



Ministry of Education and Science of Ukraine
Taras Shevchenko National University of Kyiv Institute of
International Relations
Faculty of Law



Fifth Annual Inter-University School on the Topical Issues in International and European Human Rights Law

**“The Right of Access to Information in the Digital Age:
Information Disorder and the Right to Privacy”
29 July –2 August 2019**

**Institute of International Relations
of the Taras Shevchenko National University of Kyiv
(Kyiv, 36/1 Yuriya Illenka St.)**

*within the framework of the Council of Europe Project “Strengthening freedom of media, access to information and reinforcing public broadcasting system in Ukraine” and OSCE Project Co-ordinator in Ukraine’s Rule of Law and Human Rights Programme
in cooperation with Taras Shevchenko National University of Kyiv, Ukrainian Catholic University
and the Supreme Court*

DAY 1 – 28 July 2019 – SUNDAY

- 14.00 Arrival of the participants
- 16.00 – 18.00 Working meeting of the Faculty, facilitators and organizers
(discussion of agenda, hand-outs, practical exercises, group division, assigning facilitators and moderators for group work, etc. with participation of the managers of the school, OSCE management team)
Venue: Council of Europe Office in Ukraine, Business Centre “Illinsky”, 8 Illinska St., 7 entrance, 6 floor
- 19.00 Informal dinner and informal discussion

Day 2 – 29 July 2017 – MONDAY

Introductory day: key-note speech, school methodology and intro to the moot court exercise

Co-Moderators: Ms Natalia Stupnytska, National Rule of Law and Human Rights Programme Manager, OSCE Project Co-ordinator in Ukraine

9.00 – 9.30 **Welcoming coffee / registration of participants**

09.30 – 10.00 **Opening of the School and introductory remarks**

- Mr Valerii V. Kopyyka, Doctor of Political Science, Director of the Institute of International Relations, Taras Shevchenko National University of Kyiv
- Ambassador Henrik Villadsen, OSCE Project Co-ordinator in Ukraine
- Mr Pavlo Pushkar, Head of Division, Department of the Execution of Judgments of the European Court of Human Rights, Directorate General of Human Rights and the Rule of Law, Council of Europe
- Ms Olena Lytvynenko, Deputy Head of the Council of Europe Office in Ukraine
- Bogdan Lvov, Deputy Chair of the Supreme Court
- Ms Olesia Otradnova, Deputy Dean of Faculty of Law, Taras Shevchenko National University of Kyiv
- Ms Svitlana Khyliuk, Head of Master Programme on Human Rights, Ukrainian Catholic University, Lviv

Session 1 – Introduction to the Issues to be discussed during the 2019 Summer School

Moderator: Mr Mykola Gnatovskyy, President of the CPT and the Professor of International Law at the Kyiv Institute of International Relations

10.00 – 11.00 **Key-note speech: “Access to information and information disorder in the digital age: how to ensure freedom of expression?”**

Mr Dmytro Kuleba, Permanent Representative of Ukraine before the Council of Europe

Discussion – questions and answers

11.00 – 11.15	Coffee break
11.15 – 12.00	Round table introduction of participants and the Faculty (getting to know one another, discussion of expectations, school structure and the rules of studies) <i>Moderators: Olesia Otradnova, Svitlana Khulyuk and Pavlo Pushkar</i>
12.00 – 12.30	The Summer School as a unique opportunity to advance your human rights career <i>Presentation by Ms Oleksandra Shramova and Mr Oleksiy Ivanets, former participants of the previous schools and facilitators at the current school</i>
12.30 – 13.30	<i>Lunch</i>

Session 2 – School Methodology and Key Areas of Discussion During the School

Moderator: Professor Costas Paraskeva, member of the CPT, professor of the University of Cyprus

13.30 – 14.30	Introduction to Methodology of the 5th Annual School: capacity building for future human rights studies and human rights advocacy (Reconnecting the school topic to previous years and putting in framework the thematic focus of the School: critical thinking, root cause analysis and strategic thinking) Professor Pavlo Pushkar
13.30 – 14.30	Identifying key notions and the areas of concern based on the theme of the Summer School (work in groups) <ul style="list-style-type: none"> - Right of access to information - Information disorder - Digital age, social networks and internet media - Right to privacy and data protection <p>The professors and facilitators work with the groups to assist them in mapping their ideas on the flip charts</p>
14.30 – 15.15	Presentation of the ideas from the groups to each other / discussion General concluding remarks – Professor Pavlo Pushkar and facilitators
15.15 – 15.30	<i>Coffee break</i>
15.30 – 16.30	Introduction to the moot court exercise: procedures before the European Court of Human Rights and practical advice as to presentation of cases Professor Paraskeva
16.30 – 17.00	Discussion on 70th anniversary of the Council of Europe and 20th anniversary of the OSCE PCU in Ukraine: roles and impact on the Ukrainian legal system Co-moderators from OSCE and CoE Mr Pavlo Pushkar, Head of Division, Department of the Execution of Judgments of the European Court of Human Rights, Directorate General of Human Rights and the Rule of Law, Council of Europe Ms Natalia Stupnytska, National Rule of Law and Human Rights Programme Manager, OSCE Project Co-ordinator in Ukraine
17.00 – 17.15	Summary of the day and preparation for the next day – reflection from School participants
17.15 – 18.00	Debriefing of the day for the Faculty and briefing for next day, <u>students' groups mix</u>

18.30

Welcome dinner on the boat

Day 3 – 30 July 2019 – TUESDAY

Ensuring freedom of expression – the chilling effect

Moderator: Mr Pavlo Pushkar

Session 3 – Permitted limitations to freedom of expression and the chilling effect on it

09.00 – 09.30 Reconnecting the previous days (impressions of participants)

09.30 – 10.30 **Right to Privacy of Public Figures v. Right to Information**
Professor Olesya Otradnova

Discussion – questions and answers – exchange of views

10.30 – 11.30 **The chilling effect on the freedom of expression resulting from the acts or inactivity of the State: case-law of the European Court of Human Rights**
Professor Hasan Bakirci, Deputy Section Registrar, Registry of the European Court of Human Rights, Council of Europe

Discussion – questions and answers session – exchange of views

11.30 – 11.45 *Coffee break*

Moderators: Ms Olesia Otradnova

11.45 – 13.00 **Interactive practical exercises (two interventions via skype):**
- Access to public information and personal data
- Facebook and the right to challenge its decisions as to shared users' content (Kevin Steeves, independent expert)
Artificial intelligence and freedom of expression: who bears responsibility (Constantin Goltsev, Solid Opinion)

The participants could be divided into 4-5 groups, with the facilitators and faculty members involved in the discussions and would comment on the above

13.00 – 14.00 *Lunch*

Moderator: Mr. Costas Paraskeva

Session 4 – Permitted limitations and the chilling effect (the session continued)

14.00 – 14.30 **Right to information and information disorder**
Andrii Paziuk, Assistant Professor and Chair of International Law at the Institute of International Relations, Taras Shevchenko National University of Kyiv

14.30 – 15.45 **Work in groups on the presentations as regards to the core issues relating to freedom of expression (production of charts for presentation to others)**

	Faculty and facilitators are joining the groups
15:45 - 16:00	<i>Coffee break</i>
16.00 – 17.00	Presentation of the work by students on issues that can have a chilling effect on freedom of expression and access to information, limitation of freedom of expression, digitalisation of media, etc.
17.00 – 17.30	Summary of the day, evaluation of the day by the participants and the Faculty <i>NOTE: evaluation of Faculty's efforts in the form of knowledge-fix exercise: each student anonymously writes on a piece of paper one notion or concept from previous days he/she did not quite understand or has questions with. We collect the papers, mix them and then each student draws one, trying to explain the notion to his/her colleague with own words the way he/she understood it. This way we'll see what are the biggest gaps and we'll check if they got correctly what was delivered</i>
17.30 – 18.00	Debriefing of the day for the Faculty and briefing for next day, <u>students' groups mix</u>
18.30	<i>Dinner at the restaurant of the hotel "Ibis Kyiv City Center" 25 Taras Shevchenko boulevard</i>

Day 4 – 31 July 2017 – WEDNESDAY

Access to information and freedom of expression

Moderator: Mr Hasan Bakiric

Session 5 – Freedom of expression and access to information in the international human rights – interrelationship with the Convention and the domestic laws of Ukraine

09.00 – 09.30	Reconnecting the previous days <i>NOTE: impressions, input from the participants and the Faculty, we give one-minute floor to each student to state three new things he/she learned during previous days</i>
09.30 –10.30	Freedom of information and its value for public accountability <i>Ms. Rosana Lemut Strle, Former Deputy Information Commissioner of Slovenia</i>
10.30–11.00	Right of access to information, freedom of expression in the framework of “general international law”, comparison with regulation by the European Convention of Human Rights <i>Mr Mykola Gnatovsky</i>
11.00-11:20	Interactive practical exercises / Discussion
11:20-11:35	<i>Coffee break</i>

11.35 – 12.05	Criminal law protection of the freedom of expression: case-law of the European Court of Human Rights and the Ukrainian context <i>Ms Svitlana Khylyuk</i>
12.05 – 12.30	Interactive practical exercises / Discussion
12.30 – 13.00	Presentation of the moot court exercise to the students, explaining the rules of the game, noting when the groups would be divided (but not at this stage to avoid separation of the participants and joint work during the days) <i>Moderators working with specific groups of students</i>
13.00 – 14.00	<i>Lunch</i>
14.00 – 15:00	Ensuring an environment capable of nurturing freedom of expression and access to information: work in groups by the students – institutional, legislative, practical, judicial measures, which are required to protect freedom of expression and access to information at the national level, to ensure that no chilling effect on free expression is exercised by the state
15.00 – 15.30	<i>Coffee break</i>
15.30 – 17.00	Presentations by the groups and evaluation of the presentations by the Faculty of the School
17.00 – 17.30	<i>Debriefing of the day for the Faculty and briefing for next day, students' groups mix</i>
18.30	<i>Dinner at Resturant "Mneso"</i> <i>46 Ivan Franko St.</i>

<p style="text-align: center;">Day 5 – 1 August 2019 – THURSDAY Autonomous concepts and implementation of the freedom of expression guarantees</p>

Moderator: (Ms Olesya Otradnova

09.00 – 09.30	Reconnecting previous days and introduction to the topic / introduction to the Moot Court exercise on day 6 <i>NOTE: explanations as to the distributed handouts</i>
09.30 – 10.00	Integrating autonomous concepts as to freedom of expression into domestic legal system: measures in execution of judgments of the European Court <i>Pavlo Pushkar</i> Interactive practical exercises – how to execute a real judgment of the European Court of Human Rights
10.00 – 10.30	Speaker / facilitator: Pavlo Pushkar / Oleksiy Ivanets

- 10.30 – 11.00 **Liability of internet intermediaries and internet in the case-law of the Strasbourg Court**
Presentation by Professor Paraskeva
- 11.00 – 11.30 ***Interactive practical exercises / Discussion***
Speaker / facilitator: Mr. Costas Paraskeva
- 11.30 – 11.45 *Coffee break*
- 11.45 – 13.00 **Division of the participants in groups, Faculty is given supervisory and assistance tasks to work with the groups and discussion of the rules of engagement – the process of the moot court preparation**
Speaker / facilitator: Mr Hasan Bakirci
- 13.00 – 14.00 *Lunch*
- Moderators: Faculty members**
- 14.00 – 15.00 *Work in groups on the cases and preparation for the moot court exercise, in participation with the members of the Faculty*
- 15.00 – 15.30 *Coffee break*
- 15.30 – 17.00 Joint discussion of the issues appearing in study cases and preparation for the moot court exercise
- 17.00 – 17.15 Review of the day by the Faculty and by the participants
- 17.15 – 18.00 [Debriefing of the day for the Faculty and briefing for next day, students' groups mix](#)
- 18.30 *Dinner at the restaurant of the hotel "Ibis Kyiv City Center"*
25 Taras Shevchenko boulevard

Day 6 – 2 August 2019 – FRIDAY

Moot Court

Moderators of the moot court exercise: Mr. Hasan Bakirci and Mr. Pavlo Pushkar

- 09.30 – 10.30 Departure to the Supreme Court (Pylypa Orlyka, 4)
- 10.30 – 11.00 Meeting with the President of the Supreme Court or Supreme Court
- 11.00 – 12.00 **Finalising preparations for the Moot Court exercise – final checks with the teams and coaches, looking into pleadings and timing of the pleadings**
- NOTE: working in groups, with coaches, divided into the Government and the applicants, third party intervention, human rights commissioner, to prepare the submissions to the Court; third parties interventions and expert interventions*
- 12.00 – 12.15 *Coffee break*

12.15 – 13.00	Final words from the organisers, explanation of rules and order of making submissions <i>NOTE: working in groups, with coaches, divided into the Government and the applicants to prepare the submissions to the Court; third parties interventions and expert interventions</i>
13.00 – 14.00	<i>Lunch</i>
14.00 – 16.00	The Moot Court
16.00 – 16.30	<i>Coffee break</i>
16.30 – 17.30	Discussion of the Moot Court exercise by the Faculty and debriefing, selection and announcement of the best Moot Court submission and best presenters of the study case
17.30 – 18.00	Distribution of certificates and the Faculty reference letters <i>NOTE: certificates will be issued to all students of the School. The Faculty reference letters will be issued to three best students only, based on evaluation checklists that will have been filled in by every Faculty member</i>
18.00	<i>Farewell dinner</i>