AGENDA
Round table: "The International Criminal Court: Georgia's experience"
(April 21, 2015, Kyiv city, street .. Hrushevskoho 18/2, com. 12)

Committee on Human Rights, National Minorities and International Relations
Verkhovna Rada of Ukraine, "Human Rights Agenda" Platform

13.30 - 14.00 - registration of participants.
14.00 - 14.10 - Round Table Opening:
Opening speeches:
Hryhoriy Nemyria, Chairman of the Committee on Human Rights, National Minorities and International Relations;
Dumych Iryna, "Center for Civil Liberties", "The human rights agenda" platform.

14.10 - 15.00 - Session 1: The political and legal conditions for the International Criminal Court investigation of crimes during the Russian-Georgian conflict in 2008
Presentations (10 minutes max.):
Elena Fileyeva, Executive Director of "Article 42", Georgia;
Alex Prezanti, expert of the International Federation for Human Rights, Switzerland;
Simon Papuashvili, head of the Georgian coalition "For the International Criminal Court," the former Government Commissioner at the European Court of Georgia, expert of the International Partnership for Human Rights, Georgia, Belgium.
Questions & Answers (3 min.)
Discussions:
1. Existing barriers of committed international crimes investigations. Documenting the crime and preparing submissions by various parties - parties to the conflict.
2. Political, legal and institutional obstacles to the effective investigation of international crimes.
3. Legal basis for the jurisdiction of the International Criminal Court with the opportunity to complement national investigation or further investigate international crimes.

15.00 - 15.55 - Session 2: Georgian experience in investigating crimes during the Russian-Georgian conflict in 2008 and its Lessons for Ukraine
Presentations (10 min. max.):
Volodymyr Vasylenko, Doctor of Law, Judge ad hoc International Criminal Tribunal for the Former Yugoslavia in (2002-2005);
Oleksandra Delemenchuk, coordinator of international programs, NGO "Center for Civil Liberties", "Human Rights Agenda" platform;
Simon Papuashvili, head of the Georgian coalition "For the International Criminal Court," the former Government Commissioner at the European Court of Georgia, expert of the International Partnership for Human Rights, Georgia.
Questions & Answers (regulations speech - 3 min.)
Discussion:
1. Exclusion policy factor in an investigation of war crimes and crimes against humanity, protection of the interests of victims and overcoming impunity.
2. The parallels between the conflicts in Georgia and Ukraine. Search justice in the investigation and prosecution of international crimes committed.

15.55 - 16.00 – conclusions
Closing speech:
Hryhoriy Nemyria, Chairman of the Committee on Human Rights, National Minorities and International Relations.

Wednesday April 22, 2015

Outcomes: 2 new PGA Members: Ms. Hanna Hopko, Chair Foreign Affairs Committee and Mr. Vitalii Kuprii, Deputy Committee Chair on Legal Drafting for Law-Enforcement Activity, Drafter of Law 1788 on Constitutional Amendments

8am-10am: Phone calls with CCL to receive further numbers of MPs and key stakeholders and set up meetings in parliament. Conversations with Ross trying to get badge to parliament. Received phone call from Luda, Executive Director of All-Ukrainian Community Capacity Foundation. Agreed on meeting at Rada at 11

11am Arrival at Rada Committee building Sadova 3A, Ross was not present and access was not given to Rada through Ross but through Luda Levchenko who was awaiting me

11:05 Meeting with Liudmyla (Luda Levchenko) Executive Director of All-Ukrainian Community Capacity Foundation (CCF) and Assistant to MPs from Rada. PGA met her the first time the day before at the Seminar organized by CCL and introduced our work. Realized that we both worked closely with Sen. Andreychuk and Luda suggested she will try to set up a meeting between PGA Sen. Programm Officer at Mr. Musiyaka. Introductory meeting regarding the work of both our organizations and common interests to cooperate on Ukraine agenda

11:30 Meeting with Victor L. Musiyaka, former Deputy Chairman of the Rada, MP from 1994-2006 (participated at a parliamentary Seminar with Senator Andreychuk in Moscow in 2004, I believe this was a PGA Seminar?), Research Fellow, Professor of Law, Razumkov Center, very influential person within Ukraine, former Advisor to President.
   - Musiyaka was author of the 1996 ukrainian constitution
   - Chaired the international commission on the creation of the ICC
   - Musiyaka already submitted a proposal for Amendments in 2004, when he was a member of the constitutional commission but this was boycotted and not presented to parliament because "Medvichuk" in the office of the Presidents Administration was against this idea and pushed the Constitutional Court in its 2004 Opinion (2001 was a judgement right after
the signing of RS if Ukraine can actually ratify which lead to its non-ratification until today and 2004 an opinion on this judgement

- Musiyaka currently Deputy Chair of the Committee revising the Constitution. Is positive that the amendments on judiciary that are necessary for RS ratification will be presented to president mid-May 2015.
- Musiyaka would find a PGA Seminar, as soon as possible, very timely to inform MPs about Rome Statute ratification and constitutional amendment process before the vote in parliament takes place
- Rada is in Session until 15 July. Needs 226 votes for constitutional amendment in July
- In the following session in September 300 votes are needed
- Theoretically the parliament can vote separate on amendments of Judiciary and therefore also on Amendment to Art. 124 which is one of them
- BUT however strong arguments would be needed for such a vote.
- Kuprii had already the necessary 150 (he had 155) signatures as argument for such a separate vote. Theoretically it should therefore have been on the parliament agenda already.
- President will review the suggestions by the constitutional committee and then submit to parliament for first vote (in Ukrainian system called approval)

1pm Meeting with Yakymovych, MP – canceled because of Plenary

1:15pm: Meeting with Volodymyr Venher, Head of the Secretariat of the Committee on Legal Policy and Justice (Cellphone +380675042672; private mail law3@ukr.net)

2pm Meeting with Mr. Vitalii Kuprii, Deputy Committee Chair on Legal Drafting for Law-Enforcement Activity, Drafter of Law 1788 on Constitutional Amendments

- Has a strong personal interest in Human Rights and Rome Statute ratification although belongs to a different Committee
- Is in Strasbourg from May 26-30. PGA organized a roundtable meeting for him with PGA MEPs on April 30th where he will explain the process towards constitutional amendment and RS ratification
- Will recruit more PGA Members within parliament to try to form National Group

3pm Meeting with Ms. Hanna Hopko, Chair of the Foreign Affairs Committee. Explained PGA briefly and the purpose of this trip and our contacts with NDI. Ms. Hopko joined PGA and would like to participate actively in a PGA Seminar.

3:15 Short meeting Following the meeting with Ms. Hopko with her Assistant Nadiia Azarova, Assistant Chairman of the Parliamentary Committee on Foreign Affairs.
3:30-5pm Meeting with Mr. Kivalov, MP, PGA Member (long meeting until 5pm), translation provided by his Advisor Rostyslav Gerasymov, Barrister: Kivalov expressed his continued commitment for the cause of the ICC and for PGA. He is willing to help PGA host a Seminar in Kiev through parliament and in Odessa at the law school. [He says there cannot be anything done through Markov or Knyazevich or Groysman if Poroschenko is not supportive of the Seminar. However, hosting it anyways through PGA Members Hopko or Nemyria would be possible.

- Kivalov wants Ukraine to join RS, already participated actively in PGA Meeting in Japan in 2006
- Claims that he was the one suggesting Ukraine’s ratification of APIC as sign of good will since there were problems in ratification of RS due to constitution
- Believes legal education of students participation at ICC moot court competition is very important. Is supporting Odessa law school students in this regard (his law school).
- Offers to host a PGA Meeting in Odessa law school
- Suggests pressure from outside such as foreign Ambassadors letters to President of Ukraine after constitutional amendments took place
- Poroshenko advised by Saakashvili not to ratify RS because of the armed activities in the East of Ukraine
- Kivalov had a personal meeting with Poroshenko pushing for RS ratification in March 2015
- Kivalov believes that now closer than ever before to actual RS ratification
- Supportive of the Idea of a PGA Seminar

5pm Meeting with Ross to summarize how to move forward with PGA Ukraine National Group and steps as discussed with Mr. Kivalov.

6pm: Brief Meeting with Oksana Syroid, Deputy Speaker of the Rada (first female Deputy Speaker of the Rada), supportive of PGA ideas and cause. Willing to consider co-hosting a Seminar and probably joining PGA.

7:30pm Meeting with CCL (Salomyka) to brief on outcomes of PGA Meetings over the last 3 days, thank for cooperation and discuss future cooperations together. CCL and the human rights agenda (a coalition of NGOs including AI) stand ready to support PGA in all its endeavors in Ukraine towards full Rome Statute ratification.

Thursday, 23 April 2015: Departure from Kiev Airport at 7am to NYC