



JAGIELLONIAN UNIVERSITY
IN KRAKÓW

INTERNATIONAL CONFERENCE

Judicial Independence and the Rule of Law:

Overcoming Challenges for Ukraine and Poland in the EU Integration

1 – 2 July 2024, Jagiellonian University in Krakow

1 July 2024

12:00-16:15 (CET) / 13:00-17:15 (EEST)

Conference venue: Larisch Palace (Representative Rooms), 12 Bracka Street & online

Welcoming

Monika Florczak-Wątor (Professor of the Jagiellonian University, Head of the Centre for Interdisciplinary Constitutional Studies)

Sofiia Azovtseva (PhD, the FOR UKRAINE Programme coordinator at the Foundation for Polish Science)

12:00 – 13:30 CET

Panel 1. Balancing Justice: Challenges and Perspectives on Judicial Roles and Reforms

Chair: Natalie Fox-Wieloch (Assistant Professor at the Chair in Comparative Constitutional Law of the Jagiellonian University)

Speakers:

- 1. James E. Moliterno** (the Vincent Bradford Professor of Law, Emeritus, at Washington & Lee University School of Law)
Faulty Foundations for Reform

This conference is organized in the framework of the [research project](#) “Rule of law and independent judiciary: Major challenges for Ukraine and Poland in the context of European Union integration” supported by the Foundation for Polish Science as part of the FOR UKRAINE program.



- 2. Kostiantyn Pilkov** (PhD in Law, Justice of the Supreme Court of Ukraine, Grand Chamber)

The Judge's Speech: freedom and duty of a judge to speak out in order to safeguard the rule of law and judicial independence

- 3. Aleksander Wróbel** (Dr, LL.M. Uppsala University, Coordinator of the Ukrainian Law School at the Faculty of Law and Administration of the Jagiellonian University)

Father – Judge vs. Observer – Judge – an Ongoing Dilemma from a Comparative Perspective

Discussion

13:30 – 14:00 *Coffee break*

14:00 – 15:30 CET

Panel 2. Judicial Crossroads: Navigating Foreign Law, Constitutional Complaints, and the Future of Constitutional Justice

Chair: Piotr Mikuli (Professor of the Jagiellonian University, Head of the Chair in Comparative Constitutional Law)

Speakers:

- 1. Olena Kibenko** (Dr hab., Professor, a judge of the Supreme Court of Ukraine, Grand Chamber)

Application of foreign law by Ukrainian courts

- 2. Nazarii Stetsyk** (PhD in Law, Visiting Researcher, University of Vienna, Ludwig Boltzmann Institute of Fundamental and Human Rights, Austria)

Engagement with Foreign Case Law: Comparative Lessons for Ukrainian Constitutional Justice

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3. **Matthias Hartwig** (PhD in Law, Researcher at the Max Planck Institute for Comparative Public Law and International Law in Heidelberg, Germany)

The individual constitutional complaint – the citizen’s protection – the court’s burden: Why to appreciate and how to handle it

4. **Katarzyna Kubuj** (Dr hab., Director of the Center for Polish-French Legal Thought at the Institute of Law Studies at the Polish Academy of Sciences)

Debates and dilemmas about the future of the Polish Constitutional Tribunal

Discussion

Concluding remarks

Kristina Trykhlіb (PhD in Law, Associate Professor, Yaroslav Mudryi National Law University in Kharkiv)

15:30 – 16:15 *Lunch*

2 July 2024

9:00 – 15:15 (CET) / 10:00 – 16:15 (EEST)

Conference venue: Larisch Palace (Representative Rooms), 12 Bracka Street & online

Welcoming

Kristina Trykhlіb (PhD in Law, Associate Professor, Yaroslav Mudryi National Law University in Kharkiv)

9:00 – 10:30 CET

Panel 1. Enhancing Constitutional Justice: Improving Judge Elections and Constitutional Complaints in Poland and Ukraine

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Chair: Jan Adamowski (Doctoral School in Social Sciences of the Jagiellonian University)

1. *How to improve the procedure for the election of judges to the Constitutional Court in Poland and Ukraine?*

Speakers: Nazar Porkhun, Aleksandra Karlińska, Sofiia Zabrodotska, Karolina Bieganowska

2. *How to improve constitutional complaints in Poland and Ukraine?*

Speakers: Jakub Niedziółka, Luiza Markosian, Anna Adzhem, Marek Malinowski

Discussion

10:30 – 11:00 *Coffee break*

11:00 – 13:00 CET

Panel 2. Judicial Reforms in Poland and Ukraine: Supreme Courts, Procedures, and Judicial Councils

Chair: Paulina Jabłońska (Doctoral School in Social Sciences of the Jagiellonian University)

1. *How to reform Supreme Courts in Poland and Ukraine?*

Speakers: Maciej Zygmunt, Daryna Hrynychak, Tyt Andreiev, Maciej Czop

2. *How to improve the judicial procedures in Poland and Ukraine?*

Speakers: Zuzanna Topyłło, Olena Morhulenko, Anhelina Shaman, Ewa Owerczuk

3. *How to reform the National Council of Judiciary in Poland and the High Council of Justice in Ukraine?*

Speakers: Mariia Garmash, Karol Kozanecki, Maciej Kozłowski, Gabriela Dąbrowska

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Discussion

13:00 – 13:45 *Lunch*

13:45 – 15:15 CET

Panel 3. Building Judicial Independence and Public Trust:

Insights from Poland and Ukraine

Chair: Wojciech Ciszewski (Professor at the Chair in the Theory of Law of the Jagiellonian University)

1. *How to strengthen the independence of the courts and judges?*

***Speakers:* Polina Smirnova, Bartosz Ostafin, Ivanna Saiko, Daria Roźniakowska**

2. *How to increase trust in the judiciary in Poland and Ukraine?*

***Speakers:* Kamila Martynova, Wiktor Muszewski**

Discussion

Closing Remarks

Monika Florczak-Wątor (Professor of the Jagiellonian University, Head of the Centre for Interdisciplinary Constitutional Studies)

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