



Reference data 2020 (01/01/2020 - 31/12/2020)

Start/end date of the data collection campaign : 19/03/2021 - 01/10/2021

Objective :

The CEPEJ decided, at its 35th plenary meeting, to launch the ninth evaluation cycle 2020 – 2022, focused on 2020 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 47 member states of the Council of Europe as well as three observer states (Israel, Morocco and Kazakhstan). This will enable policy makers and judicial practitioners to take account of such unique information when carrying out their activities.

The present questionnaire was adapted by the Working group on evaluation of judicial systems (CEPEJ-GT-EVAL) in view of the previous evaluation cycles and considering the comments submitted by CEPEJ members, observers, experts and national correspondents. The aim of this exercise is to increase awareness of judicial systems in the participating states, to compare the functioning of judicial systems in their various aspects, as well as to have a better knowledge of the trends of the judicial organisation in order to help improve the efficiency of justice. The evaluation questionnaire and the analysis of the results becomes a genuine tool in favour of public policies on justice, for the sake of the European citizens.

Instruction :

The ways to use the application and to answer the questions are guided by two main documents:

- User manual
- Explanatory note

While the explanatory note gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, the User manual is a tool to help you navigate through this application. You can download the Explanatory note as a whole on the CEPEJ website. The specific explanations are also accessible for each question within this application under the tab "Explanatory note". This will serve as immediate consultation tool when answering questions. In case you have any questions related to these documents or on the use of the application, please do not hesitate to contact the Secretariat.

1. General and financial information

1.1. Demographic and economic data

1.1.1. Inhabitants and economic general information

001. Number of inhabitants (if possible on 1 January of the reference year +1)

[78 015]

Comments Il est possible que l'estimation antérieure soit faussée

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002. Total of annual public expenditure at state level and where appropriate, public expenditure at regional or federal entity level (in €)

| | Amount |
|--|--|
| State or federal level | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| Regional / federal entity level (total for all regions / federal entities) | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |

Comments

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003. Per capita GDP (in €) in current prices for the reference year

[36 347]

Comments

004. Average gross annual salary (in €) for the reference year

[25 766]

NA

Comments

005. Exchange rate of national currency (non-Euro zone) in € on 1 January of the reference year +1

[]

Allow decimals : 5

NAP

Comments

A1. Please indicate the sources for answering the questions in this part

Sources: www.ccis.ad
www.estadistica

1.1.2 Budgetary data concerning judicial system

006. Annual (approved and implemented) public budget allocated to the functioning of all courts, in € (without the budget of the public prosecution services and without the budget of legal aid). If you cannot separate the budget allocated to the courts from the budget of public prosecution services and/or the one allocated to legal aid, please go to question 7. If you are able to answer this

question 6, please answer NA to question 7.

| | Approved budget (in €) | Implemented budget (in €) |
|--|---|---|
| TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7) | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| 1. Annual public budget allocated to (gross) salaries | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| 2. Annual public budget allocated to computerisation (2.1 + 2.2) | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| 2.1 Investments in computerisation | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| 2.2 Maintenance of the IT equipment of courts | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| 3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.) | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| 4. Annual public budget allocated to court buildings (maintenance, operating costs) | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| 5. Annual public budget allocated to investments in new (court) buildings | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| 6. Annual public budget allocated to training | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| 7. Other (please specify) | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP |

Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main reasons for the differences:

007. If you cannot answer question 6 because you cannot isolate the public budget allocated to courts from the budget allocated to public prosecution services and/or the one allocated to legal aid, please fill in only the appropriate line in the table according to your system:

| | Approved budget (in €) | Implemented budget (in €) |
|--|---|---|
| Total annual public budget allocated to all courts and the public prosecution services together | 13 040 021 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 11 865 683 <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| Total annual public budget allocated to all courts and legal aid together | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP |

Total annual public budget allocated to all courts, public prosecution services and legal aid together

NA
 NAP

NA
 NAP

Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

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008. Are litigants in general required to pay a court fee to initiate a proceeding at a court of general jurisdiction:

| | Litigants required to pay a court fee to initiate a proceeding at a court of general jurisdiction ? |
|-------------------------------|---|
| for criminal cases | <input type="checkbox"/> Yes, at the beginning of the procedure <input type="checkbox"/> Yes, at a later stage <input checked="" type="checkbox"/> No |
| for other than criminal cases | <input checked="" type="checkbox"/> Yes, at the beginning of the procedure <input type="checkbox"/> Yes, at a later stage <input type="checkbox"/> No |

If there are exceptions to the obligation to pay these court fees, could you please provide comments on those exceptions?

008-1. Please briefly present the methodology of calculation of these court fees:

- Jusqu'à 1.000 euros: 20 euros.
1.001 a 6.000 euros: 30 euros.
De 6.001 a 10.000 euros: 50 euros.
De 10.001 a 20.000 euros: 70 euros.
De 20.001 a 60.000 euros: 100 euros.
De 60.001 a 150.000 euros: 200 euros.
De 150.001 a 300.000 euros: 300 euros.
De 300.001 a 600.000 euros: 400 euros.
De 600.001 a 1.800.000 euros: 500 euros.
A partir d'1.800.000 euros: 0,04 pour cent.

008-2. The amount of court fees requested to commence an action for 3000€ debt recovery:

[30]

NA

NAP

Comments Le Code de Procédure Civile est rentré en vigueur le 1 er mai 2021

009. Annual income of court fees received by the State (in €):

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NA

NAP

Comments

012. Annual approved public budget allocated to legal aid, in €.

| | TOTAL | Criminal cases | Other than criminal cases |
|---|--|--|--|
| TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2) | 691 563 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 318 050 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 373 513 <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| 12.1 for cases brought to court (court fees and/or legal representation) | 318 050 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 318 050 <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| 12.2 for cases not brought to court (legal advice, ADR and other legal services) | 373 513 <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |

Comments

012-1. Annual implemented public budget allocated to legal aid, in €.

| | TOTAL | Criminal cases | Other than criminal cases |
|---|--|--|--|
| TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2) | 492 100 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 428 300 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 63 800 <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| 12-1.1 for cases brought to court (court fees and/or legal representation) | 173 200 <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| 12-1.2 for cases not brought to court (legal advice, ADR and other legal services) | 318 900 <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |

If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main reasons for the differences:

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012-2. Does legal aid include:

| | Legal aid includes: |
|----------------------------------|--|
| Coverage of court fees | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP |
| Exemption from court fees | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP |

Comments

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012-3. Do legal aid budgets indicated in Q12 and Q12-1 include:

| | Amount calculated/estimated included |
|---------------------------|--------------------------------------|
| Coverage of court fees | (X) Yes () No [] NAP |
| Exemption from court fees | (X) Yes () No [] NAP |

Comments

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013. Annual (approved and implemented) public budget allocated to the public prosecution services, in €.

| | Approved budget (in €) | Implemented budget (in €) |
|--|------------------------|---------------------------|
| Total annual public budget allocated to the public prosecution services, in € (including 13.1) | [X] NA [] NAP | [X] NA [] NAP |
| 13.1. Annual public budget allocated to training of public prosecution services | [X] NA [] NAP | [X] NA [] NAP |

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

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014. Authorities formally responsible for the budgets allocated to the courts (multiple options possible):

| | Preparation of the total court budget | Adoption/approval of the total court budget | Management and allocation of the budget among the courts | Evaluation of the use of the budget at a national level |
|-----------------------|---------------------------------------|---|--|---|
| Ministry of Justice | () Yes (X) No [] NAP | () Yes (X) No [] NAP | () Yes (X) No [] NAP | () Yes (X) No [] NAP |
| Other ministry | () Yes (X) No [] NAP | () Yes (X) No [] NAP | () Yes (X) No [] NAP | () Yes (X) No [] NAP |
| Parliament | () Yes (X) No [] NAP | (X) Yes () No [] NAP | () Yes (X) No [] NAP | () Yes (X) No [] NAP |
| Supreme Court | () Yes () No [X] NAP | () Yes () No [X] NAP | () Yes () No [X] NAP | () Yes () No [X] NAP |
| High Judicial Council | (X) Yes () No [] NAP | (X) Yes () No [] NAP | (X) Yes () No [] NAP | (X) Yes () No [] NAP |

| | | | | |
|------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|
| Courts | (X) Yes () No [] NAP | () Yes (X) No [] NAP | () Yes (X) No [] NAP | () Yes (X) No [] NAP |
| Inspection body | () Yes (X) No [] NAP | () Yes (X) No [] NAP | () Yes (X) No [] NAP | () Yes (X) No [] NAP |
| Other | () Yes (X) No [] NAP | () Yes (X) No [] NAP | () Yes (X) No [] NAP | () Yes (X) No [] NAP |

Comments - If “Other Ministry” and/or “Inspection body” and/or “Other”, please specify: Art. 36 LQJ, dans l'exercice de ses fonctions le CSJ élabore son budget, lequel est soumis au Parlement. Dans l'exécution de son budget le CSJ est soumis à la Loi de finances publiques et celle de contractation publique.

Le CSJ élabore le Budget de l'administration de justice et du Ministère public sur les propositions transmises par es Presidents de juridiction et le Procureur Général. Ce budget est inclu dans celui du Ministère de la Justice mais son administration et gestion correspond au CSJ.

L'évaluation de l'utilisation du budget est soumise au Tribunal des Comptes.

014-0. What are the criteria used to allocate financial resources among courts? Furthermore, please select maximum three main criteria of allocation

| | Criteria used | Main criteria |
|------------------------------------|---------------|---------------|
| Previous years' budget costs | [X] | [] |
| Special needs assessment | [X] | [X] |
| Number of judges/non judges' staff | [X] | [] |
| Number of incoming cases | [] | [] |
| Number of pending cases | [] | [] |
| Number of resolved cases | [] | [] |
| Other | [] | [] |

[] NAP

Comments - If “Other”, please specify

014-1. Who is entrusted with responsibilities related to the budget within a first instance court?

| | Preparation of the budget | Arbitration and allocation of the budget | Day to day management of the budget | Evaluation and control of the use of the budget |
|---|--------------------------------|--|-------------------------------------|---|
| Court President and/or judge(s) | (X) Yes () No [] NAP | (X) Yes () No [] NAP | (X) Yes () No [] NAP | () Yes (X) No [] NAP |
| Head of court administration and/or non-judges | () Yes () No [X] NAP | () Yes () No [X] NAP | () Yes () No [X] NAP | () Yes () No [X] NAP |

| | | | | |
|---|---|---|---|---|
| Mixed body (judge(s) and non-judge(s)) | <input type="checkbox"/> Yes | <input type="checkbox"/> Yes | <input type="checkbox"/> Yes | <input type="checkbox"/> Yes |
| | <input type="checkbox"/> No | <input type="checkbox"/> No | <input type="checkbox"/> No | <input type="checkbox"/> No |
| | <input checked="" type="checkbox"/> NAP |
| Other | <input type="checkbox"/> Yes | <input type="checkbox"/> Yes | <input type="checkbox"/> Yes | <input type="checkbox"/> Yes |
| | <input type="checkbox"/> No | <input type="checkbox"/> No | <input type="checkbox"/> No | <input type="checkbox"/> No |
| | <input checked="" type="checkbox"/> NAP |

Comments - If "Other", please specify. If the responsibilities are different depending on the type/instance of courts, please answer the question for the first instance court of general jurisdiction and describe the differences in the comment box:

A2. Please indicate the sources for answering the questions in this part

Sources: LQJ

1.1.3 Budgetary data concerning the whole justice system

015-1. Annual (approved and implemented) public budget allocated to the whole justice system, in € (this global budget includes the judicial system budget - see 15-2 and other elements of the justice system - see 15-3)

| | Approved budget (in €) | Implemented budget (in €) |
|--|--|--|
| Total annual public budget allocated to the whole justice system in € | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |

Comments - Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

015-2. Elements of the judicial system budget (Q6, Q7, Q12, Q13)

| | Included |
|------------------------------------|--|
| Courts | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP |
| Legal aid | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP |
| Public prosecution services | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP |

Comments

015-3. Other budgetary elements

| | Included |
|---|--------------------------------|
| Prison system | () Yes (X) No [] NAP |
| Probation services | () Yes (X) No [] NAP |
| High Judicial Council | (X) Yes () No [] NAP |
| High Prosecutorial Council | () Yes () No [X] NAP |
| Constitutional court | () Yes (X) No [] NAP |
| Judicial management body | (X) Yes () No [] NAP |
| State advocacy | () Yes (X) No [] NAP |
| Enforcement services | (X) Yes () No [] NAP |
| Notariat | () Yes (X) No [] NAP |
| Forensic services | (X) Yes () No [] NAP |
| Judicial protection of juveniles | () Yes (X) No [] NAP |
| Functioning of the Ministry of Justice | () Yes (X) No [] NAP |
| Refugees and asylum seekers services | () Yes (X) No [] NAP |
| Immigration Service | () Yes (X) No [] NAP |
| Some police services (e.g. : transfer, investigation, prisoners' security) | () Yes (X) No [] NAP |
| Other | () Yes (X) No [] NAP |

If "Other", please specify:

A3. Please indicate the sources for answering the questions in this part

Sources: Loi 2-2020 du 16 mars du budget pour l'exercice 2020

1.2. Organisation and management of courts and public prosecution services

015-4. Please describe who has responsibilities for the management of individual courts, what management roles they have, what is their status and their position in the organisational hierarchy of the court concerned.

- Le Président du Tribunal

Max characters value : 10 000

015-5. Please describe who has responsibilities for the management of individual public prosecution offices, what management roles they have, what is their status and their position in the organisational hierarchy of the office concerned.

- Le Procureur Général

Max characters value : 10 000

2. Access to justice and all courts

2.1. Legal Aid

2.1.1 Scope of legal aid

016. Does legal aid apply to:

| | Criminal cases | Other than criminal cases |
|--|--|--|
| Representation in court | (X) Yes () No <input type="checkbox"/> NA <input type="checkbox"/> NAP | (X) Yes () No <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| Legal advice, ADR and other legal services | (X) Yes () No <input type="checkbox"/> NA <input type="checkbox"/> NAP | (X) Yes () No <input type="checkbox"/> NA <input type="checkbox"/> NAP |

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016-1. Please briefly describe the organisation of the legal aid system in your country both before going to court and during court proceedings.

- Qui peut le demander ?
 Tout ressortissant national et/ou résident qui justifie de sa situation de pauvreté ou d'insolvabilité pour couvrir les frais d'un avocat qui l'assiste dûment soit pour engager une procédure, soit dans le cadre d'un dossier déjà ouvert.

Quels documents et/ou autres documents doivent être apportés pour obtenir la déclaration d'insolvabilité ?
 1.- Le demandeur doit dûment remplir le formulaire « Demande pour bénéficier de l'aide judiciaire » et fournir, avec ledit formulaire, la documentation qui l'intéresse dans sa section « Documents attestant les revenus et les dépenses ».
 2.- Il doit également se présenter devant le Tribunal accompagné de deux témoins qui ne sont pas membres de sa famille et qui connaissent sa situation financière.
 IMPORTANT : Les témoins doivent apporter leurs documents personnels : Passeport, DNI et/ou Permis de séjour ou de travail ou lettre.

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018. Can legal aid be granted for the fees that are related to the enforcement of judicial decisions (e.g. fees of an enforcement agent)?

- Yes
- No
- NAP

If yes, please specify:

019. Can legal aid be granted for other costs (different from those mentioned in questions 16 to 18, e.g. fees of technical advisors or experts, costs of other legal professionals (notaries), travel costs etc.)?

| | Criminal cases | Other than criminal cases |
|-----------------------------------|---|---|
| Legal aid granted for other costs | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP |

Comments - If yes, please specify: Par exemple les frais de transport

2.1.2 Information on legal aid

020. Please indicate the number of cases for which legal aid has been granted:

| Total | Cases brought to court | Cases not brought to court |
|-------|------------------------|----------------------------|
| | | |

| | | | |
|-------------------------------------|--|--|--|
| TOTAL | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| In criminal cases | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| In other than criminal cases | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |

Comments - Please specify when appropriate:

020-1. Please indicate the timeframes of the procedure for granting legal aid, in relation to the duration from the initial legal aid request to the final approval of the legal aid request:

| | Time in days |
|--|--|
| Maximum duration prescribed in law/regulation | 30 <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| Actual average duration | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |

Comments - Please specify if the envisaged timeframe is set in a statutory law, or in other regulation. Furthermore, if different timeframes are envisaged for criminal and other than criminal cases please provide more information:

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021. In criminal cases, can individuals who do not have sufficient financial means be assisted by a free of charge (or financed by a public budget) lawyer?

| | Assisted by a free of charge lawyer |
|----------------------------|--|
| Accused individuals | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Victims | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

Comments - If yes, please specify:

022. In criminal cases are these individuals free to choose their lawyer within the framework of the legal aid system?

| | free selection of lawyer |
|----------------------------|--|
| Accused individuals | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP |
| Victims | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP |

Comments

023-0. Does your country have an income and assets evaluation for granting full or partial legal aid?

Yes

No

Comments - Please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the data provided above:

023. If yes, please specify in the table:

| | Annual income value (for one person), (in €) | Assets value (for one person), (in €) |
|--|--|--|
| Full legal aid to the applicant for criminal cases | 13 494 <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| Full legal aid to the applicant for other than criminal cases | 13 494 <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| Partial legal aid to the applicant for criminal cases | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| Partial legal aid to the applicant for other than criminal cases | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |

024. Is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success)?

Yes

No

Comments - If yes, please explain the exact criteria for denying legal aid:

025. Is the decision to grant or refuse legal aid taken by:

the judge(s) dealing with the main case

another judge or official

an authority external to the court

several authorities (court and external bodies)

Comments

026. Is there a private system of legal expense insurance enabling individuals (this does not concern companies or other legal persons) to finance court proceedings?

Yes

No

Comments - If appropriate, please inform about the current development of such insurances in your country; is it a growing phenomenon?

027. Can judicial decisions direct how legal costs, paid by the parties during the procedure, will be shared:

| | Judicial decisions direct how legal costs will be shared |
|------------------------------|--|
| in criminal cases | (X) Yes () No |
| in other than criminal cases | (X) Yes () No |

Comments - If no, please specify how legal costs are distributed:

B1. Please indicate the sources for answering the questions in this part

Sources: Règlement régulateur du bénéfice de justice gratuite

2.2. Court users and victims

2.2.1 Rights of the users and victims

028. Are there official internet sites/portals (e.g. Ministry of Justice, Judicial Council etc.) where general public may have free-of-charge access to the following:

| | Yes, internet adresse(es) | No |
|--|---------------------------|-----|
| Legal texts (e.g. codes, laws, regulations, etc.) | (X) www.bopa.ad | () |
| Case-law of the higher court/s | (X) www.justicia.ad | () |
| Information about the judicial system (organisation of courts, court proceedings, etc) | (X) www.justicia.ad | () |
| Other documents (e.g. forms, downloadable forms, online registration forms) | (X) www.justicia.ad | () |

Comment - Please specify what documents and information are included in "Other documents" par exemple pour demander un certificat du casier judiciaire

029. Is there an obligation to provide information to the parties concerning the foreseeable timeframes of their proceedings?

(X) Yes, always

() No

() Yes, only in some specific situations

Comment - If "Yes, only in some specific situations", please specify:

030. Is there a public and free-of-charge information system for providing information and facilitating access to justice:

| | Information system |
|--|--|
| General for citizens | <input checked="" type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No |
| Specific for victims of offences | <input checked="" type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No |
| Specific for minors (child-friendly systems) | <input checked="" type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No |

Comment - Please provide more information on these systems. Furthermore, please specify how this assistance is provided.

031. Are there special favourable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons:

| | Information mechanism | Special arrangements in hearings | Other specific arrangements |
|---|--|--|--|
| Victims of sexual violence/rape | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Victims of terrorism | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Minors (witnesses or victims) | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Victims of domestic violence | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Ethnic minorities | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Persons with disabilities | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Juvenile offenders | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Other (e.g. victims of human trafficking, forced marriage, sexual mutilation) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

Comments - If "Other vulnerable person" and/or "Other specific arrangements", please specify:

031-0. If there are special arrangements for minors, what are the settings / tools / facilities / practises employed to protect them when they participate in judicial proceedings?

- Special and child-adequate preparation for participation in trials / lawsuits (explaining in a child-friendly manner the proceedings)
- Special room in court designated for child-friendly hearings
- Special person / team of trained professional(s) (such as psychologists) to accompany a minor throughout the proceedings
- Special ways to communicate and explain meaning of court decisions
- Interagency/multidisciplinary structure such as “Children's Houses”
- Other, please specify
- NAP

Comment

031-1. What are the main criteria for a minor to initiate a proceeding, take procedural actions in his/her own name or to be a witness?

| | Civil proceedings | Criminal proceedings |
|--|--|--|
| Capacity to initiate a proceeding and take other procedural actions in his/her own name | <input checked="" type="checkbox"/> Age threshold [Comment]18 <input type="checkbox"/> Exceptions from the threshold <input checked="" type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> Age threshold [Comment]18 <input type="checkbox"/> Exceptions from the threshold <input checked="" type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP |
| To be a witness | <input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Exceptions from the threshold <input checked="" type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP | <input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Exceptions from the threshold <input checked="" type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP |

Comment - Please specify if you selected answers “Exceptions from the threshold” and “Other”. If your system distinguishes between full and limited capacity to take legal actions, please describe the basis for this differentiation (age, capacity for discernment, type of action, type of cases, other).

031-2. If a minor cannot conduct proceedings in his/her own name, who can represent him/her in judicial proceedings?

| | Civil proceedings | Criminal proceedings |
|------------------------------|--|--|
| Parent/legal guardian | <input checked="" type="checkbox"/> Yes, always <input type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> Yes, always <input type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No <input type="checkbox"/> NAP |

| | | |
|--|--|--|
| Other representative (instead of parent/legal guardian) | <input checked="" type="checkbox"/> Social care services or other public institution <input type="checkbox"/> Legal professional <input checked="" type="checkbox"/> Associations for protection of minors <input type="checkbox"/> Other <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> Social care services or other public institution <input type="checkbox"/> Legal professional <input checked="" type="checkbox"/> Associations for protection of minors <input type="checkbox"/> Other <input type="checkbox"/> NAP |
|--|--|--|

Comment

031-3. What are the different criteria for the criminal liability of minors? (multiple replies possible)

- Age threshold(s)
- Capacity for discernment
- Other criteria

Comment

031-3-1. What is the age threshold for the criminal liability of minors?

Criminal liability resulting in sentence without privation of liberty (for example, educational measures)

- 18]
- NA
- NAP

Criminal liability resulting in sentence of privation of liberty

- 18]
- NA
- NAP

Comment - Please describe, briefly, the specifics of your system. Could you, please specify if the possibility of mitigation applies to the sanctions and how?

032. Does your country allocate compensation for victims of offences?

- Yes, but only if offender is unknown
- Yes, but only if compensation could not be obtained from offender
- Yes, always
- No

Comment

032-0. If yes, for what types of offences the compensation is allocated?

- For all types of offences
- For some types of offences
- NAP

Comment - Please specify:

032-1. Is a court decision necessary in the framework of the compensation procedure?

- Yes

No

Comments

032-0. If yes, for what types of offences the compensation is allocated?

For all types of offences

For some types of offences

NAP

Comment - Please specify:

032-1. Is a court decision necessary in the framework of the compensation procedure?

Yes

No

Comments

032-0. If yes, for what types of offences the compensation is allocated?

For all types of offences

For some types of offences

NAP

Comment - Please specify:

032-1. Is a court decision necessary in the framework of the compensation procedure?

Yes

No

Comments

034. Are there studies that evaluate the recovery rate of the damages awarded by courts to victims?

Yes

No

Comments - If yes, please illustrate with available data concerning the recovery rate, the title of the studies, the frequency of the studies and the coordinating body:

035. Do public prosecutors have a specific role with respect to victims (protection and assistance)?

Yes

No

Comments - If yes, please specify: L'intervention obligatoire du parquet pour protéger ses droits et intérêts

035-1. Do public prosecutors have a specific role with respect to minor victims (protection and assistance)?

Yes

No

Comment - If yes, please specify: L'intervention obligatoire du parquet pour protéger ses droits et intérêts

036. Do victims of offences have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answers in this question and question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge".

Yes

No

NAP

Comment - If necessary, please specify: En Andorre le Procureur n'à pas l'opportunit  des poursuites. S'il consid re que les faits sont susceptibles d' tre qualifi s p nalement il transmet le dossier a la Batllia (juge d'instruction), qui poursuit ou classe l'affaire.

La victime peut saisir directement le juge.

037. Is there a system for compensating users in the following circumstances:

| | Number of requests for compensation | Number of condemnations | Total amount (in €) |
|---|--|--|---|
| Total | 4 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 3 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 13 800 <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| Excessive length of proceedings | 4 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 3 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 13 800 <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| Non-execution of court decisions | 0 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 0 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 0 <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| Wrongful arrest | 0 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 0 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 0 <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| Wrongful conviction | 0 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 0 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 0 <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| Other | 0 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 0 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 0 <input type="checkbox"/> NA <input type="checkbox"/> NAP |

Comment - Where appropriate, please give details of the compensation procedure and the calculation method for the amount of the compensation (e.g. the amount per day for unjustified detentions or convictions):

2.2.2 Confidence and satisfaction of citizens with their justice system

038. Does your country implement surveys to measure trust in justice and satisfaction with the services delivered by the judicial system?

| | National level | Court level |
|--------------------------------|--|--|
| Surveys for judges | <input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc | <input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc |
| Surveys for court staff | <input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc | <input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc |

| | | |
|--|---|---|
| Surveys for public prosecutors | <input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc | <input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc |
| Surveys for lawyers | <input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc | <input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc |
| Surveys for other professionals | <input type="checkbox"/> Other regular <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc | <input type="checkbox"/> Other regular <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc |
| Surveys for the parties | <input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc | <input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc |
| Surveys for other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs) | <input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc | <input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc |
| Surveys for victims | <input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc | <input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc |
| Surveys for minors | <input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc | <input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc |
| Surveys for the general public | <input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc | <input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc |
| Other not mentioned | <input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc | <input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc |

Comment - Please, indicate the references and links to the satisfaction surveys you mentioned above:

039. Are there statistical data concerning male and female court users, persons who initiate a case, victims, accused persons, etc.

Yes, please specify:

No

Comment - If you have additional comments please specify:

040. Is there a national or local procedure for filing complaints about the functioning of the judicial system? (for example, handling of the case by a judge or the duration of a proceeding)

Yes

No

Comments

041. If yes, please specify certain aspects of this procedure:

| | |
|---|--|
| Authority responsible for dealing with the complaint | Existence of a time limit to deal with the complaint for this authority |
|---|--|

| | | |
|---|--|--|
| Court concerned | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Higher court | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Ministry of Justice | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| High Judicial Council | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Other external bodies (e.g. Ombudsman) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

Comments

041-1. If yes, please specify certain aspects of this procedure:

| | Number of complaints | Compensation amount granted |
|---|--|--|
| Court concerned | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |
| Higher court | 4 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 13 800 <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| Ministry of Justice | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |
| High Judicial Council | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |
| Other external bodies (e.g. Ombudsman) | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |

Comments - If possible, please give information concerning the efficiency of this complaint procedure and any useful comment:

3. Organisation of the court system

3.1. Courts

3.1.1 Number of courts

042. Number of courts - legal entities.

| | Number of courts |
|--|--|
| Total number of all courts - legal entities (1 + 2) | 3 <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| 1 Total number of courts of general jurisdiction - legal entities (1.1 + 1.2 + 1.3) | 3 <input type="checkbox"/> NA <input type="checkbox"/> NAP |

| | |
|--|------------------------|
| 1.1 First instance courts of general jurisdiction - legal entities | 2 [] NA [] NAP |
| 1.2 Second instance courts of general jurisdiction - legal entities | 1 [] NA [] NAP |
| 1.3 Highest instance courts of general jurisdiction - legal entities | [] NA [X] NAP |
| 2 Total number of specialised courts - legal entities | [] NA [X] NAP |

Comments

043. Number of specialised courts – legal entities.

| | First instance | Higher instances |
|--|---------------------|---------------------|
| Total number of specialised courts - legal entities | [] NA [X] NAP | [] NA [X] NAP |
| Commercial courts (excluded insolvency courts) | [] NA [X] NAP | [] NA [X] NAP |
| Insolvency courts | [] NA [X] NAP | [] NA [X] NAP |
| Labour courts | [] NA [X] NAP | [] NA [X] NAP |
| Family courts | [] NA [X] NAP | [] NA [X] NAP |
| Rent and tenancies courts | [] NA [X] NAP | [] NA [X] NAP |
| Enforcement of criminal sanctions courts | [] NA [X] NAP | [] NA [X] NAP |
| Fight against terrorism, organised crime and corruption | [] NA [X] NAP | [] NA [X] NAP |
| Internet related disputes | [] NA [X] NAP | [] NA [X] NAP |
| Administrative courts | [] NA [X] NAP | [] NA [X] NAP |
| Insurance and / or social welfare courts | [] NA [X] NAP | [] NA [X] NAP |
| Military courts | [] NA [X] NAP | [] NA [X] NAP |

| | | |
|--------------------------|--|--|
| Juvenile courts | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |
| Other specialised courts | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |

Comments - If "Other specialised courts", please specify:

044. Number of courts - geographic locations.

| | Number of courts (geographic locations) |
|--|--|
| First instance courts geographic locations (this includes 1st instance courts of general jurisdiction and first instance specialised courts) | 1 <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all Supreme Courts) | 3 <input type="checkbox"/> NA <input type="checkbox"/> NAP |

Comments

=

045. Number of first instance courts (geographic locations) competent for a case concerning:

| | Number of courts |
|-------------------------|--|
| A small claim | 1 <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| An employment dismissal | 1 <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| A robbery | 1 <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| An insolvency case | 1 <input type="checkbox"/> NA <input type="checkbox"/> NAP |

Comments

045-1. Is your definition of a small claim the same as the one in the Explanatory note?

Yes

No

Comments - If not, please give your definition of a small claim:

045-2. Please indicate the value in € of a small claim:

[600]

Comments

C. Please indicate the sources for answering the questions in this part

Sources: CPC

3.2. Court staff

3.2.1 Judges and non-judge staff

046. Number of professional judges sitting in courts (if possible on 31 December of the reference year). (please give the information in full-time equivalent and for posts actually filled for all types of courts - general jurisdiction and specialised courts)

| | Total | Males | Females |
|--|--|--|--|
| Total number of professional judges (1 + 2 + 3) | 27 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 12 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 15 <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| 1. Number of first instance professional judges | 18 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 6 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 12 <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| 2. Number of second instance (court of appeal) professional judges | 9 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 6 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 3 <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| 3. Number of Supreme Court professional judges | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |

Comment - Please provide any useful comment for interpreting the data above:

=

046-1-1. Does your system allow part-time work for judges with proportionally reduced remuneration?

Yes

No

Comments

046-1-2. If yes, please specify in which situation part-time work can be granted? (multiple replies possible):

Child-care

Elderly care

For the purposes of early retirement

Other reason, please specify: juges des Tribunaux, provenant de France ou d'Espagne

Without reason

Comments Ce sont des magistrats provenant de France ou d'Espagne

046-1-3. If yes, what is the percentage of judges working part-time (in relation to the total number of judges)?

| | Total (%) | Male (%) | Females (%) |
|--|-------------------------|-------------------------|-------------------------|
| Total (1 + 2 + 3) (%) | 30 [] NA [] NAP | 17 [] NA [] NAP | 13 [] NA [] NAP |
| 1. At first instance level (%) | 3 [] NA [] NAP | 3 [] NA [] NAP | 0 [] NA [] NAP |
| 2. At second instance (court of appeal) level (%) | 27 [] NA [] NAP | 14 [] NA [] NAP | 13 [] NA [] NAP |
| 3. At Supreme Court level (%) | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP |

Comments

046-1-4. What is the percentage of work time of a judge working part-time compared to a full-time equivalent judge?

(X) Less than 50%

() 50 – 60%

() 60 - 80%

() More than 80%

[] NA

[] NAP

Comments

=

046-2. Number of judges (FTE) by case type:

| | Total | Civil and/or commercial | Criminal | Administrative | Other |
|-------------------------------|-------------------------|-------------------------|-------------------------|------------------------|---------------------|
| Total number of judges | 34 [] NA [] NAP | 9 [] NA [] NAP | 20 [] NA [] NAP | 5 [] NA [] NAP | [] NA [X] NAP |
| First instance | 24 [] NA [] NAP | 5 [] NA [] NAP | 17 [] NA [] NAP | 2 [] NA [] NAP | [] NA [X] NAP |
| Second instance | 10 [] NA [] NAP | 4 [] NA [] NAP | 3 [] NA [] NAP | 3 [] NA [] NAP | [] NA [X] NAP |
| Supreme court | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP | [] NA [X] NAP |

If "Other", please explain which types of cases:

=

047. Number of court presidents (professional judges).

| | Total | Males | Females |
|--|------------------------|------------------------|------------------------|
| Total number of court presidents (1 + 2 + 3) | 3 [] NA [] NAP | 3 [] NA [] NAP | 0 [] NA [] NAP |
| 1. Number of first instance court presidents | 1 [] NA [] NAP | 1 [] NA [] NAP | 0 [] NA [] NAP |
| 2. Number of second instance (court of appeal) court presidents | 2 [] NA [] NAP | 2 [] NA [] NAP | 0 [] NA [] NAP |
| 3. Number of Supreme Court presidents | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP |

Comments

048. Number of professional judges sitting in courts on an occasional basis and who are paid as such (if possible, on 31 December of the reference year):

| | Figure |
|--------------------------------|---------------------|
| Gross figure | [] NA [X] NAP |
| In full-time equivalent | [] NA [X] NAP |

Comments - If necessary, please provide comments to explain the answer provided:

048-1. Do these professional judges sitting in courts on an occasional basis deal with a significant part of cases?

- () Yes If yes, please give specifications on the types of cases and an estimate in percentage.
- () No
- [X] NAP

Comments

049. Number of non-professional judges who are not remunerated but who may receive a simple defrayal of costs (if possible, on 31 December of the reference year) (e.g. lay judges or “juges consulaires”, but not arbitrators or persons sitting on a jury):

| | Figure |
|--------------------------------|---------------------|
| Gross figure | [] NA [X] NAP |
| In full time equivalent | [] NA [X] NAP |

Comments

049-1. If such non-professional judges exist at first instance in your country, please specify for which types of cases:

| | Yes | No | Echevinage / mixed bench |
|---|-----|-----|--------------------------|
| Criminal cases (severe) | () | () | () |
| Criminal cases (misdemeanour and/or minor) | () | () | () |
| Family law cases | () | () | () |
| Labour law cases | () | () | () |
| Social law cases | () | () | () |
| Commercial law cases | () | () | () |
| Insolvency cases | () | () | () |
| Other civil cases | () | () | () |

NAP

Comments - If "Other civil cases", please specify:

050. Does your judicial system include trial by jury with the participation of citizens?

() Yes

(X) No

Comments

050-1. If yes, for which type(s) of case(s)?

Criminal cases

Other than criminal cases

Comments

051. Number of citizens who were involved in such juries for the year of reference:

[]

NA

NAP

Comments

=

052. Number of non-judge staff who are working in courts (if possible on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for posts actually filled)

| | Total | Males | Females |
|--|-------------------------|-------------------------|-------------------------|
| Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5) | 89 [] NA [] NAP | 23 [] NA [] NAP | 66 [] NA [] NAP |
| 1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP |
| 2. Non-judge (judicial) staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, helping to draft the decisions) | [X] NA [] NAP | [] NA [X] NAP | [] NA [X] NAP |
| 3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management) | 28 [] NA [] NAP | 8 [] NA [] NAP | 20 [] NA [] NAP |
| 4. Technical staff | 3 [] NA [] NAP | 3 [] NA [] NAP | 0 [] NA [] NAP |
| 5. Other non-judge staff | [X] NA [] NAP | [] NA [X] NAP | [] NA [X] NAP |

Comments - If "Other non-judge staff", please specify: Dans le personnel technique n'a pas été inclu le personnel du département informatique

052-1. Number of non-judge staff by instance (if possible, on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for posts actually filled).

| | Total | Males | Females |
|--|-------------------------|-------------------------|-------------------------|
| Total non-judge staff working in courts (1+2+3) | 89 [] NA [] NAP | 23 [] NA [] NAP | 66 [] NA [] NAP |
| 1. Total non-judge staff working in courts at first instance level | 81 [] NA [] NAP | 23 [] NA [] NAP | 58 [] NA [] NAP |
| 2. Total non-judge staff working in courts at second instance (court of appeal) level | 8 [] NA [] NAP | 0 [] NA [] NAP | 8 [] NA [] NAP |
| 3. Total non-judge staff working in courts at Supreme Court level | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP |

Comments

=

053. If there are Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal in your judicial system, please specify in which fields they have a role:

- Legal aid
- Family cases
- Payment orders
- Registry cases (land and/or business registry cases)
- Enforcement of civil cases
- Enforcement of criminal cases
- Non-litigious cases
- Other cases not mentioned (please describe in comment)
- NAP

Comments - Please briefly describe their status and duties:

054. Have the courts outsourced certain services under their responsibilities to external providers?

- Yes
- No

Comments

054-1. If yes, please specify which services have been outsourced:

- IT services
- Training of staff
- Security
- Archives
- Cleaning
- Other types of services (please specify):

Comments

C1. Please indicate the sources for answering the questions in this part

Sources: LQJ

3.3. Public prosecution

3.3.1 Public prosecutors and staff

055. Number of public prosecutors (on 31 December of the reference year). (Please give the information in full-time equivalent and for posts actually filled, for all types of courts – general jurisdiction and specialised courts).

| | Total | Males | Females |
|--|------------------------|------------------------|------------------------|
| Total number of prosecutors (1 + 2 + 3) | 7 [] NA [] NAP | 3 [] NA [] NAP | 4 [] NA [] NAP |
| 1. Number of prosecutors at first instance level | 7 [] NA [] NAP | 3 [] NA [] NAP | 4 [] NA [] NAP |
| 2. Number of prosecutors at second instance (court of appeal) level | 7 [] NA [] NAP | 3 [] NA [] NAP | 4 [] NA [] NAP |
| 3. Number of prosecutors at Supreme Court level | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP |

Comments - Please indicate any useful comment for interpreting the data above: Le nombre des procureurs, hommes femmes est celui qui est inscrit.

=

055-1-1. Does your system allow part-time work for prosecutors with proportionally reduced remuneration?

() Yes

(X) No

Comments

055-1-2. If yes, please specify in which situation part-time work can be granted? (multiple replies possible):

- [] Child-care
- [] Elderly care
- [] For the purposes of early retirement
- [] Other reason, please specify:
- [] Without reason

Comments

055-1-3. If yes, what is the percentage of prosecutors working part-time (in relation to the total number of prosecutors)?

| | Total (%) | Male (%) | Females (%) |
|---------------------------------------|-------------------|-------------------|-------------------|
| Total (1 + 2 + 3) (%) | [] NA [] NAP | [] NA [] NAP | [] NA [] NAP |
| 1. At first instance level (%) | [] NA [] NAP | [] NA [] NAP | [] NA [] NAP |

| | | | |
|--|---|---|---|
| 2. At second instance (court of appeal) level (%) | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| 3. At Supreme Court level (%) | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP |

Comments

055-1-4. What is the percentage of work time of a prosecutor working part-time compared to a full-time equivalent prosecutor?

- Less than 50%
- 50 - 60%
- 60 - 80%
- More than 80%
- NA
- NAP

Comments

056. Number of heads of prosecution offices.

| | Total | Males | Females |
|---|--|--|--|
| Total number of heads of prosecution offices (1 + 2 + 3) | 1 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 1 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 0 <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| 1. Number of heads of prosecution offices at first instance level | 1 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 1 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 0 <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| 2. Number of heads of prosecution offices at second instance (court of appeal) level | 1 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 1 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 0 <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| 3. Number of heads of prosecution offices at Supreme Court level | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |

Please provide any useful comment for interpreting the data above:

057. Do other persons have similar duties to those of public prosecutors?

- Yes
- No

Comments - If yes, please specify their titles and functions:

057-1. Please specify their number (in full-time equivalent):

[]
 NA

059. If yes, is their number included in the number of public prosecutors that you have indicated under question 55?

Yes

No

NAP

Comments

059-1. Do prosecution offices have prosecutors who are specially trained in areas of domestic violence and sexual violence?

| | |
|--------------------------|---|
| | - |
| Domestic violence | <input type="checkbox"/> Yes <input type="checkbox"/> Yes, specifically for minor victims <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| Sexual violence | <input type="checkbox"/> Yes <input type="checkbox"/> Yes, specifically for minor victims <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP |

Comments - If yes, please specify

=

060. Number of staff (non-public prosecutors) attached to the public prosecution services, if possible, on 31 December of the reference year and without the number of non-judge staff, see question 52 (in full-time equivalent and for posts actually filled).

| | Total | Males | Females |
|--|----------------------------------|----------------------------------|----------------------------------|
| Number of staff (non-public prosecutors) attached to the public prosecution service | 9 <input type="checkbox"/> NA | 3 <input type="checkbox"/> NA | 6 <input type="checkbox"/> NA |

Comments Trois des personnes nos procureurs rattachées au ministère public sont contractuelles

C2. Please indicate the sources for answering the questions in this part

Sources: Registre du personnel du CSJ

3.4. Gender equality

3.4.1 Specific provisions for facilitating gender equality

061-2. Are there specific provisions for facilitating gender equality within the framework of the procedures for recruiting :

| | Yes, please specify | No |
|--------------------|---------------------|-------|
| judges | () | (X) |
| prosecutors | () | (X) |
| non-judge staff | () | (X) |
| lawyers | () | (X) |
| notaries | () | (X) |
| enforcement agents | () | (X) |

[] NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify:

061-3. Are there specific provisions for facilitating gender equality within the framework of the procedures for promoting :

| | Yes, please specify | No |
|--------------------|---------------------|-------|
| judges | () | (X) |
| prosecutors | () | (X) |
| non-judge staff | () | (X) |
| lawyers | () | (X) |
| notaries | () | (X) |
| enforcement agents | () | (X) |

Comments - If the situation changed since the reference year or you have additional comments, please specify:

=

061-3-1. Are there specific provisions for facilitating gender equality within the framework of the procedures for the appointment of:

| | Yes / No |
|------------------------------|--|
| Court president | () Yes If "yes", please specify:[Comment] (X) No |
| Head of prosecution services | () Yes If "yes", please specify:[Comment] (X) No |

3.4.2 At national level

061-5. Does your country have an overarching document (e.g. policy/strategy/action plan/program) on gender equality that applies specifically to the judiciary?

() Yes

(X) No

Comments - If the situation changed since the reference year, please indicate in the comments. Could you specify the reference or internet link of this/these document(s) or send/upload it/them to us?

061-6. At national level, is there any specific person (e.g. an equal opportunities commissioner) / institution dealing with gender issues in the justice system concerning:

| | Yes, please specify | No |
|------------------------------------|---------------------|-------|
| The recruitment of judges | () | (X) |
| The promotion of judges | () | (X) |
| The recruitment of prosecutors | () | (X) |
| The promotion of prosecutors | () | (X) |
| The recruitment of non-judge staff | () | (X) |
| The promotion of non-judge staff | () | (X) |

Comments - if other than recruitment and/or promotion, please specify. If the situation changed since the reference year, please specify in the comments:

061-6-1. Please specify the text which set up this person/institution :

(title, date, nature of the text)

[X] NAP

061-6-2. Please specify the status of this person/institution:

(e.g. independent, attached to the Ministry of Justice, to the High Judicial Council or equivalent or to an inter-ministerial institution specifically dedicated to gender equality)

[X] NAP

061-6-3. Please specify if this person/institution has an information and consultative function or if its opinions/decisions have legal consequences:

(e.g. to block a decision or allow an appeal)

[X] NAP

3.4.3 At court/public prosecution services level

061-7. At the court or public prosecution services level, is there a person (e.g. an equal opportunities commissioner)/institution specifically dedicated to ensure the respect of gender equality in the organisation of judicial work:

| | Yes | No |
|--|-----|-------|
| in courts (judges) | () | (X) |
| in public prosecution services (prosecutors) | () | (X) |
| for courts' non-judge staff | () | (X) |

Comments - Please specify the details of this person/institution, in particular its titles and function:

061-8. Does the feminisation of certain functions, if it exists in your country, within courts or public prosecution services, lead to concrete changes in the organisation of the work in the following areas:

| | Yes | No |
|---|-----|-------|
| Assignment to different positions | () | (X) |
| Workload distribution | () | (X) |
| Working hours | () | (X) |
| Modalities of teleworking and presence in the workspace | () | (X) |
| Replacement of absent persons | () | (X) |
| Organisation of the hearings | () | (X) |
| Other | () | (X) |

Comments - If other, please specify. Could you also indicate concrete examples referring to the various possibilities mentioned? If the situation changed since the reference year, please specify in the comments.

061-9. In order to improve gender balance in access to different judicial professions and equality

in promotion and in access to functions of responsibility, what are the measures, in your country, which:

have been already implemented (please specify) :

are planned (please specify) :

Comments - If the situation changed since reference year, please specify in the comments.

NAP

061-10. Are there evaluation studies or official reports regarding the main causes of possible inequalities with regard to:

- Recruitment procedures, please specify:
- Appointment to the position of court president, please specify:
- Appointment to the position of head of prosecution services, please specify:
- Promotion procedures and access to the functions of responsibility, please specify:
- Other studies, please specify:

NAP

Comments - Please specify also the reference documents.

3.5 Use of information technologies in courts

3.5.1 General policies in Information Technology in judicial systems

062-1. Basic principles and models used in Information technology policies and strategies definition

| | Organisation |
|----------------------------|--|
| IT policies and strategies | <input checked="" type="checkbox"/> Defined and coordinated at national level by one institution <input type="checkbox"/> Defined and coordinated at national level by several institutions <input type="checkbox"/> Defined and coordinated at unit/stakeholder level <input type="checkbox"/> Other |

| | |
|----------------------|--|
| IT Governance | <input checked="" type="checkbox"/> Governed at national level by one institution <input type="checkbox"/> Governed at national level by several institutions <input type="checkbox"/> Organised at unit/stakeholder level <input type="checkbox"/> Other |
|----------------------|--|

Comments

065-1. In case there is a national structure in charge of the strategic policy making and governance of the judicial system modernisation (including also IT) what is the composition of this structure?

- administrative, technical and scientific staff only
- mixed teams of judicial staff (judges/prosecutors/etc.) and administrative/technical/scientific staff
- other (please specify in a comment)

Comments - (please specify if there are other modernisation approaches that have been implemented): non

065-2. Which is the organisational model primarily chosen for conducting structural IT projects in courts and the management of applications (maintenance, evolution)?

| | Implementing new projects | Management of applications |
|--|--|--|
| Mainly by an IT department with the help of professionals in the field (judges, prosecutors, non-judge judicial staff, etc.) | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Mainly by professionals in the field (judges, prosecutors, non-judge judicial staff, etc.) with the help of an internal IT department and/or an external service provider | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Other alternatives (external service provider only – specify in a comment) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

Comments - please also describe in case of “other alternatives”

065-4. Have you measured the impact resulting from the implementation of one or several components of your new information system?

- Yes
- No

065-4-1. If yes, have you measured the impact on (multiple answers possible):

- Business processes
- Workload
- Human resources
- Costs
- Other, please specify

Comments (please specify examples of the impact)

3.5.2 Security of courts information system and personal data protection

065-5. Are there independent audits or other mechanisms to contribute to the global security policy regarding the information system of the judiciary ?

Yes

No

Comments (please specify in particular if national frameworks of information security exist):

065-6. Is the protection of personal data managed by courts ensured at legislative level?

Yes

No

Comment - If yes, please specify among others: if there are authorities specifically responsible for protection of personal data; the extent of the rights granted to citizens in the specific framework of software used by courts; if there are controls or limitations by law regarding the sharing of databases managed by courts with other administrations (police, etc.)

3.5.3 Centralised databases for decision support

062-4. Is there a centralised national database of court decisions (case-law, etc.)?

Yes

Non

Comments

062-4-1. If yes, please specify the following information:

| | For 1st instance decisions | For 2nd instance decisions | For 3rd instance decisions | Link with ECHR case law | Data anonymised | Case-law database available free online | Case-law database available in open data |
|--------------------------------|---|---|---|--|--|--|--|
| Civil and/or commercial | <input type="checkbox"/> Yes all judgements <input checked="" type="checkbox"/> Yes some judgements <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No | <input type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Criminal | <input type="checkbox"/> Yes all judgements <input checked="" type="checkbox"/> Yes some judgements <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No | <input type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Administrative | <input type="checkbox"/> Yes all judgements <input checked="" type="checkbox"/> Yes some judgements <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No | <input type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

Comments - if it exists in other matters please specify

062-6. Is there a computerised national record centralising all criminal convictions?

Yes

No

Comments

062-6-1. If yes, please specify the following information:

Linkage with other European records of the same nature

Content directly available through computerised means for judges and/or prosecutors

Content directly available for purposes other than criminal (civil and administrative matters)

Comments - Please specify who is the authority delivering the access

3.5.4 Writing assistance tools

**062-7. Are there writing assistance tools for which the content is coordinated at national level?
(models or templates, paragraphs already pre-written, etc.)**

Yes

No

Comment – if it exists in other matters please specify

062-7-1. If yes, please specify the following information:

| | Availability rate |
|-------------------------|---|
| Civil and/or commercial | <input type="checkbox"/> 100% (all templates are available for all courts of this matter) <input type="checkbox"/> 50-99% (most of the templates are available for all courts or all templates for most of the courts) <input type="checkbox"/> 10-49% (some of the templates are available for most of the courts or most of the templates for some of the courts) <input type="checkbox"/> 1-9% (just starting to become available or in testing phase) <input type="checkbox"/> 0% (NAP) (does not exist at all for this matter) <input checked="" type="checkbox"/> NA |

| | |
|-----------------------|---|
| Criminal | <input type="checkbox"/> 100% (all templates are available for all courts of this matter) <input type="checkbox"/> 50-99% (most of the templates are available for all courts or all templates for most of the courts) <input type="checkbox"/> 10-49% (some of the templates are available for most of the courts or most of the templates for some of the courts) <input type="checkbox"/> 1-9% (just starting to become available or in testing phase) <input type="checkbox"/> 0% (NAP) (does not exist at all for this matter) <input checked="" type="checkbox"/> NA |
| Administrative | <input type="checkbox"/> 100% (all templates are available for all courts of this matter) <input type="checkbox"/> 50-99% (most of the templates are available for all courts or all templates for most of the courts) <input type="checkbox"/> 10-49% (some of the templates are available for most of the courts or most of the templates for some of the courts) <input type="checkbox"/> 1-9% (just starting to become available or in testing phase) <input type="checkbox"/> 0% (NAP) (does not exist at all for this matter) <input checked="" type="checkbox"/> NA |

062-8. Are there voice recording tools?

Yes

No

Comments

062-8-1. If yes, please specify:

| | Availability of simple dictation tools | Availability of multiple speakers recording tools | Voice recognition feature |
|--------------------------------|--|--|--|
| Civil and/or commercial | <input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA | <input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input type="checkbox"/> No <input type="checkbox"/> NA |

| | | | |
|-----------------------|--|--|--|
| Criminal | <input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA | <input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input type="checkbox"/> No <input type="checkbox"/> NA |
| Administrative | <input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA | <input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input type="checkbox"/> No <input type="checkbox"/> NA |

062-9. Is there an intranet site within the judicial system for distribution of news/novelities?

Availability rate:

- 100% - accessible to everyone in judiciary
- 50-99% - accessible for most judges/prosecutors in all instances
- 10-49% - in some courts only
- 1-9% - in one court only
- 0% (NAP) - No access

NA

Comments

3.5.5 Technologies used for administration of the courts and case management

063-1. Is there a case management system (CMS) ? (Software used for registering judicial proceedings and their management)

- Yes
- No

Comments - if it exists in other matters please specify

063-1-1. If yes, please specify the following information:

| CMS deployment rate | Status of case online | Centralised or interoperable database | Early warning signals (for active case management) | Status of integration/connection of a CMS with a statistical tool |
|---------------------|-----------------------|---------------------------------------|--|---|
| | | | | |

| | | | | | |
|--------------------------------|---|--|---|---|---|
| Civil and/or commercial | <input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA | <input type="checkbox"/> Accessible to parties <input type="checkbox"/> Publication of decision online <input type="checkbox"/> Both <input checked="" type="checkbox"/> Not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> Fully integrated including BI <input type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| Criminal | <input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA | <input type="checkbox"/> Accessible to parties <input type="checkbox"/> Publication of decision online <input type="checkbox"/> Both <input checked="" type="checkbox"/> Not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> Fully integrated including BI <input type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| Administrative | <input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA | <input type="checkbox"/> Accessible to parties <input type="checkbox"/> Publication of decision online <input type="checkbox"/> Both <input checked="" type="checkbox"/> Not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> Fully integrated including BI <input type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP |

Comment - If it exists in other matters please specify:

063-2. Computerised registries managed by courts

| | Deployment rate | Data consolidated at national level | Service available online | Statistical module integrated or connected |
|--------------------------|---|---|---|---|
| Land registry | <input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |
| Business registry | <input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |

Comment – if it exists in other matters please specify:

Budgetary and financial monitoring

063-6. Budgetary and financial management systems of courts

| | Tool deployment rate | Data consolidated at national level | System communicating with other ministries (financial among others) |
|---|---|---|---|
| Budgetary and financial management of courts | <input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| Justice expenses management | <input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| Other (please specify in comments) | <input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |

Comments

Other tools of courts management

063-7. Measurement tools to assess the workload of judges, prosecutors and/or non-judge/non-prosecutor staff (tool quantifying the activity of judges, prosecutors and/or non-judge/non-prosecutor staff – for example the number of cases resolved)

Yes

No

Comments

063-7-1. If yes, please specify the following information:

| | Tools deployment rate | Data used for monitoring at national level | Data used for monitoring at court local level | Tool integrated in the CMS |
|-------------------|---|---|---|---|
| For judges | <input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |

| | | | | |
|---|---|---|---|---|
| For prosecutors | <input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| For non-judge/non-prosecutor staff | <input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |

3.5.6 Technologies used for communication between courts, professionals and/or court users

064-2. Is there a possibility to submit a case to courts by electronic means?(possibility to introduce a case by electronic means, for example an e-mail or a form on a website)

Yes

No

Comments

064-2-1. If yes, please specify the following information:

| | Availability rate | Simultaneous submission of cases in paper form remains mandatory | Specific legislative framework authorising the submission of a case | An integrated/connect ed tool with the CMS |
|--------------------------------|--|--|--|--|
| Civil and/or commercial | <input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| Criminal | <input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| Administrative | <input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP |

Comments - if it exist in other matters please specify

064-3. Is it possible to request legal aid by electronic means?

() Yes

(X) No

Comments

064-3-1. If yes, please specify the following information:

| | Requesting legal aid electronically |
|---|--|
| Availability rate | <input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA |
| Formalisation of the request in paper form remains mandatory | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| Specific legislative framework regarding requests for legal aid by electronic means | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| Granting legal aid is also electronic | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| Information available in CMS | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP |

064-4. Is it possible to transmit summons to a judicial meeting or a hearing by electronic means? (a judicial meeting relates to stages prior to a court hearing, with a view to mediation or conciliation)

() Yes

(X) No

Comments

064-4-1. If yes, please specify the following information:

| | Summons produced by CMS | Simultaneous summon in paper form remains mandatory | Consent of the user to be notified by electronic means | Modalities (if other please specify in comments) | Specific legislative framework |
|-------------------------|--------------------------|---|--|---|--------------------------------|
| Civil and/or commercial | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> SMS <input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other | <input type="checkbox"/> |

| | | | | | |
|-----------------------|-----|-----|-----|---|-----|
| Criminal | [] | [] | [] | [] SMS [] E-mail [] Specific computer application [] Other | [] |
| Administrative | [] | [] | [] | [] SMS [] E-mail [] Specific computer application [] Other | [] |

Comments

Use of information technologies for improving the quality of the communication between courts and professionals

064-6. Are there possibilities of electronic communication between courts and lawyers and/or parties? (sending of electronic files and data concerning a judicial proceeding with or without scanned documents, mainly to develop dematerialised communication)

| | Tool deployment rate | Trial phases concerned | Modalities (if there are different according to the trial phases or if other, please specify in a comment) | Specific legal framework | Availability for |
|--------------------------------|---|--|---|---------------------------------|--|
| Civil and/or commercial | [] 100% [] 50-99% [] 10-49% [] 1-9% [X] 0% (NAP) [] NA | [] Submission of a case to a court [] Phases preparatory to a hearing [] Schedule of hearings and/or deferrals [] Transmission of court decisions | [] E-mail [] Specific computer application [] Other | [] Yes | [] Lawyers [] Parties not represented by lawyer |

| | | | | | |
|-----------------------|--|--|---|------------------------------|--|
| Criminal | <input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA | <input type="checkbox"/> Submission of a case to a court <input type="checkbox"/> Phases preparatory to a hearing <input type="checkbox"/> Schedule of hearings and/or deferrals <input type="checkbox"/> Transmission of court decisions | <input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other | <input type="checkbox"/> Yes | <input type="checkbox"/> Lawyers <input type="checkbox"/> Parties not represented by lawyer |
| Administrative | <input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA | <input type="checkbox"/> Submission of a case to a court <input type="checkbox"/> Phases preparatory to a hearing <input type="checkbox"/> Schedule of hearings and/or deferrals <input type="checkbox"/> Transmission of court decisions | <input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other | <input type="checkbox"/> Yes | <input type="checkbox"/> Lawyers <input type="checkbox"/> Parties not represented by lawyer |

Comments

064-7. Terms and conditions of electronic communication used by professionals other than lawyers (sending of electronic data concerning a judicial proceeding with or without scanned documents, mainly to develop dematerialised communication)

| | Tool deployment rate | Modalities (if there are different according to the deeds or if other, please specify in a comment) | Specific legal framework |
|--|---|---|------------------------------|
| Enforcement agents (as defined in Q169 and following) | <input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA | <input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other | <input type="checkbox"/> Yes |
| Notaries (as defined in Q192 and following) | <input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA | <input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other | <input type="checkbox"/> Yes |

| | | | |
|---|---|---|------------------------------|
| Experts (as defined in Q202 and following) | <input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA | <input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other | <input type="checkbox"/> Yes |
| Judicial police services | <input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA | <input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other | <input type="checkbox"/> Yes |

Comments

064-9. Are there online processing systems of specialised litigation (small claim litigation, undisputed claims, preparatory phases to the resolution of family conflicts, etc. – please, specify in “comments” section)?

Yes

No

Comments – Please describe the system that exists.

Use of information technologies between courts, professionals and users in the framework of judicial proceedings

064-10. Videoconferencing between courts, professionals and/or users (this concerns the use of audio-visual devices in the framework of judicial proceedings such as the hearing of parties, etc.)

Yes

No

Comments

064-10-1. If yes, please specify the following information and describe in comments of this section the cases of actual use of videoconferencing and the expected benefits (for example, the use of this device to reduce the number of detainees’ transfers to the court):

| | Deployment rate (chose one only) | Proceeding phase | Specific legislative framework |
|--------------------------------|---|--|--|
| Civil and/or commercial | <input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA | <input checked="" type="checkbox"/> Prior to the hearing <input checked="" type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

| | | | |
|-----------------------|---|--|--|
| Criminal | <input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA | <input checked="" type="checkbox"/> Prior to the hearing <input checked="" type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Administrative | <input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA | <input checked="" type="checkbox"/> Prior to the hearing <input checked="" type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

Comments

064-11. Recording of hearings or debates (sound or audio-visual recording during the investigation and/or trial phase(s))

Yes

No

Comments

064-11-1. If yes, please specify the following information:

| | Tool deployment rate | Type of recording | Specific legislative framework |
|--------------------------------|---|---|---|
| Civil and/or commercial | <input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA | <input type="checkbox"/> Sound <input type="checkbox"/> Video <input type="checkbox"/> Both <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| Criminal | <input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA | <input type="checkbox"/> Sound <input type="checkbox"/> Video <input checked="" type="checkbox"/> Both <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| Administrative | <input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA | <input type="checkbox"/> Sound <input type="checkbox"/> Video <input type="checkbox"/> Both <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |

064-12. Is electronic evidence admissible?

| | |
|---|------------------------------|
| Admissibility of electronic evidence | Legislative framework |
|---|------------------------------|

| | | |
|--------------------------------|---------------------|--|
| Civil and/or commercial | (X) Yes () No | () General law only (X) General and specialised law () Specialised law only [] NAP |
| Criminal | (X) Yes () No | () General law only (X) General and specialised law () Specialised law only [] NAP |
| Administrative | (X) Yes () No | () General law only (X) General and specialised law () Specialised law only [] NAP |

Comments - Other devices of electronic communication between courts, professionals and/or users

3.6. Performance and evaluation

3.6.1 National policies applied in courts and public prosecution services

066. Are quality standards determined for the judicial system at national level (are there quality systems for the judiciary and/or judicial quality policies)?

(X) Yes

() No

Comments - If yes, please specify:

067. Do you have specialised personnel entrusted with implementation of these national level quality standards?

| | Yes / No |
|---|---------------------|
| within the courts | (X) Yes () No |
| within the public prosecution services | (X) Yes () No |

Comments

3.6.2 Performance and quality objectives at court level/public prosecution services

077. Concerning court activities, have you defined performance and quality indicators?

(X) Yes

() No

Comments

078. If yes, please select the main performance and quality indicators that have been defined for courts:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of judges and court staff
- satisfaction of court staff
- satisfaction of users (regarding the services delivered by the courts)
- costs of the judicial procedures
- number of appeals
- appeal ratio
- clearance rate
- disposition time
- other (please specify):

Comments

077-1. Concerning public prosecution activities, have you defined performance and quality indicators?

Yes

No

Comments

078-1. If yes, please select the main performance and quality indicators for the public prosecution services that have been defined:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of prosecutors and prosecution staff
- satisfaction of prosecution staff
- satisfaction of users (regarding the services delivered by the public prosecutors)
- costs of the judicial procedures
- clearance rate
- disposition time
- percentage of convictions and acquittals
- other (please specify):

Comments

073. Do you have a system to evaluate regularly court performance based primarily on the defined indicators?

Yes

No

Comments

073-0. If yes, please specify the frequency:

Annual

Less frequent

More frequent

Comments - If "Less frequent" or "More frequent", please specify: Tous les 2 ans

073-1. Is this evaluation of the court activity used for the later allocation of resources within this court?

Yes

No

Comments

073-2. If yes, which courses of action are taken?

Identifying to the causes of improved or deteriorated performance

Reallocating resources (human/financial resources based on performance (treatment)

Reengineering of internal procedures to increase efficiency (treatment)

Other (please specify):

Comments

073-3. Do you have a system to evaluate regularly the performance of the public prosecution services based primarily on the defined indicators?

Yes

No

Comments

073-4. If yes, please specify the frequency:

Annual

Less frequent

More frequent

Comments - If "less frequent" or "more frequent", please specify: Tous les 2 ans

073-5. Is this evaluation of the activity of public prosecution services used for the later allocation of resources within this public prosecution service?

Yes

() No

Comments

073-6. If yes, which courses of action are taken?

- Identifying to the causes of improved or deteriorated performance
- Reallocating resources (human/financial resources based on performance (treatment))
- Reengineering of internal procedures to increase efficiency (treatment)
- Other (please specify):

Comments

=

079. Who is responsible for evaluating the performance of the courts (multiple replies possible)?

- High Judicial Council
- Ministry of Justice
- Inspection authority
- Supreme Court
- External audit body
- Other (please specify):

Comments

079-1. Who is responsible for evaluating the performance of the public prosecution services (multiple replies possible)?

- Public Prosecutorial Council
- Ministry of Justice
- Head of the organisational unit or hierarchically superior public prosecutor
- Prosecutor General /State public prosecutor
- External audit body
- Other (please specify):

Comments

3.6.3 Measuring courts' / public prosecution services activity

070. Do you regularly monitor court activities (performance and quality) concerning:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of judges and court staff
- satisfaction of court staff

- satisfaction of users (regarding the services delivered by the courts)
- costs of the judicial procedures
- number of appeals
- appeal ratio
- clearance rate
- disposition time
- other (please specify):

Comments

070-1. Do you regularly monitor public prosecution activities (performance and quality) concerning:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of prosecutors and prosecution staff
- satisfaction of prosecution staff
- satisfaction of users (regarding the services delivered by the by the public prosecution)
- costs of the judicial procedures
- clearance rate
- disposition time
- percentage of convictions and acquittals
- other (please specify):

Comments

071. Do you monitor the number of pending cases and cases that are not processed within a reasonable timeframe (backlogs) for:

- civil law cases
- criminal law cases
- administrative law cases

Comments

072. Do you monitor waiting time during judicial proceedings?

| | Yes (If yes, please specify) | No |
|---|------------------------------|-----|
| within the courts | (X) | () |
| within the public prosecution services | (X) | () |

3.6.4 Information regarding courts /public prosecution services activity

080. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the courts?

Yes (please indicate the name and the address of this institution):CSJ

No

Comments

080-1. Are the statistics on the functioning of each court published?

Yes, on the internet

No, only internally (on an intranet website)

No

Comments Elles sont publiées dans le cadre de l'ouverture solennelle

=

080-2. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the public prosecution services?

Yes (please indicate the name and the address of this institution):CSJ

No

Comments

080-3. Are the statistics on the functioning of each public prosecution service published?

Yes, on the internet

No, only internally (on an intranet website)

No

Comments Lors de l'ouverture solennelle

=

081. Are individual courts required to prepare an activity report (that includes, for example, data on the number of resolved cases or pending cases, the number of judges and administrative staff, targets and assessment of the activity)?

Yes

No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is intended): Le rapport est destiné au CSJ

081-1. If yes, please specify in which form this report is released:

Internet

Intranet (internal) website

Paper distribution

Comments

081-2. If yes, please, indicate the periodicity at which the report is released:

Annual

Less frequent

More frequent

Comments Tous les 2 ans

=

081-3. Are public prosecution services required to prepare an activity report (that includes, for example, data on the number of incoming cases, the number of decisions, the number of public prosecutors and administrative staff, targets and assessment of the activity)?

Yes

No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is intended):

081-4. If yes, please specify in which form this report is released:

Internet

Intranet (internal) website

Paper distribution

Comments

081-5. If yes, please, indicate the periodicity at which the report is released:

Annual

Less frequent

More frequent

Comments tous les 2 ans

3.6.5 Courts administration

082. Is there a process or structure of dialogue between the public prosecution services and courts regarding the way cases are presented before courts (for example the organisation, number and planning of hearings, on-call service for urgent cases, selection of simplified procedures of prosecution...)?

Yes

No

Comments - If yes, please specify: Reunions entre procureur général et presidents des tribunaux

082-1. Is there in general a process or structure of dialogue between lawyers and courts regarding the way cases are presented before courts in other than criminal matters (e.g. organisation, number

and planning of hearings, on-call service for urgent cases)?

Yes

No

Comments - If yes, please specify:

3.6.6 Performance and evaluation of judges and public prosecutors

083. Are there quantitative performance targets defined for each judge (e.g. the number of resolved cases in a month or year)?

Yes

No

Comments

083-1. Who is responsible for setting the individual targets for each judge?

Executive power (for example the Ministry of Justice)

Legislative power

Judicial power (for example the High Judicial Council, Supreme Court)

President of the court

Other (please specify):

NAP

Comments

114. Is there a system of qualitative individual assessment of the judges' work?

Yes

No

Comments

114-1. If yes, please specify the frequency of this assessment:

Annual

Less frequent

More frequent

=

083-2. Are there quantitative performance targets defined for each public prosecutor (e.g. the number of decisions in a month or year)?

Yes

No

Comments

083-3. Who is responsible for setting the individual targets for each public prosecutor

Executive power (for example the Ministry of Justice)

- Prosecutor General /State public prosecutor
- Public Prosecutorial Council
- Head of the organisational unit or hierarchically superior public prosecutor
- Other (please specify):
- NAP

Comments

120. Is there a system of qualitative individual assessment of the public prosecutors' work?

- Yes
- No

Comments

120-1. If yes, please specify the frequency of this assessment:

- Annual
- Less frequent
- More frequent

Comments

C4. Please indicate the sources for answering the questions in this part

Sources: LQJ

4.Fair trial

4.1.Principles

4.1.1Principles of fair trial



084. Percentage of first instance criminal in absentia judgments (cases in which the suspect is not attending the hearing in person nor is represented by a lawyer)?

- []
- NA
- NAP

Comments - Please add methodology for calculation used.

085. Is there a procedure to effectively challenge a judge (recusal), if a party considers that the judge is not impartial?

- Yes
- No

Comments - Please could you briefly specify:

085-1. If yes, what is the ratio between the total number of initiated procedures and the total number of recusals pronounced (in the reference year):

[]
[X] NA

Comments

086. Is there in your country a monitoring system for the violations related to Article 6 of the European Convention on Human Rights?

[X] For civil procedures (non-enforcement)

[X] For civil procedures (timeframe)

[X] For criminal procedures (timeframe)

[] NAP

Comments - Please specify what are the terms and conditions of this monitoring system (information related to acknowledged violations by ECHR at the State/courts level; implementation of internal systems to prevent other violations (that are similar) and if possible to measure an evolution of the established violations): Le Ministère des affaires étrangères et le CSJ en font le suivi

086-1. 1 Is there in your country a possibility to review a case after a finding of a violation of the European Convention on Human Rights by the European Court of Human Rights?

(X) Yes

() No

[] NAP

Comments

D1. Please indicate the sources for answering the questions in this part

Sources: Ministère des affaires étrangères et CSJ

4.2. Timeframe of proceedings

4.2.1 General information

087. Are there specific procedures for urgent matters regarding:

[X] civil cases

[X] criminal cases

[X] administrative cases

[] There is no specific procedure for urgent matters

Comments - If yes, please specify:

088. Are there simplified procedures for:

[X] civil cases (small disputes)

criminal cases (misdemeanour cases)

administrative cases

There is no simplified procedure

Comments - If yes, please specify:

088-1. For these simplified procedures, may judges deliver an oral judgement with a written order and without the full reasoning of the judgement ?

civil cases

criminal cases

administrative cases

Comments - If yes, please specify:

089. Do courts and lawyers have the possibility to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings)?

Yes

No

Comments - If yes, please specify:

4.2.2 Case flow management – first instance

091. First instance courts: number of other than criminal law cases.

| | Pending cases on 1 Jan. ref. year | Incoming cases | Resolved cases | Pending cases on 31 Dec. ref. year | Pending cases older than 2 years from the date the case came to the first instance court |
|---|--|--|--|--|--|
| Total of other than criminal law cases (1+2+3+4) | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | 4 382 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 4 618 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 3 479 <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| 1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3) | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| 2. Non litigious cases (2.1+2.2+2.3) | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | 383 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 365 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 130 <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |

| | | | | | |
|--|---|--|--|--|---|
| 2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3) | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| 2.2. Registry cases (2.2.1+2.2.2+2.2.3) | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| 2.2.1. Non litigious land registry cases | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| 2.2.2 Non-litigious business registry cases | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| 2.2.3. Other registry cases | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| 2.3. Other non-litigious cases | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| 3. Administrative law cases | <input type="checkbox"/> NA <input type="checkbox"/> NAP | 194 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 160 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 241 <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| 4. Other cases | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input type="checkbox"/> NAP |

Comments

092. If courts deal with “civil (and commercial) non-litigious cases”, please indicate the case categories included:

| |
|------|
| . NA |
|------|

093. Please indicate the case categories included in the category "other cases":

| |
|------|
| . NA |
|------|

094. First instance courts: number of criminal law cases.

| | Pending cases on 1 Jan. ref. year | Incoming cases | Resolved cases | Pending cases on 31 Dec. ref. year | Pending cases older than 2 years from the date the case came to the first instance court |
|--|-----------------------------------|----------------------------|----------------------------|------------------------------------|--|
| Total of criminal law cases (1+2+3) | [X] NA [] NAP | 3 932 [] NA [] NAP | 4 369 [] NA [] NAP | 3 175 [] NA [] NAP | [X] NA [] NAP |
| 1. Severe criminal cases | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP |
| 2. Misdemeanour and / or minor criminal cases | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP |
| 3. Other criminal cases | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP |

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify

4.2.3 Case flow management – second instance



097. Second instance courts (appeal): Number of “other than criminal law” cases.

| | Pending cases on 1 Jan. ref. year | Incoming cases | Resolved cases | Pending cases on 31 Dec. ref. year | Pending cases older than 2 years from the date the case came to the second instance court |
|--|-----------------------------------|--------------------------|--------------------------|------------------------------------|---|
| Total of other than criminal law cases (1+2+3+4) | 267 [] NA [] NAP | 476 [] NA [] NAP | 402 [] NA [] NAP | 341 [] NA [] NAP | [] NA [X] NAP |
| 1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3) | 201 [] NA [] NAP | 398 [] NA [] NAP | 322 [] NA [] NAP | 277 [] NA [] NAP | [] NA [X] NAP |
| 2. Non litigious cases (2.1+2.2+2.3) | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP |
| 2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3) | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP |

| | | | | | |
|--|--|--|--|--|--|
| 2.2. Registry cases (2.2.1+2.2.2+2.2.3) | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |
| 2.2.1. Non litigious land registry cases | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |
| 2.2.2 Non-litigious business registry cases | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |
| 2.2.3. Other registry cases | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |
| 2.3. Other non-litigious cases | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |
| 3. Administrative law cases | 66 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 78 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 80 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 64 <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |
| 4. Other cases | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |

Comments - If "Other cases" please specify nous ne pouvons pas donner des données fiables sur le décompte par type d'affaire

098. Second instance courts (appeal): Number of criminal law cases.

| | Pending cases on 1 Jan. ref. year | Incoming cases | Resolved cases | Pending cases on 31 Dec. ref. year | Pending cases older than 2 years from the date the case came to the second instance court |
|--|--|--|--|--|---|
| Total of criminal law cases (1+2+3) | 70 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 98 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 140 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 28 <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| 1. Severe criminal cases | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| 2. Misdemeanour and / or minor criminal cases | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| 3. Other cases | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases", please specify. Nous ne pouvons pas donner des données fiables par type d'infraction

4.2.4 Case flow management – Supreme Court

099. Highest instance courts (Supreme Court): Number of "other than criminal law" cases:

| | Pending cases on 1 Jan. ref. year | Incoming cases | Resolved cases | Pending cases on 31 Dec. ref. year | Pending cases older than 2 years from the date the case came to the Supreme Court |
|--|-----------------------------------|---------------------|---------------------|------------------------------------|---|
| Total of other than criminal law cases (1+2+3+4) | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP |
| 1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3) | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP |
| 2. Non litigious cases (2.1+2.2+2.3) | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP |
| 2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3) | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP |
| 2.2. Registry cases (2.2.1+2.2.2+2.2.3) | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP |
| 2.2.1. Non litigious land registry cases | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP |
| 2.2.2 Non-litigious business registry cases | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP |
| 2.2.3. Other registry cases | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP |
| 2.3. Other non-litigious cases | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP |
| 3. Administrative law cases | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP |
| 4. Other cases | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP |

Comments - If "Other cases", please specify

099-1. At the level of the Highest court (Supreme Court), is there a procedure of manifest

inadmissibility?

() Yes, please indicate the number of cases closed by this procedure:

(X) No

Comments

100. Highest instance courts (Supreme Court): Number of criminal law cases.

| | Pending cases on 1 Jan. ref. year | Incoming cases | Resolved cases | Pending cases on 31 Dec. ref. year | Pending cases older than 2 years from the date the case came to the Supreme Court |
|--|--|--|--|--|---|
| Total of criminal law cases (1+2+3) | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |
| 1. Severe criminal cases | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |
| 2. Misdemeanour and / or minor criminal cases | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |
| 3. Other criminal cases | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |

Comment - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories.. If “Other criminal cases”, please specify

4.2.5 Case flow management and timeframes – specific cases

101. Number of specific litigious cases received and processed by first instance courts.

| | Pending cases on 1 Jan. ref. year | Incoming cases | Resolved cases | Pending cases on 31 Dec ref. year | Pending for more than 2 years |
|-----------------------------------|--|--|--|--|--|
| Litigious divorce cases | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | 136 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 127 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 50 <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| Employment dismissal cases | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | 109 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 109 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 146 <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| Insolvency | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | 38 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 36 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 139 <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| Robbery case | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| Intentional homicide | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |

Comments Les données reflètent l'impact de la crise sanitaire sur le fonctionnement des tribunaux.

101-0. Number of procedures/cases relating to asylum seekers and to the right of entry and stay for aliens.

| | Pending cases on 1 Jan. ref. year | Incoming cases | Resolved cases | Pending cases on 31 Dec ref. year | Pending for more than 2 years |
|---|--|--|--|--|--|
| Non-court procedures relating to asylum seekers (refugee status under the 1951 Geneva Convention) | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |
| Non-court procedures relating to the right of entry and stay for aliens | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |
| Court cases relating to asylum seekers (refugee status under the 1951 Geneva Convention) | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |
| Court cases relating to the right of entry and stay for aliens | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |

Comments

101-1. Could you briefly describe the system in your country dealing with legal remedies relating to asylum seekers (refugee status under the 1951 Geneva Convention) and the right of entry and stay for aliens:

| |
|------|
| . NA |
|------|

101-2. Number of cases relating to child sexual abuse and child pornography received and processed by first instance courts.

| | Pending cases on 1 Jan. ref. year | Incoming cases | Resolved cases | Pending cases on 31 Dec ref. year | Pending cases older than 2 years from the date the case came to the first instance court |
|--------------------|--|--|--|--|--|
| Child sexual abuse | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| Child pornography | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |

Comments - Please explain what are the legal definitions of these categories of offences in your system:

102. Percentage of decisions subject to appeal, average length of proceedings and percentage of cases pending for more than 3 years for all instances for specific litigious cases. The average

length of proceedings has to be calculated from the date the application for judicial review is lodged to the date the judgment is made, without taking into account the investigation phase in criminal cases as well as enforcement procedure.

| | % of decisions subject to appeal | Average length in 1st instance (in days) | Average length in 2nd instance (in days) | Average length in 3rd instance (in days) | Average total length of the total procedure (in days) | % of cases pending for more than 3 years for all instances |
|---|---|--|--|--|---|---|
| Civil and commercial litigious cases | _____ Max numeric value allowed : 100 [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP | _____ Max numeric value allowed : 100 [X] NA [] NAP |
| Litigious divorce cases | _____ Max numeric value allowed : 100 [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP | _____ Max numeric value allowed : 100 [X] NA [] NAP |
| Employment dismissal cases | _____ Max numeric value allowed : 100 [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP | _____ Max numeric value allowed : 100 [X] NA [] NAP |
| Insolvency cases | _____ Max numeric value allowed : 100 [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP | _____ Max numeric value allowed : 100 [X] NA [] NAP |
| Robbery cases | _____ Max numeric value allowed : 100 [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP | _____ Max numeric value allowed : 100 [X] NA [] NAP |
| Intentional homicide cases | _____ Max numeric value allowed : 100 [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP | _____ Max numeric value allowed : 100 [X] NA [] NAP |

Comments

103. Where appropriate, please indicate the specific procedure regarding divorce cases (litigious and non-litigious):

| |
|------|
| . NA |
|------|

104. How is the length of proceedings calculated for the six case categories of question 102? Please give a description of the calculation method.

. NA

4.2.6 Case flow management – public prosecution

105. Role and powers of the public prosecutor in the criminal procedure (multiple options possible):

- to conduct or supervise police investigation
- to conduct investigations
- when necessary, to request investigation measures from the judge
- to charge
- to present the case in court
- to propose a sentence to the judge
- to appeal
- to supervise the enforcement procedure
- to discontinue a case without needing a decision by a judge (ensure consistency with question 36!)
- to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision
- other significant powers (please specify):

Comments

106. Does the public prosecutor also have a role in:

- civil cases
- administrative cases
- insolvency cases

Comments - If yes, please specify:

107. Public prosecutors: Total number of 1st instance criminal cases.

| | Number of cases |
|---|--|
| 1. Pending cases on 1 Jan. ref. year | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| 2. Incoming/received cases | 4 352 <input type="checkbox"/> NA <input type="checkbox"/> NAP |
| 3. Processed cases (3.1+3.2+3.3+3.4) | 3 317 <input type="checkbox"/> NA <input type="checkbox"/> NAP |

| | |
|---|----------------------------|
| 3.1. Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.) | 2 469 [] NA [] NAP |
| 3.1.1 Discontinued by the public prosecutor because the offender could not be identified | [X] NA [] NAP |
| 3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation | [X] NA [] NAP |
| 3.1.3 Discontinued by the public prosecutor for reasons of opportunity | [X] NA [] NAP |
| 3.1.4 Discontinued for other reasons | [X] NA [] NAP |
| 3.2. Concluded by a penalty or a measure imposed or negotiated by the public prosecutor | [] NA [X] NAP |
| 3.3. Cases closed by the public prosecutor for other reasons | [X] NA [] NAP |
| 3.4. Cases brought to court | 848 [] NA [] NAP |
| 4. Pending cases on 31 Dec. ref. year | [X] NA [] NAP |

Comments

107-1. If the guilty plea procedure exists, how many cases were concluded by this procedure?

| | Total | Severe criminal cases | Misdemeanour and / or minor criminal cases |
|---|---------------------|-----------------------|--|
| Total number of guilty plea procedures | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP |
| Before the main trial | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP |
| During the main trial | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP |

Comments

109. Do the figures provided in Q107 include traffic offence cases?

() Yes

(X) No

Comments

D2. Please indicate the sources for answering the questions in this part

Sources: Ministère Public

5. Career of judges and public prosecutors

5.1. Recruitment and promotion

5.1.1 Recruitment and promotion of judges

110. How are judges recruited?

- [X] mainly through a competitive exam (open competition)
- [] mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)
- [X] a combination of both (competitive exam and working experience)
- [] other (please specify):

Comments Les juges de première instance sont recrutés par concours et les magistrats peuvent être recrutés par concours et expérience professionnelle ou par promotion interne

111. Authority(ies) responsible for recruitment - are judges initially/at the beginning of their career recruited and nominated by:

- [] An authority made up of judges only
- [X] An authority made up of non-judges only
- [] An authority/authorities made up of judges and non-judges
- [] Other

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles: Consell Supérieur de la Justice (CSJ) nommes les juges, mais le tribunal de sélection qui est composé de personnel juge (3) et de non juges, qui sont membres du CSJ (2)

111-1. How many members compose this authority?

| | Total | Male | Female |
|----------------|----------------------------------|----------------------------------|----------------------------------|
| Members | 5 | 2 | 3 |
| | <input type="checkbox"/> [] NA | <input type="checkbox"/> [] NA | <input type="checkbox"/> [] NA |
| | <input type="checkbox"/> [] NAP | <input type="checkbox"/> [] NAP | <input type="checkbox"/> [] NAP |

Comments – Please specify what is the status of this authority and who is proposing its members? Membres du Consell Supérieur de la Justice et juges

111-2. May non-selected candidates appeal against the decision on recruitment/appointment?

- (X) Yes
- () No

Comments – please specify which body is competent to decide on appeal? CSJ

112. Is the same authority (Q111) competent for the promotion of judges?

- (X) Yes
- () No

Comments

113. What is the procedure for the promotion of judges? (multiple answers possible)

- Competitive test / Exam
- Other procedure (interview or other)
- No special procedure

Comments - Please specify how the promotion procedure for judges is organised (especially if there is no competition or examination):
Lorsqu'il s'agit de la promotion de degré dans la catégorie de juge de 1ère instance ou de magistrat, il est demandé une expérience et une évaluation au travers d'un rapport d'activité que le juge doit présenter tous les 2 ans.
Lorsqu'il s'agit d'une promotion de juge à magistrat, le juge doit se présenter à la promotion interne

113-1. Please indicate the criteria used for the promotion of a judge? (multiple replies possible)

- Years of experience
- Professional skills (and/or qualitative performance)
- Performance (quantitative)
- Subjective criteria (e.g. integrity, reputation)
- Other
- No criteria

Comments - Please specify any useful comment regarding the criteria (especially if you have checked the box "performance" or "other"):

5.1.2 Status, recruitment and promotion of prosecutors

115. What is the status of public prosecution services?

- Has an independent status as a separate entity among state institutions
- Is part of the executive power but enjoys functional independence (please briefly explain how and to what extent)
- Is part of the executive power (without functional independence)
- Is part of the judicial power but enjoys functional independence (please briefly explain how and to what extent)
- Is part of the judicial power (without functional independence)
- Is a mixed model (please explain)
- Has other status (please explain)

Comments - When appropriate, please specify the objective guarantees of this independence (such as funding) and where they are enshrined (Constitution, legislation etc.). Furthermore, if "mixed model" or "other", please specify.

115-1. Does the law or other regulation prevent specific instructions to prosecute or not, addressed to a public prosecutor?

- Yes
- No

Comments - If yes, please specify:

115-2. If you answered "Yes" to Q115-1, are there exceptions provided by the law/regulations?

- Yes
- No

Comments - Please describe these exceptions:

115-3. If you answered “No” to Q115-1, which authority can issue the specific instructions?

- General Prosecutor
- Higher prosecutor/Head of prosecution office
- Executive power
- Other

Comments - If “Other”, please specify:

115-4. What form these instructions may take?

- Oral instruction
- Oral instruction with written confirmation
- Written instruction
- Other
- NAP

Comments - If “Other”, please specify:

115-5. In that case, are the instructions:

- Issued seeking prior advice from the competent public prosecutor
- Mandatory
- Reasoned
- Recorded in the case file
- Other
- NAP

Comments - If “Other”, please specify:

115-6. What is the frequency of this type of instructions:

- Exceptional
- Occasional
- Frequent
- Systematic
- NAP

Comments

115-7. Can the public prosecutor oppose/report an instruction to an independent body?

- Yes
- No
- NAP

Comments - If yes, please specify to which body/institution and please describe under which conditions.

116. How are public prosecutors recruited?

- mainly through a competitive exam (open competition)
- mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

a combination of both (competitive exam and working experience)

other (please specify):

Comments

117. Authority(ies) responsible for recruitment - Are public prosecutors initially/at the beginning of their career recruited by:

An authority composed of public prosecutors only

An authority composed of non-public prosecutors only

An authority composed of public prosecutors and non-public prosecutors

Other

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles: Le procureur général est nommé par le CSJ sur proposition du gouvernement, parmi les personnes réunissant les conditions pour être magistrats, pour un période de 6 ans renouvelable une seule fois.

Les procureurs adjoints sont nommés par le CSJ sur proposition du gouvernement, parmi les personnes réunissant les conditions pour être juges, pour des mandats de 6 ans, renouvelables.

Les condition d'examen sont les mêmes que pour les juges et magistrats.

Pour les procureurs adjoints il existe plusieurs degrés, l'accès se produit au premier degré, pour accéder au deuxième degré il faut avoir complété au minimum un mandat et avoir assisté aus formations proposées, le troisième degré se produit après deus mandants dans le deuxième degré, et assité aux formatins proposées (article 10 Loi du Ministère Public)

117-1. How many members compose this authority?

| | Total | Male | Female |
|----------------|--|--|--|
| Members | 7 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 3 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 4 <input type="checkbox"/> NA <input type="checkbox"/> NAP |

Comments - Please specify what is the status of this authority and who is proposing its members?

117-2. May non-selected candidates appeal against the decision on recruitment/appointment?

Yes

No

Comments - Please specify which body is competent to decide on appeal? CSJ

118. Is the same authority (Q.117) formally responsible for the promotion of public prosecutors?

Yes

No, please specify which authority is competent for promoting public prosecutors

Comments

119. What is the procedure for the promotion of prosecutors? (multiple answers possible)

Competitive test / exam

Other procedure (interview or other)

No special procedure

Comments - Please specify how the promotion procedure for prosecutors is organised (especially if there is no competition or examination): Le procureur général est nommé par le CSJ sur proposition du gouvernement, parmi les personnes réunissant les conditions pour être magistrats, pour un période de 6 ans renouvelable une seule fois.

Les procureurs adjoints sont nommés par le CSJ sur proposition du gouvernement, parmi les personnes réunissant les conditions pour être juges, pour des mandats de 6 ans, renouvelables.

Les condition d'examen sont les mêmes que pour les juges et magistrats.

Pour les procureurs adjoints il existe plusieurs degrés, l'accès se produit au premier degré, pour accéder au deuxième degré il faut avoir complété au minimum un mandat et avoir assisté aux formations proposées, le troisième degré se produit après deux mandats dans le deuxième degré, et assisté aux formations proposées (article 10 Loi du Ministère Public)

119-2. Please indicate the criteria used for the promotion of a prosecutor:

- Years of experience
- Professional skills (and/or qualitative performance)
- Performance (quantitative)
- Subjective criteria (e.g. integrity, reputation)
- Other
- No criteria

Comments - Please, specify any useful comment regarding the criteria (especially if you have checked the box "performance" or "other"):

Le procureur général est nommé par le CSJ sur proposition du gouvernement, parmi les personnes réunissant les conditions pour être magistrats, pour un période de 6 ans renouvelable une seule fois.

Les procureurs adjoints sont nommés par le CSJ sur proposition du gouvernement, parmi les personnes réunissant les conditions pour être juges, pour des mandats de 6 ans, renouvelables.

Les condition d'examen sont les mêmes que pour les juges et magistrats.

Pour les procureurs adjoints il existe plusieurs degrés, l'accès se produit au premier degré, pour accéder au deuxième degré il faut avoir complété au minimum un mandat et avoir assisté aux formations proposées, le troisième degré se produit après deux mandats dans le deuxième degré, et assisté aux formations proposées (article 10 Loi du Ministère Public)

5.1.3Mandate and retirement of judges and prosecutors

121. Are judges appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

- Yes, please indicate the compulsory retirement age:
- No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: Le mandat des juges est pour 6 ans, renouvelable (article 90 de la Constitution), sauf renonciation ou fautes graves (articles 31, 68.3 et 85.3 de la LQJ)

121-1. Can a judge be transferred to another court without his/her consent:

- For disciplinary reasons
- For organisational reasons
- For other reasons (please specify modalities and safeguards):
- No

Comments

122. Is there a probation period for judges (e.g. before being appointed "for life")? If yes, how long is this period?

Yes, duration of the probation period (in years):

No

Comments Néanmoins pendant un an ils sont soumis à formation

123. Are public prosecutors appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

Yes, please indicate the compulsory retirement age:

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: Le mandat des procureurs est pour 6 ans, renouvelable sauf renonciation ou fautes graves

124. Is there a probation period for public prosecutors? If yes, how long is this period?

Yes, duration of the probation period (in years):

No

Comments Néanmoins pendant un an ils sont soumis à formation

125. If the mandate for judges is not for an undetermined period (see question 121), what is the length of the mandate (in years)?

[6]

[] NA

[] NAP

Comments

125-1. Is it renewable?

Yes

No

[] NAP

Comments

126. If the mandate for public prosecutors is not for an undetermined period (see question 123), what is the length of the mandate (in years)?

[6]

[] NA

[] NAP

Comments

126-1. Is it renewable?

Yes

No

[] NAP

Comments

E1. Please indicate the sources for answering the questions in this part

Sources: LQJ

5.2. Training

5.2.1 Training of judges

127. Types of different trainings offered to judges:

| | Compulsory | Optional | No training proposed |
|--|--|--|--|
| Initial training (e.g. attend a judicial school, traineeship in a court) | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| General in-service training | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| In-service training for specialised judicial functions (e.g. judge for economic or administrative issues) | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| In-service training for management functions of the court (e.g. court president) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| In-service training for the use of computer facilities in courts | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| In-service training on ethics | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| In-service training on child-friendly justice | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

Comments

128. Frequency of the in-service training of judges:

| | Frequency of the judges training |
|--|--|
| General in-service training | <input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed |
| In-service training for specialised judicial functions (e.g. judge for economic or administrative issues) | <input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed |
| In-service training for management functions of the court (e.g. court president) | <input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed |

| | |
|---|--|
| In-service training for the use of computer facilities in courts | <input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed |
| In-service training on ethics | <input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed |
| In-service training on child-friendly justice | <input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed |

Comments - Please indicate any information on the periodicity of the continuous training of judges:

5.2.2 Training of prosecutors

129. Types of different trainings offered to public prosecutors:

| | Compulsory | Optional | No training proposed |
|---|--|--|--|
| Initial training | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| General in-service training | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| In-service training for specialised functions (e.g. public prosecutors specialised in organised crime) | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| In-service training for management functions (e.g. Head of prosecution office, manager) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| In-service training for the use of computer facilities in office | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| In-service training on ethics | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| In-service training on child-friendly justice | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

Comments

130. Frequency of the in-service training of public prosecutors :

| | Frequency of the in-service training |
|------------------------------------|--|
| General in-service training | <input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed |

| | |
|--|--|
| In-service training for specialised functions (e.g. public prosecutor specialised in organised crime) | <input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed |
| In-service training for management functions (e.g. Head of prosecution office, manager) | <input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed |
| In-service training for the use of computer facilities in office | <input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed |
| In-service training on ethics | <input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed |
| In-service training on child-friendly justice | <input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed |

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors:

5.2.3 Training institutions

131. Do you have public training institutions for judges and / or prosecutors?

| | Initial training only | Continuous training only | Initial and continuous training |
|---|--------------------------|--------------------------|---------------------------------|
| Institution(s) for judges | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Institution(s) for prosecutors | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Institution(s) for both judges and prosecutors | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Comments Nous ne disposons pas d'institution publique pour la formation des juges et procureurs, nous faisons appel à L'ENM et au CGPJ. Néanmoins nous proposons une formation continue qui se déroule au sein de l'Administration judiciaire, avec une personne responsable de l'organisation de cette formation, et d'une commission de suivi.

131-0. If yes, what is the budget of such institution(s)?

| | Budget of the institution(s) for the reference year, in € |
|---|--|
| Institution(s) for judges | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |
| Institution(s) for prosecutors | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |
| Institution(s) for both judges and prosecutors | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |

131-1. If judges and/or prosecutors have no compulsory initial training in such institutions, please indicate briefly how these judges and/or prosecutors are trained?

. Est organisée une formation initiale pour les nouveaux juges et procureurs, organisée par le CSJ avec un programme et une comission de suivi

5.2.4 Number of trainings

131-2. Number of in-service training courses available and delivered (in days) by the public institution(s) responsible for training

| | Number of in-person training courses available | Number of delivered in-person training courses in days | Online training courses available during the reference year (e-learning) |
|---|--|--|--|
| Total | 8 [] NA [] NAP | 12 [] NA [] NAP | [X] NA [] NAP |
| 1. For judges | 8 [] NA [] NAP | 12 [] NA [] NAP | [X] NA [] NAP |
| 2. For prosecutors | 8 [] NA [] NAP | 12 [] NA [] NAP | [X] NA [] NAP |
| 3. For other non-judge staff | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP |
| 4. For other non-prosecutor staff | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP |
| 5. Ttraining for other professionals | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP |

Comments – please specify if there are training courses of judges and/or prosecutors that include other professionals in the field of justice.

La formation proposée aux juges et procureurs est extensible aux Secrétaires judiciaires.

Le personnal non juge et non procureur bénéficie de formation continue (au minimum 3 fois par an), qui peut être élargi selon demande

131-3. Number of participants of the training courses during the reference year

| | Number of participants in in-person training courses | Number of participants in online training courses (e-learning) |
|---------------|--|--|
| Total | [X] NA [] NAP | [X] NA [] NAP |
| Judges | [X] NA [] NAP | [X] NA [] NAP |

| | | |
|----------------------|--|--|
| Prosecutors | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| Non-judge staff | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| Non-prosecutor staff | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| Other professionals | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |

Comments

5.3.Practice of the profession

5.3.1Salaries and benefits of judges and prosecutors

132. Salaries of judges and public prosecutors on 31 December of the reference year:

| | Gross annual salary, in € | Net annual salary, in € | Gross annual salary, in local currency | Net annual salary, in local currency |
|---|---|---|--|--|
| First instance professional judge at the beginning of his/her career | 61 916 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 52 319 <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |
| Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President) | 92 887 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 78 490 <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |
| Public prosecutor at the beginning of his/her career | 61 916 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 52 319 <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |
| Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Attorney General). | 92 887 <input type="checkbox"/> NA <input type="checkbox"/> NAP | 78 490 <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP | <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP |

Comments

133. Do judges and public prosecutors have additional benefits?

| | Judges | Public prosecutors |
|------------------|--|--|
| Reduced taxation | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Special pension | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

| | | |
|--------------------------------|-------------------|-------------------|
| Housing | () Yes (X) No | () Yes (X) No |
| Other financial benefit | () Yes (X) No | () Yes (X) No |

Comments

134. If “other financial benefit”, please specify:

[X] NAP

=

135. Can judges combine their work with any of the following functions/activities?

| | With remuneration | Without remuneration |
|---------------------------------|-------------------|----------------------|
| Teaching | (X) Yes () No | (X) Yes () No |
| Research and publication | (X) Yes () No | (X) Yes () No |
| Arbitrator | (X) Yes () No | (X) Yes () No |
| Consultant | () Yes (X) No | (X) Yes () No |
| Cultural function | (X) Yes () No | (X) Yes () No |
| Political function | () Yes (X) No | (X) Yes () No |
| Mediator | (X) Yes () No | (X) Yes () No |
| Other function | () Yes (X) No | (X) Yes () No |

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify.

137. Can public prosecutors combine their work with any of the following functions/activities?

| | With remuneration | Without remuneration |
|---------------------------------|-------------------|----------------------|
| Teaching | (X) Yes () No | (X) Yes () No |
| Research and publication | (X) Yes () No | (X) Yes () No |

| | | |
|---------------------------|--|--|
| Arbitrator | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Consultant | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Cultural function | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Political function | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Mediator | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Other function | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify:

139. Productivity bonuses: do judges receive bonuses based on the fulfilment of quantitative objectives in relation to the number of resolved cases (e.g. number of cases resolved over a given period of time)?

- Yes
 No

Comments - If yes, please specify the conditions and if possible the amounts:

5.3.2 Body/institution of ethics

138. Is there in your country an institution / body giving opinions on ethical questions of the conduct of judges (e.g. involvement in political life, use of social media by judges, etc.)

- Yes
 No

Comments

138-1. If yes, who are the members of this institution/body?

- Only judges
 Judges and other legal professionals
 Other, please specify:

Comments

138-2. Are the opinions of this institution / body publicly available?

- Yes
 No

[] NAP

Comments - Please describe the work of this institution / body, the frequency of opinions, etc.

138-3. Is there in your country an institution / body giving opinions on ethical questions of the

conduct of prosecutors (e.g. involvement in political life, use of social media by prosecutors, etc.)

Yes

No

Comments

138-4. If yes, who are the members of this institution/body?

Only prosecutors

Prosecutors and other legal professionals

Other, please specify:

Comments

138-5. Are the opinions of this institution / body publicly available?

Yes

No

NAP

Comments - Please describe the work of this institution / body, the frequency of opinions, etc.

5.4. Disciplinary procedures

5.4.1 Authorities responsible for disciplinary procedures and sanctions

140. Who is authorised to initiate disciplinary proceedings against judges (multiple replies possible)?

Court users

Relevant Court or hierarchical superior

High Court / Supreme Court

High Judicial Council

Disciplinary court

Disciplinary body (disciplinary prosecutor, investigator etc.)

Ombudsman

Parliament

Executive power (please specify):

Other (please specify):

This is not possible

Comments

141. Who is authorised to initiate disciplinary proceedings against public prosecutors: (multiple replies possible):

Citizens

Head of the organisational unit or hierarchical superior public prosecutor

Prosecutor General /State public prosecutor

- Public prosecutorial Council (High Judicial Council)
- Disciplinary court
- Disciplinary body (disciplinary prosecutor, investigator etc.)
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):
- This is not possible

Comments

142. Which authority has disciplinary power over judges? (multiple replies possible)

- Court
- Higher Court / Supreme Court
- High Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power (please specify):
- Other (please specify):

Comments

143. Which authority has disciplinary power over public prosecutors? (multiple replies possible)

- Supreme Court
- Head of the organisational unit or hierarchical superior
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):

Comments

5.4.2 Number of disciplinary procedures and sanctions

144. Number of disciplinary proceedings initiated during the reference year against judges and public prosecutors. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

| | |
|--------|-------------|
| Judges | Prosecutors |
|--------|-------------|

| | | |
|---|------------------------|------------------------|
| Total number (1+2+3+4) | 0 [] NA [] NAP | 0 [] NA [] NAP |
| 1. Breach of professional ethics | 0 [] NA [] NAP | 0 [] NA [] NAP |
| 2. Professional inadequacy | 0 [] NA [] NAP | 0 [] NA [] NAP |
| 3. Criminal offence | 0 [] NA [] NAP | 0 [] NA [] NAP |
| 4. Other | 0 [] NA [] NAP | 0 [] NA [] NAP |

Comments - If “other”, please specify:

145. Number of sanctions pronounced during the reference year against judges and public prosecutors:

| | Judges | Prosecutors |
|---|------------------------|------------------------|
| Total number (total 1 to 10) | 0 [] NA [] NAP | 0 [] NA [] NAP |
| 1. Reprimand | 0 [] NA [] NAP | 0 [] NA [] NAP |
| 2. Suspension | 0 [] NA [] NAP | 0 [] NA [] NAP |
| 3. Withdrawal from cases | 0 [] NA [] NAP | 0 [] NA [] NAP |
| 4. Fine | 0 [] NA [] NAP | 0 [] NA [] NAP |
| 5. Temporary reduction of salary | 0 [] NA [] NAP | 0 [] NA [] NAP |
| 6. Position downgrade | 0 [] NA [] NAP | 0 [] NA [] NAP |
| 7. Transfer to another geographical (court) location | 0 [] NA [] NAP | 0 [] NA [] NAP |
| 8. Resignation | 0 [] NA [] NAP | 0 [] NA [] NAP |
| 9. Other | 0 [] NA [] NAP | 0 [] NA [] NAP |

| | | |
|---------------|------------------------|------------------------|
| 10. Dismissal | 0 [] NA [] NAP | 0 [] NA [] NAP |
|---------------|------------------------|------------------------|

Comments - If "other", please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons.

E3. Please indicate the sources for answering the questions in this part

| |
|--------------|
| Sources: CSJ |
|--------------|

6.Lawyers

6.1.Profession of lawyer

6.1.1Status of the profession of lawyers

146. Total number of lawyers practising in your country:

| | Total | Male | Female |
|-------------------|---------------|----------|----------|
| Number of lawyers | 209 [] NA | [X] NA | [X] NA |

Comments

147. Does this figure include "legal advisors" who cannot represent their clients in court (for example, some solicitors or in-house counsellors)?

Yes ()

No (X)

Comments

148. Number of legal advisors who cannot represent their clients in court:

[]

[] NA

[X] NAP

Comments

=

149. Is legal representation in courts exclusively exercised by lawyers in: (multiple replies possible)

| | | |
|----------------|-----------------|--|
| First instance | Second instance | Highest instance court (Supreme Court) |
|----------------|-----------------|--|

| | | | |
|-----------------------------------|--|--|--|
| Civil cases | () Yes always () Yes in some cases (X) No [] NAP | (X) Yes always () Yes in some cases () No [] NAP | () Yes always () Yes in some cases () No [X] NAP |
| Dismissal cases | (X) Yes always () Yes in some cases () No [] NAP | (X) Yes always () Yes in some cases () No [] NAP | () Yes always () Yes in some cases () No [X] NAP |
| Criminal cases – Defendant | (X) Yes always () Yes in some cases () No [] NAP | (X) Yes always () Yes in some cases () No [] NAP | () Yes always () Yes in some cases () No [X] NAP |
| Criminal cases – Victim | () Yes always (X) Yes in some cases () No [] NAP | () Yes always () Yes in some cases (X) No [] NAP | () Yes always () Yes in some cases () No [X] NAP |
| Administrative cases | (X) Yes always () Yes in some cases () No [] NAP | (X) Yes always () Yes in some cases () No [] NAP | () Yes always () Yes in some cases () No [X] NAP |

Comments - Please indicate any useful clarifications regarding the content of lawyers' exclusive rights:

149-0. If other than lawyers may represent a client in court, please specify who:

| | First instance | Second instance | Highest instance court (Supreme Court) |
|-----------------------------------|-----------------------|------------------------|---|
| Civil society organisation | () Yes (X) No | () Yes (X) No | () Yes (X) No |
| Family member | () Yes (X) No | () Yes (X) No | () Yes (X) No |
| Self-representation | (X) Yes () No | (X) Yes () No | () Yes (X) No |
| Trade union | (X) Yes () No | (X) Yes () No | () Yes (X) No |
| Other | (X) Yes () No | (X) Yes () No | () Yes (X) No |

Comments - If "other", please specify. In addition, for the categories selected please specify the types of cases concerned by this/these representation(s):

149-1. In addition to the functions of legal representation and legal advice, can a lawyer exercise other activities?

- [] Notarial activity
- [X] Arbitration / mediation
- [X] Proxy / representation
- [] Property manager
- [] Real estate agent
- [X] Other law activities (please specify):

Comments

149-2. What are the statuses for exercising the profession of lawyer?

- Self-employed lawyer
- Staff lawyer
- In-house lawyer

Comments

150. Is the lawyer profession organised through:

- a national bar association
- a regional bar association
- a local bar association

Comments

151. Is there a specific initial training and/or exam to enter the profession of lawyer?

- Yes
- No

Comments - Please indicate if there are other specific requirements as regards diplomas or university degrees:

152. Is there a mandatory general in-service professional training system for lawyers?

- Yes
- No

Comments

153. Is the specialisation in some legal fields linked to specific training, levels of qualification, specific diploma or specific authorisations?

- Yes
- No

Comments - If yes, please specify:

F1. Please indicate the sources for answering the questions in this part

Sources: Collège d'avocats 'Andorre

6.1.2 Practicing the profession

154. Can court users establish easily what the lawyers' fees will be (i.e. a prior information on the foreseeable amount of fees)?

- Yes
- No

155. Are lawyers' fees freely negotiated?

- Yes
- No

Comments

156. Do laws or bar standards provide any rules on lawyers' fees (including those freely negotiated)?

- Yes, laws provide rules
- Yes, standards of the bar association provide rules
- No, neither laws nor bar association standards provide rules

Comments Il s'agit de règles minimales en l'absence d'accord avec le client

6.1.3 Quality standards and disciplinary procedures

157. Have quality standards been determined for lawyers?

- Yes
- No

Comments - If yes, what are the quality criteria used?

158. If yes, who is responsible for formulating these quality standards:

- the bar association
- the Parliament
- other (please specify):

Comments

159. Is it possible to file a complaint about:

- the performance of lawyers
- the amount of fees

Comments - Please specify:

160. Which authority is responsible for disciplinary procedures?

- a judge
- Ministry of Justice
- a professional authority
- other (please specify):

Comments Le juge, après l'ordre des avocats en 1ère et 2ème instance.

161. Disciplinary proceedings initiated against lawyers. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

| | Number of disciplinary proceedings |
|---|------------------------------------|
| Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4) | 5 [] NA [] NAP |
| 1. Breach of professional ethics | 5 [] NA [] NAP |
| 2. Professional inadequacy | 0 [] NA [] NAP |
| 3. Criminal offence | 0 [] NA [] NAP |
| 4. Other | 0 [] NA [] NAP |

Comments - If "other", please specify:

162. Sanctions pronounced against lawyers.

| | Number of sanctions |
|--|------------------------|
| Total number of sanctions (1 + 2 + 3 + 4 + 5) | 4 [] NA [] NAP |
| 1. Reprimand | 3 [] NA [] NAP |
| 2. Suspension | 0 [] NA [] NAP |
| 3. Withdrawal from cases | 0 [] NA [] NAP |
| 4. Fine | 0 [] NA [] NAP |
| 5. Other | 1 [] NA [] NAP |

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons. Une affaire classée

7. Court related mediation and other alternative Dispute Resolution

7.1. Court related mediation

7.1.1 Details on court related mediation

163. Does the judicial system provide for court-related mediation procedures?

Yes

No

Comments La mediation que favorise le Tribunal n'est pas obligatoire

163-1. In some fields, does the judicial system provide for mandatory mediation with a mediator?

Before/instead of going to court

Ordered by the court, the judge, the public prosecutor or a public authority in the course of a judicial proceeding

No mandatory mediation

Comments - If there is mandatory mediation, please specify which fields are concerned:

163-2. In some fields, does the legal system provide for mandatory informative sessions with a mediator?

Yes

No

Comments - If there are mandatory informative sessions, please specify which fields are concerned:

164. Please specify, by type of cases, who provides court-related mediation services:

| | Private mediator | Public authority (other than the court) | Judge | Public prosecutor |
|---|--|--|--|--|
| Civil and commercial cases | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP |
| Family cases | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP |
| Administrative cases | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP |
| Labour cases including employment dismissals | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP |
| Criminal cases | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP |
| Consumer cases | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP |

Comments La médiation affecte toutes mles matière mais pour les affaires pénales cela ne se produit jamais.

Très peu d'affaires sont dérivée par les juges et tribunaux,

165. Is there a possibility to receive legal aid for court-related mediation or receive these services free of charge?

Yes

No

Comments - If yes, please specify (only one or both options)::

=

166. Number of accredited or registered mediators for court-related mediation:

| | Total | Males | Females |
|---------------------|---------------------|---------------------|---------------------|
| Number of mediators | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP |

Comments

167. Number of court-related mediations:

| | Number of cases for which the parties agreed to start mediation | Number of finished court-related mediations | Number of cases in which there is a settlement agreement |
|--|---|---|--|
| Total (1 + 2 + 3 + 4 + 5 + 6) | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP |
| 1. Civil and commercial cases | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP |
| 2. Family cases | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP |
| 3. Administrative cases | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP |
| 4. Labour cases including employment dismissal cases | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP |
| 5. Criminal cases | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP |
| 6. Consumer cases | [X] NA [] NAP | [X] NA [] NAP | [X] NA [] NAP |

Comments - Please indicate the source:

=

168. Do the following alternative dispute resolution (ADR) methods exist in your country?

- [] Mediation other than court-related mediation
- [X] Arbitration
- [X] Conciliation (if different from mediation)
- [] Other ADR (please specify):

Comments

G1. Please indicate the sources for answering the questions in this part

Source: CSJ

8. Enforcement of court decisions

8.1. Execution of decisions in civil matters

8.1.1 Number of enforcement agents, status and mandate

169. Number and type of enforcement agents in your country.

| | Total | Male | Female |
|---|------------------------|------------------------|------------------------|
| Total (1+2+3+4) | 3 [] NA | 1 [] NA | 2 [] NA |
| 1. Private professionals under the authority (control) of public authorities | 3 [] NA [] NAP | 1 [] NA [] NAP | 2 [] NA [] NAP |
| 2. Enforcement agents working in a public institution (civil servants paid by state) | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP |
| 3. Judges | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP |
| 4. Other | [] NA [X] NAP | [] NA [X] NAP | [] NA [X] NAP |

Comments - If other, please specify their status and competences:

170. What are the requirements to access the profession of enforcement agent (multiple replies possible)?

- diploma
- professional experience
- specific exam
- appointment procedure by the State
- initial training
- other

Comments - If "other", please specify:

171. Are enforcement agents appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

(X) Yes, please indicate the age of retirement: 65

() No, please specify the duration of the appointment:

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

8.1.2 Activities/scope of competence

171-1. Which debtor's information can the enforcement agent access at the beginning of the enforcement procedure?

| | Access to information | Direct electronic access to information |
|---|-----------------------|---|
| Address | (X) Yes () No | (X) Yes () No |
| Date of birth | (X) Yes () No | (X) Yes () No |
| Civil status | (X) Yes () No | (X) Yes () No |
| Cohabitant | (X) Yes () No | (X) Yes () No |
| Employer | (X) Yes () No | (X) Yes () No |
| Motor vehicle | (X) Yes () No | (X) Yes () No |
| Movable property | (X) Yes () No | (X) Yes () No |
| Immovable property | (X) Yes () No | (X) Yes () No |
| Bank account | (X) Yes () No | (X) Yes () No |
| Other enforcement proceedings underway | (X) Yes () No | (X) Yes () No |
| Insolvency proceedings (bankruptcy, judicial reorganisation, collective debt settlement etc.) | (X) Yes () No | (X) Yes () No |
| Other | () Yes (X) No | () Yes (X) No |

Comments - If "other", please specify:

171-2. Can the enforcement agent carry out the following civil enforcement proceedings:

| | Option |
|--|---|
| Seizure of movable tangible properties | () Yes, exclusively performed by enforcement agents (X) Yes, but not exclusively performed by enforcement agents () No [] NAP |

| | |
|---|--|
| Preventive seizure of movable tangible properties | <input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP |
| Seizure of immovable properties | <input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP |
| Preventive seizure of immovable properties | <input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP |
| Seizure from a third party of the debtor claims regarding a sum of money | <input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP |
| Seizure of remunerations | <input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP |
| Seizure of motorised vehicles | <input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP |
| Eviction measures | <input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP |
| Seizures of boats and ships | <input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP |

| | |
|--|--|
| Seizure of aircrafts | <input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP |
| Seizure of electronic assets (e.g cryptocurrency) | <input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP |
| Enforced sale by public tender of seized properties | <input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP |
| Sale of shares | <input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP |
| Other | <input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP |

Comments

171-3. Apart from the enforcement of court decisions, what are the other activities that can be carried out by enforcement agents?

- Service of judicial and extrajudicial documents
- Debt recovery
- Voluntary or public auctions of moveable or immovable property
- Custody of goods
- Recording and reporting of evidence
- Court hearings service
- Provision of legal advice
- Bankruptcy procedures
- Performing tasks assigned by judges
- Representing parties in courts
- Drawing up private deeds and documents
- Building manager

Other

Comments

8.1.3 Training and ICT

172-1. Is there a system of mandatory general continuous training for enforcement agents?

Yes

No

Comments

172-2. Do you have an e-learning training system established for enforcement agents?

Yes

No

Comments - If yes, please specify:

172-3. Does the content of the continuous training system also include ICT (related to enforcement procedures)?

Yes

No

Comments - If yes, please specify:

172-4. Have an electronic service of documents or electronic notifications been introduced in your country?

Yes

No

Comments

172-5. Does the development of new technologies have an effect on the different stages of the enforcement procedure?

Yes

No

Comments - Please explain:

8.1.4 Fees

174. Are enforcement fees easily established and transparent for parties?

Yes

No

Comments

175-1. Are the fees charged in case of successful enforcement proceedings freely negotiated?

Yes

No

Comments Les honoraires sont fixés par un barème approuvé réglementairement par le gouvernement

175-2. Who has to pay these fees if the enforcement proceedings are successful?

The debtor

The creditor

Other – please specify

Comments

176. Do laws provide any rules on enforcement fees (including those freely negotiated)?

Yes

No

Comments

H0. Please indicate the sources for answering the questions in this part

Source: SAIG (huissier de justice)
Loi 43/2014

8.1.5 Organisation of profession and efficiency of enforcement services



177. Is there a body entrusted with supervising and monitoring the enforcement agents' activity?

Yes

No

Comments

178. Which authority is responsible for supervising and monitoring enforcement agents?

professional body

judge

Ministry of Justice

public prosecutor

other (please specify):

Comments

181. Is there a specific mechanism for executing court decisions rendered against public authorities, including supervising such execution?

Yes

No

Comments - If yes, please specify:

182. Is there a system for monitoring how the enforcement procedure is conducted by the enforcement agent?

- Yes
- No

Comments - If yes, please specify:

183. What are the main complaints made by users concerning the enforcement procedure? Please indicate a maximum of 3.

- no execution at all
- non execution of court decisions against public authorities
- lack of information
- excessive length
- unlawful practices
- insufficient supervision
- excessive cost
- unethical behaviour of enforcement agent
- other (please specify):

Comments

185. Is there a system measuring the length of enforcement procedures:

| | Existence of the system |
|--------------------------|--|
| for civil cases | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| for administrative cases | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

Comments

186. Regarding a decision on debt collection, please estimate the average timeframe to serve and/or notify the decision to the parties who live in the city where the court sits (one option only):

- between 1 and 5 days
- between 6 and 10 days
- between 11 and 30 days
- more (please specify):
- NA

Comments

187. Number of disciplinary proceedings initiated against enforcement agents. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

| | Number of disciplinary proceedings initiated |
|---|--|
| Total number of initiated disciplinary proceedings (1+2+3+4) | 0 [] NA [] NAP |
| 1. For breach of professional ethics | 0 [] NA [] NAP |
| 2. For professional inadequacy | 0 [] NA [] NAP |
| 3. For criminal offence | 0 [] NA [] NAP |
| 4. Other | 0 [] NA [] NAP |

Comments - If "other", please specify:

188. Number of sanctions pronounced against enforcement agents:

| | Number of sanctions pronounced |
|--|--------------------------------|
| Total number of sanctions (1+2+3+4+5) | 0 [] NA [] NAP |
| 1. Reprimand | 0 [] NA [] NAP |
| 2. Suspension | 0 [] NA [] NAP |
| 3. Withdrawal from cases | 0 [] NA [] NAP |
| 4. Fine | 0 [] NA [] NAP |
| 5. Other | 0 [] NA [] NAP |

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons:

H1. Please indicate the sources for answering the questions in this part

Source: Saig

8.2. Execution of decisions in criminal matters

8.2.1 Functioning of execution in criminal matters

189. Which authority is in charge of the enforcement of judgments in criminal matters? (multiple replies possible)

- Judge
 Public prosecutor
 Prison and Probation Services
 Enforcement agent
 Other authority (please specify):

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions).

190. Are the effective recovery rates of fines decided by a criminal court evaluated by studies?

- Yes
 No

Comments

191. If yes, what is the recovery rate?

- 80-100%
 50-79%
 less than 50%

Comments - Please indicate the source for answering this question:

9. Notaries

9.1. Profession of notary

9.1.1 Number, status and mandate of notaries

192. Number and status of notaries in your country.

| | Total | Male | Female |
|---|------------------------|------------------------|------------------------|
| TOTAL (1+2+3+4) | 4 [] NA [] NAP | 3 [] NA [] NAP | 1 [] NA [] NAP |
| 1. Private professionals (without control from public authorities) | 0 [] NA [] NAP | 0 [] NA [] NAP | 0 [] NA [] NAP |
| 2. Holders of public offices appointed by the State | 4 [] NA [] NAP | 3 [] NA [] NAP | 1 [] NA [] NAP |
| 3. Civil servants (paid by the State) | 0 [] NA [] NAP | 0 [] NA [] NAP | 0 [] NA [] NAP |

| | | | |
|-----------------|------------------------------|------------------------------|------------------------------|
| 4. Other | 0 | 0 | 0 |
| | <input type="checkbox"/> NA | <input type="checkbox"/> NA | <input type="checkbox"/> NA |
| | <input type="checkbox"/> NAP | <input type="checkbox"/> NAP | <input type="checkbox"/> NAP |

Comments - If "Other", please specify the status, or if "holder of a public office appointed by the State", please indicate which ministry is mainly engaged in the appointment procedure:

192-1. What are the access conditions to the profession of notary (multiple replies possible):

- diploma
- professional experience
- specific exam
- appointment procedure by the State
- initial training
- other (please specify):

Comments

192-2. Are notaries appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

- yes, please indicate the age of retirement:65
- no, please specify the duration of the appointment:

Comments - are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

9.1.2 Activities/scope of competences

194. What kind of activities do notaries perform (multiple options possible):

| | Please select one option |
|---|--|
| Authentication | <input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP |
| Certification of signatures | <input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP |
| Legalisation of signatures / Apostille | <input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP |

| | |
|--|--|
| Legality control of documents | <input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP |
| Mediation | <input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP |
| Taking of oaths | <input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP |
| Non-contentious judicial procedures (e.g. acting as court commissioner in a successions file, performing divorce, division of estate, please specify) | <input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP |
| Act as civil servant (for example performing marriage, please specify) | <input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP |
| Other judicial functions (for example, payment orders) | <input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP |
| Public auctions | <input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP |
| Other (for example collect taxes, run registers etc.) | <input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP |

Comments - If "other", please specify. Please indicate any useful clarifications regarding the content of the notaries' exclusive rights or, on the opposite, other bodies that also have competences for the listed activities.

194-2. In which areas of law do notaries perform their activities (multiple options possible)?

- Real estate transaction
- Family law
- Succession law
- Company law
- Legality control of gambling activities
- Protection of vulnerable persons
- Other

Comments

9.1.3 ICT, organisation of the profession and training

194-3. Do notaries use specialised ICT systems in their activity?

- In their relations with the State (e.g. courts, registries, chambers of commerce, tax authorities)
- In their relations with their clients
- In their relations with other notaries (e.g. videoconferencing, system to exchange documents)

Comments

194-4. Which computerised registries can notaries consult?

- Land registry
- Business registry
- Civil status / Population registry
- Succession / Family law registry
- Any other registry (please specify)
- None

Comments

194-5. Are there registries/ registry infrastructures run by the notaries?

- Yes
- No

Comments - If yes, please specify:

194-6. In which computerised registries can notaries modify data (either directly or by submitting an online request)?

| | Directly modifying | Indirectly modifying by submitting an online request |
|---------------|--|--|
| Land registry | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP |

| | | |
|--|--------------------------------|--------------------------------|
| Business registry | (X) Yes () No [] NAP | (X) Yes () No [] NAP |
| Civil status/ Population registry | (X) Yes () No [] NAP | (X) Yes () No [] NAP |
| Succession / Family law registry | (X) Yes () No [] NAP | (X) Yes () No [] NAP |
| Any other registry (please specify) | (X) Yes () No [] NAP | (X) Yes () No [] NAP |
| None | () Yes (X) No [] NAP | () Yes (X) No [] NAP |

Comments

194-7. What ICT tools are used by notaries in their relations with clients?

- Videoconferencing (e.g. digital advice)
- Digital act
- Digital identification
- Digital archiving
- Other, please specify
- None

Comments

194-8. Who is responsible to run the digital archives?

- Notariat / Professional body
- Other public authority
- Another entity (please specify)

Comments

195. Is there an authority entrusted with supervising and monitoring the notaries' work?

- (X) Yes
- () No

Comments

196. If yes, which authority is responsible for supervising and monitoring notaries (multiple options possible)?

- professional body
- court
- Ministry of Justice
- public prosecutor

[] other (please specify):

Comments

196-1. Is there a system of general continuous training for all notaries?

(X) Yes

() No

Comments

196-2. Do notaries have training on:

| | Yes | No |
|--|-----|-------|
| European law | () | (X) |
| Law of another Member State (cross-border training programmes) | () | (X) |

Comments - If yes, please indicate the types (e.g. traditional courses, e-learning, webinar) and the major topics of the training activities:

II. Please indicate the sources for answering the questions in this part

Sources: Chambre des Notaires

10. Court interpreters

10.1. Details on profession of court interpreter

10.1.1 Status of court interpreters

197. Is the title of court interpreters protected?

(X) Yes

() No

Comments

198. Is the function of court interpreters regulated by legal norms?

(X) Yes

() No

Comments

199. Number of registered court interpreters:

[18]

[] NA

[] NAP

Comments

200. Are there binding provisions regarding the quality of court interpretation within judicial proceedings?

Yes

No

Comments - If yes, please specify (e.g. having passed a specific exam):

201. Are the courts responsible for selecting court interpreters?

Yes, for recruitment and/or appointment for a specific term of office

Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

No, please specify which authority selects court interpretersle Gouvernement

Comments

J1. Please indicate the sources for answering the questions in this part

Sources: Loi 20 juin 1996

11. Judicial experts

11.1. Profession of judicial expert

11.1.1 Status of judicial experts

202. In your system, what types of judicial experts can participate in judicial procedures (multiple replies possible):

Experts designated by the parties in support of their arguments but bound by a duty of independence and impartiality to the court

Experts appointed by the court or other authority independent of the parties

Other system of judicial expertise, please specify

Comments - Please specify who is proposing and appointing experts in an individual case.

202-1. Are there lists or any other form of official registration for judicial experts?

Yes

No

Comments

202-1-1. If yes, at which level is the list established (multiple replies possible):

national

administrative district or federal entity

judicial district

other

Comments - Please, indicate any other comment regarding these lists or databases of experts, if they do exist (e.g. does the expert take an oath? How are his/her skills evaluated? By whom?):

202-1-2. Are these lists publicly available?

Yes, available on the internet

Yes

No

Comments

202-2. Which authority is competent for the registration of judicial experts?

Ministry of justice

Courts

Administrative body

Independent body (association of judicial experts)

Other

Comments - Please also specify the registration criteria: Conseil Supérieur de la Magistrature

202-3. Is the registration of judicial experts limited in time?

Yes, for how longannuelle

No

Comments

202-4. Can an expert who is not on the list or not registered be appointed in a case?

Yes

No

Comment - If yes, please specify in which cases:

203. Is the title of judicial experts protected?

Yes

No

Comments - If appropriate, please explain the meaning of this protection:

203-1. Does the judicial expert have an obligation of training?

| | Obligation of training |
|----------------------------|--|
| Initial training | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Continuous training | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

Comments

203-2. If yes, does this training concern:

- judicial proceedings
- the profession of expert
- other

Comments

204. Is the function of judicial experts regulated by legal norms?

- Yes
- No

Comments

204-1. On the occasion of a task entrusted to him/her, does the judicial expert have to report any potential conflicts of interest?

- Yes
- No

Comments - If yes, please specify:

205. Number of accredited or registered judicial experts:

| | Total | Male | Female |
|-------------------|--|--|--|
| Number of experts | 113 <input type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |

Comments

206-1. Number of cases where expert opinion was ordered by a judge or requested by the parties

| | Number of cases |
|--|--|
| Total (1+2+3+4) | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| 1.Civil and commercial litigious cases | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| 2.Administrative cases | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| 3.Criminal cases | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |
| 4.Other cases | <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP |

Comments

205-1. Who defines the amount of the expert remuneration?

| | In civil/administrative cases | In criminal cases |
|--|--|--|
| Defined by law/by-law or a special regulation | () Yes () No <input checked="" type="checkbox"/> NAP | () Yes () No <input checked="" type="checkbox"/> NAP |
| Defined by the court/judge | () Yes () No <input checked="" type="checkbox"/> NAP | () Yes () No <input checked="" type="checkbox"/> NAP |
| Defined by Ministry of Justice or another ministry (setting a tariff for example) | () Yes () No <input checked="" type="checkbox"/> NAP | () Yes () No <input checked="" type="checkbox"/> NAP |
| Salary of public official (in case of forensic or another specialist – who is public employee) | () Yes () No <input checked="" type="checkbox"/> NAP | () Yes () No <input checked="" type="checkbox"/> NAP |
| Freely agreed between expert and the parties | (X) Yes () No <input type="checkbox"/> NAP | (X) Yes () No <input type="checkbox"/> NAP |
| Other | () Yes () No <input checked="" type="checkbox"/> NAP | () Yes () No <input checked="" type="checkbox"/> NAP |

Comments - If other, please specify:

206. Are there binding provisions for judicial experts regarding:

| | Yes | No |
|--------------------------------|-----|-----|
| Deadlines to provide expertise | () | () |
| Quality of expertise | () | () |
| Other | () | () |

NAP

Comments - If yes, please specify, and provide details in case there are possible sanctions:

207-1. Does the judge or another body control the progress of the expertise?

(X) Yes

() No

If yes, please specify: Je juge

207-2. Are judicial experts' associations involved in:

Selection processes

Initial or continuous training

Disciplinary procedures

NAP

Comments

K1. Please indicate the sources for answering the questions in this part

Sources: csj

12.Reforms in judiciary

12.1.Foreseen reforms

12.1.1Reforms

208. Can you provide information on the current debate in your country regarding the functioning of justice? Are there undergoing or foreseen reforms? If possible, please observe the following categories:

208-1. (Comprehensive) reform plans

- Yes (planned)
 Yes (adopted)
 Yes (implemented during year of reference +1)
 No
 NA

Comments - If yes, please specify:

208-2. Budget

- Yes (planned)
 Yes (adopted)
 Yes (implemented during year of reference +1)
 No
 NA

Comments - If yes, please specify:

208-3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts (geographic locations), competences of the courts, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings)

- Yes (planned)
 Yes (adopted)
 Yes (implemented during year of reference +1)
 No
 NA

Comments - If yes, please specify: Est envisagée une réforme de la Loi Qualifiée de la Justice

208-4. Access to justice and legal aid

- Yes (planned)
 Yes (adopted)
 Yes (implemented during year of reference +1)
 No
 NA

Comments - If yes, please specify:

208-5. High Judicial Council

- Yes (planned)
 Yes (adopted)
 Yes (implemented during year of reference +1)
 No
 NA

Comments - If yes, please specify:

208-6. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc.

- Yes (planned)
 Yes (adopted)
 Yes (implemented during year of reference +1)
 No
 NA

Comments - If yes, please specify:

208-7. Gender balance

- Yes (planned)
 Yes (adopted)
 Yes (implemented during year of reference +1)
 No
 NA

Comments - If yes, please specify:

208-8. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities

- Yes (planned)
 Yes (adopted)
 Yes (implemented during year of reference +1)
 No

NA

Comments - If yes, please specify:

208-9. Enforcement of court decisions and in particular regarding decisions against public authorities

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Est envisagée une réforme de la Loi du Saig

208-10. Mediation and other Alternative Dispute Resolution

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

208-11. Fight against crime

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

208-12. Prison system

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

208-13. Child friendly justice

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

208-14. Domestic violence

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

208-15. New information and communication technologies

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Est envisagée la Loi sur le dossier électronique

208-16. Other

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: