion* |
| **13:15 – 14:00** | **Lunch** |
| **14.00 – 14.45** | **The beginning of the judicial activity of administrative courts in Ukraine: first-hand accounts of what is important.** Memories of the start of administrative justice in Ukraine**Mykhailo Smokovych**, President of the Administrative Cassation Court within the Supreme Court, LL.D.**Speakers**1. **Stefan Hülshörster**, Director of the German Foundation for International Legal Cooperation
 |
| **Session 3****Procedural Aspects of Administrative Proceedings: Empirical Developments and Jurisdictional Perspectives** ***Topics for discussion:***whether the procedure for initiating proceedings in an administrative case is sufficiently regulated, transparent and predictable for a person;whether it is expedient to apply procedural mechanisms and procedures to reduce the timeframe for considering certain categories of administrative cases, and if so, which mechanisms and procedures should be used;whether the administrative court has sufficient powers to request evidence in cases involving public authorities;whether it is possible to use artificial intelligence to evaluate evidence in administrative proceedings;whether the rules of evidence in administrative proceedings in Ukraine comply with international standards;what problems arise when determining the proper defendant in disputes with public authorities;prospects for the use of electronic procedures in administrative cases;national administrative proceedings and ECHR case law: correlation of procedural guarantees; whether there is a need to improve procedural mechanisms in administrative proceedings in line with the case law of the EU Court of Justice |
| **14.45 - 16:00**  | ***Moderator****:* **Zhanna Melnyk-Tomenko,** judge of the Supreme Court in the Administrative Cassation Court, Secretary of the Judicial Chamber on Cases on Election Process and Referendum, as well as the Protection of Political Rights of Citizens, PhD in Law**Andrii Zhuk,**judge of the Supreme Court in the Administrative Cassation Court, LL.D. |
| *Speakers:**Time limit* – *up to 15 minutes***Villu Kõve**, Chief Justice of the Supreme Court of Estonia**Kari Kuusiniemi**,President of the Supreme Administrative Court of Finland1. *Name SURNAME*
2. *Name SURNAME*
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| **16.00 – 16:15**  | *Discussion* |
| **16:15–16:45** | **Evening coffee** |

**DAY 2**

**4 July 2025**

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| **9:30–10:00**  | **Welcome coffee** |
| **10:00 – 10:45** | ***Moderator****: Name SURNAME***Myroslava Bilak***,* judge of the Supreme Court in the Administrative Cassation Court, LL.D.**Special lecture:** **Marko Bošnjak,** President of the European Court of Human Rights |
| **Session 4****Administrative Proceedings under the Martial Law Regime: Realities of the Forced Experience and Lessons Learned*****Topics for discussion:***what changes in the jurisdiction of administrative cases are relevant due to the introduction of martial law; how administrative courts ensure transparency in national security-related cases;whether the lawfulness of restrictions imposed by the authorities on the rights of citizens and businesses under martial law is observed;whether it is possible to suspend the enforcement of administrative court decisions due to martial law;the practice of applying judicial control over the execution of administrative court decisions under martial law;whether the administrative courts take into account the ECHR case law in cases concerning the restriction of human rights due to the introduction of martial law in Ukraine;whether the procedural mechanisms of administrative court proceedings are sufficiently adapted to operate under martial law;challenges of harmonizing administrative justice in Ukraine with international standards in the European integration process. |
| **10:45 - 11:45** | ***Moderators****:* ***Raisa Khanova****,* judge of the Supreme Court in the Administrative Cassation Court, Secretary of the Judicial Chamber on Cases on Taxes, Fees and Other Obligatory Payments, PhD in Law***Nataliia Blazhivska***, judge of the Supreme Court in the Administrative Cassation Court, LL.D. |
| *Speakers:**Time limit* – *up to 15 minutes***Aigars Strupišs**, President of the Supreme Court of Latvia1. *Name SURNAME*
2. *Name SURNAME*
3. *Name SURNAME*
 |
| **11:45–12:00** | *Discussion* |
| **12:00–12:20** | **Coffee break** |
| **Session 5****Mechanisms for Ensuring the Unity of Case Law in Administrative Proceedings*****Topics for discussion:***legal nature of the opinions set forth in the resolutions of the Supreme Court on the application of legal norms, through the prism of assessing their procedural potential in ensuring the unity of case law in administrative proceedings;tools of the Supreme Court's legal influence on ensuring the unity of case law in administrative courts and its proportionality in ensuring this unity;change of the Supreme Court's legal position in the context of stable legislative regulation: the limits of what is permissible;how to ensure the unity of case law in administrative cases that are not subject to review by the Supreme Court;prejudicial inquiry to the Supreme Court as a tool for providing administrative courts of first instance and appellate courts with methodological information on law enforcement issues: through the prism of what is necessary and what is permissible;prospects of using artificial intelligence to ensure the unity of case law;the experience of the ECHR in ensuring the unity of case law in resolving typical disputes: on the question of the expediency of accepting the national system of law.  |
| **12:20–13:20** | ***Moderators****:* ***Raisa Khanova****,* judge of the Supreme Court in the Administrative Cassation Court, Secretary of the Judicial Chamber on Cases on Taxes, Fees and Other Obligatory Payments, PhD in Law***Nataliia Blazhivska***, judge of the Supreme Court in the Administrative Cassation Court, LL.D. |
| *Speakers:**Time limit* – *up to 15 minutes***Karel Šimka**,President of the Supreme Administrative Court of the Czech Republic**Mykola Gnatovskyy**, judge of the European Court of Human Rights1. *Name SURNAME*
2. *Name SURNAME*
3. *Name SURNAME*
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| **13:20 – 13:40**  | *Discussion* |
| **13:40–14:00** | **Closing remarks. Conference conclusion** |
| **14:00–14:30** | **Coffee** |