

European

of Justice

Commission

for the Efficiency

Commission européenne pour l'efficacité de la justice



Strasbourg, 2 November 2022

GT-EVAL(2022)16

# EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE (CEPEJ)

## Cooperation with the European Commission – Dashboard Western Balkans

## QUESTIONNAIRE

Reference Year: 2022

Data collection from November 2022 to 1st March 2023

NB: Please provide all the requested texts in English

For the purpose of this questionnaire and exercise, "Country/ies" refer to the Beneficiaries of this project.

## TABLE OF CONTENT

General Data	3	
Indicator 1. Budget		
Indicator 2. Profile of the judiciary	8	
Indicator 2.1 Average gross salary of judges and prosecutors		8
Indicator 2.2 Number of justice professionals		9
Indicator 3. Efficiency and productivity	13	
Indicator 3.1 Case flow (Clearance Rate, Disposition Time, Pending cases)		13
Indicator 3.2 Monitoring and evaluation of courts', judges' and prosecutors' activities		17
Indicator 3.3 Electronic case management system and court activity statistics		23
Indicator 4. Access to justice - legal aid	25	
Indicator 4.1 Number of cases for which legal aid has been granted		25
Indicator 4.2 (Amount of legal aid)		25
Indicator 4.3 (Timeframes for granting legal aid)		26
Indicator 5 Appointment/recruitment/mandate of judges/prosecutors	26	
Indicator 5.1 Selection and recruitment		26
Indicator 6 Promotion	33	
Indicator 7 Training	35	
Indicator 7.1 Training		35
Indicator 7.2 Training in EU Law		39
Indicator 7.3 Quality of judicial training		40
Indicator 8 Accountability and processes affecting public trust	41	
Indicator 8.1 Confidence and satisfaction of the public with their justice system		41
Indicator 8.2 Promotion of integrity and prevention of corruption		44
Indicator 8.3 Declaration of assets		48
Indicator 8.4 Conflicts of interests		52
Indicator 8.5 Discipline	í	55
Indicator 9 Alternative Dispute Resolution	58	
Indicator 10 ECtHR	60	
Indicator 10.1 ECHR	(	60
Indicator 11 Council for the Judiciary/ Prosecutorial Council	61	
Indicator 12 Gender Equality	63	
Indicator 13 Reforms	65	

## **General Data**

**Q001.** Question 1 CEPEJ Questionnaire

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

Q002. Question 3 CEPEJ Questionnaire

Per capita GDP (in €) in current prices for the reference year \_\_\_\_\_

**Q003.** Question 5 CEPEJ Questionnaire

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

## **Indicator 1. Budget**

## Courts, prosecution offices and legal aid (judicial system)

## Q004. Question 6 CEPEJ Questionnaire

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 5. If you are able to answer this question, please answer NA to question 5.

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

Comments - 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:

#### **Q005.** Question 7 CEPEJ Questionnaire

If you cannot answer question 4 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	/ NA / NAP	/ NA / NAP

Total annual public budget allocated to all courts and legal aid together	/ NA / NAP	/ NA / 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:

## **Q006.** Question 13 CEPEJ Questionnaire

## 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 6.1)	/ NA / NAP	/ NA / NAP
6.1. Annual public budget allocated to training of public prosecution services	/ NA / NAP	/ NA / NAP

Comments - 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:

## **Q012.** Question 12 CEPEJ Questionnaire

## 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 (1 + 2)	/ NA / NAP	/ NA / NAP	/ NA / NAP
1 for cases brought to court (court fees and/or legal representation)	/ NA / NAP	/ NA / NAP	/ NA / NAP
2 for cases not brought to court (legal advice, ADR and other legal services)	/ NA / NAP	/ NA / NAP	/ NA / NAP

## Q013. Question 12-1 CEPEJ Questionnaire

### 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 (1+2)	/ NA / NAP	/ NA / NAP	/ NA / NAP
1 for cases brought to court (court fees and/or legal representation)	/ NA / NAP	/ NA / NAP	/ NA / NAP
2 for cases not brought to court (legal advice, ADR and other legal services)	/ NA / NAP	/ NA / NAP	/ NA / NAP

Comments - 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:

## Q013-2. Question 12-3 CEPEJ Questionnaire

Do legal aid budgets indicated in Q12 and Q13 include:

	Amount	included	
--	--------	----------	--

(calculated/estimated)
□Yes
□No
□NAP (Legal aid does not include coverage of court fees)
□Yes
□No
□NAP (Legal aid does not include exemption of court fees)

## Whole justice system

## **Q007.** Question 15-1 CEPEJ Questionnaire

Annual (approved and implemented) public budget allocated to the whole justice system, in € (this global budget includes the judicial system budget - see 8 and other elements of the justice system - see 9).

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the whole justice system in €	/ NA	/ NA

Comments - Please indicate any useful comment to explain the figures provided. 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:

. . . .

## Q008. Question 15-2 CEPEJ Questionnaire

## Elements of the judicial system budget (Q4, Q5, Q6, Q12)

	Included
Courts (see question 4 or 5)	□Yes
	□No
	□NAP
Legal aid (see question 5 or 12)	□Yes
	□No
	□NAP
Public prosecution services (see question 5 or 6)	□Yes
	□No
	□NAP

## Q009. Question 15-3 CEPEJ Questionnaire Other budgetary elements

	Included
Prison system	□Yes
	□No
Probation services	□Yes
	□No
High Judicial Council	□Yes
	□No

High Prosecutorial Council       Yes         No       NAP         Constitutional court       Yes         No       NAP         Judicial management body       Yes         Judicial management body       Yes         State advocacy       Yes         No       NAP         Enforcement services       Yes         No       NAP         Notariat       Yes         Judicial protection of juveniles       Yes         Judicial protection of juveniles       Yes         No       NAP         Functioning of the Ministry of Justice       Yes         No       NAP         Refugees and asylum seekers services       Yes         No       NAP         Immigration Service       Yes		
Image: Second	High Prosecutorial Council	□Yes
Image: Constitutional court       Image: No         Image: No       Image: No         Judicial management body       Image: No         Judicial management body       Image: No         Judicial management body       Image: No         State advocacy       Image: No         State advocacy       Image: No         Image: No       Image: No         Image: Image: No       Image: No         Image: Image: Image: No       Image: No         Image: Ima		□No
Constitutional court       Yes         No       NAP         Judicial management body       Yes         No       NAP         State advocacy       Yes         State advocacy       Yes         Invo       NAP         Enforcement services       Yes         No       NAP         Notariat       Yes         Invo       NAP         Forensic services       Yes         Judicial protection of juveniles       Yes         Invo       NAP         Functioning of the Ministry of Justice       Yes         Invo       NAP         Refugees and asylum seekers services       Yes         Invo       NAP		
Image:	Constitutional court	
Judicial management body       INAP         Judicial management body       INo         INO       INAP         State advocacy       IYes         INO       INAP         Enforcement services       IYes         INO       INAP         Notariat       IYes         INO       INAP         Forensic services       IYes         INO       INAP         Judicial protection of juveniles       IYes         INO       INAP         Functioning of the Ministry of Justice       IYes         INO       INAP         Refugees and asylum seekers services       IYes         INO       INAP		
Judicial management body    Yes   No   NAP State advocacy    Yes   No   NAP Enforcement services    Yes   No   NAP Notariat    Yes   No   NAP Forensic services    Yes   No   NAP Judicial protection of juveniles    Yes   No   NAP Functioning of the Ministry of Justice    Yes   No   NAP Functioning of the Ministry of Justice    Yes   No   NAP Refugees and asylum seekers services    Yes   No   NAP		
Image: No         State advocacy         State advocacy         Image: No		
State advocacy       INAP         State advocacy       INo         INo       INAP         Enforcement services       IYes         INo       INAP         Notariat       IYes         INo       INAP         Forensic services       IYes         INo       INAP         Judicial protection of juveniles       IYes         INo       INAP         Functioning of the Ministry of Justice       IYes         INo       INAP         Refugees and asylum seekers services       IYes         INo       INAP	Judicial management body	
State advocacy       Yes         No       NAP         Enforcement services       Yes         No       NAP         Notariat       Yes         No       NAP         Forensic services       Yes         Judicial protection of juveniles       Yes         INO       NAP         Functioning of the Ministry of Justice       Yes         INO       INAP         Refugees and asylum seekers services       Yes         INO       INAP		
Image: No         Enforcement services         Image: Services         Image: No		
Image: Services       Image: Services	State advocacy	□Yes
Enforcement services       Yes         Image: No       No         Image: No       NAP         Notariat       Yes         Image: No       No         Image: No       NAP         Forensic services       Yes         Image: No       No         Judicial protection of juveniles       Yes         Image: No       No         Functioning of the Ministry of Justice       Yes         Image: No       No         Image: No       NAP         Refugees and asylum seekers services       Yes         Image: No       No         Image: No       No <t< td=""><td></td><td>□No</td></t<>		□No
Image: Notariat       Image: Notariat         Notariat       Image: Yes         Image: Notariat       Image: Notariat         Forensic services       Image: Yes         Image: Notariat       Image: Notariat         Judicial protection of juveniles       Image: Yes         Image: Notariat       Image: Notariat         Functioning of the Ministry of Justice       Image: Yes         Image: Notariat       Image: Notariat         Refugees and asylum seekers services       Image: Yes         Image: Notariat       Image: Notariat         Image: Notariat       Image: No		
Image: Notariat       Image: No         No       Image: No         Image: Porensic services       Image: Yes         Image: Porensic services       Image: Porensic services         Image: Porensic service       Image: Porensic service         Image: Porensic service       Image: Porensic service         Image: Porense Porensic serv	Enforcement services	□Yes
Notariat       _Yes         _No       _NAP         Forensic services       _Yes         _No       _NAP         Judicial protection of juveniles       _Yes         _No       _NAP         Functioning of the Ministry of Justice       _Yes         _No       _NAP         Refugees and asylum seekers services       _Yes         _No       _NAP		□No
Image: Services       Image: Services         Forensic services       Image: Services         Image: Services       Image: Services         Judicial protection of juveniles       Image: Services         Judicial protection of juveniles       Image: Services         Image: Services       Imag		
Forensic services   Yes  No  NAP ]Judicial protection of juveniles   Yes  No  NAP Functioning of the Ministry of Justice   Yes  No  NAP Refugees and asylum seekers services   Yes  No  NAP	Notariat	□Yes
Forensic services <pre></pre>		□No
Image: Second state of the second s		
Image: Second system       Image: Second system <td< td=""><td>Forensic services</td><td>□Yes</td></td<>	Forensic services	□Yes
Judicial protection of juveniles Judicial protection of juveniles Prunctioning of the Ministry of Justice Functioning of the Ministry of Justice Prunctioning of the Ministry of Justice Pru		□No
Image: Services       Image: Services         Refugees and asylum seekers services       Image: Services         Image: Service s		
Functioning of the Ministry of Justice <pre></pre>	Judicial protection of juveniles	□Yes
Functioning of the Ministry of Justice <pre></pre>		□No
□No         □NAP         Refugees and asylum seekers services       □Yes         □No       □No         □NAP		□NAP
Refugees and asylum seekers services	Functioning of the Ministry of Justice	Yes
Refugees and asylum seekers services <pre></pre>		□No
	Refugees and asylum seekers services	□Yes
		□No
Immigration Service		
	Immigration Service	□Yes

	□No
Some police services (e.g.: transfer, investigation, prisoners'	□Yes
security)	□No
Other	□Yes
	□No

Comments - If "other", please specify:

## **External funding**

**Q010.** If external donor funds contribute to the budget of courts, prosecution services, legal aid and/or the whole justice system (see previous questions), please indicate the implemented amount. If you cannot provide an amount, please indicate NA and reply to question 11.

	Total implemented amount from external donors in reference year (in €)
Budget allocated to courts (see question 4)	/ NA / NAP
Budget allocated to public prosecution services (see question 6)	/ NA / NAP
Budget allocated to legal aid (see questions 12/13)	/ NA / NAP
Budget allocated to the whole justice system (see question 7)	/ NA / NAP

Comments - If the funds are earmarked for a specific purpose, please specify:

## **Q011.** If you cannot provide the amount of external donor's contribution (specified in question 10), please provide an estimation of the ratio of this amount within the total implemented budget:

	Estimated percentage from the total implemented budget (see questions 4, 6, 12/13, 7) in reference year (in %)
Budget allocated to courts (see question 4)	/ NA / NAP
Budget allocated to public prosecution services (see question 6)	/ NA / NAP
Budget allocated to legal aid (see questions 12/13)	/ NA / NAP
Budget allocated to the whole justice system (see question 7)	/ NA / NAP

Comments - If the funds are earmarked for a specific purpose, please specify:

## **Indicator 2. Profile of the judiciary**

## Indicator 2.1 Average gross salary of judges and prosecutors

**Q014.** Question 4 CEPEJ Questionnaire

Average gross annual salary (in €) for the reference year \_\_\_\_\_

## **Q015.** Question 132 CEPEJ Questionnaire

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

Category of judges and prosecutors	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	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the highest salary of a judge at this level, excluding the salary of the Court President)	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP
Public prosecutor at the beginning of his/her career	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the highest salary of a public prosecutor at this level, excluding the salary of the Attorney General).	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP

## **Q016.** Question 133 CEPEJ Questionnaire

## Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
Reduced taxation		
Special pension		
Housing		
Other financial benefit		

## Q017. Question 134 CEPEJ Questionnaire

If "other financial benefit", please specify:

## **Q018.** Question 139 CEPEJ Questionnaire

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)?



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

## Indicator 2.2 Number of justice professionals

## Judges

## **Q019.** Question 46 CEPEJ Questionnaire

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)	/ NA / NAP	/ NA / NAP	/ NA / NAP
1. Number of first instance professional judges	/ NA / NAP	/ NA / NAP	/ NA / NAP
2. Number of second instance (court of appeal) professional judges	/ NA / NAP	/ NA / NAP	/ NA / NAP
3. Number of Supreme Court professional judges	/ NA / NAP	/ NA / NAP	/ NA / NAP

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

## Q019-1. Question 47 CEPEJ Questionnaire

## Number of court presidents (professional judges).

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	/ NA / NAP	/ NA / NAP	/ NA / NAP
1. Number of first instance court presidents	/ NA / NAP	/ NA / NAP	/ NA / NAP
2. Number of second instance (court of appeal) court presidents	/ NA / NAP	/ NA / NAP	/ NA / NAP
3. Number of Supreme Court presidents	/ NA / NAP	/ NA / NAP	/ NA / NAP

## Q020. Question 48 CEPEJ Questionnaire

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):

Gross figure	/ NA / NAP
In full-time equivalent	/ NA / NAP

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

### **Q021.** Question 48-1 CEPEJ Questionnaire

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
 NAP

### Q022. Question 49 CEPEJ Questionnaire

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):

Gross figure	/ NA / NAP
In full-time equivalent	/ NA / NAP

## Q023. Question 49-1 CEPEJ Questionnaire

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)	0	0	0
Criminal cases (misdemeanour and/or minor)	0	0	0

Family law cases	0	0	0
Labour law cases	0	0	0
Social law cases			
Commercial law cases	0	0	0
Insolvency cases	0	0	0
Other civil cases	0	0	0

NAP

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

## Q024. Question 50 CEPEJ Questionnaire

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

Yes

Q025. Question 50-1 CEPEJ Questionnaire If yes, for which type(s) of case(s)?

Criminal cases Other than criminal cases

## Non-judge staff

## **Q026.** Question 52 CEPEJ Questionnaire

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 32 (please give the information in full-time equivalent and for posts actually filled)

	Total	Male	Females
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	/ NA / NAP	/ NA / NAP	/ NA / NAP
1. <i>Rechtspfleger</i> (or similar bodies) (please see explanatory note)	/ NA / NAP	/ NA / NAP	/ NA / 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)	/ NA / NAP	/ NA / NAP	/ NA / NAP
3. Staff in charge of different <i>administrative tasks</i> and of the <i>management of the courts</i> (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)	/ NA / NAP	/ NA / NAP	/ NA / NAP
4. Technical staff	/ NA / NAP	/ NA / NAP	/ NA / NAP
5. Other non-judge staff	/ NA / NAP	/ NA / NAP	/ NA / NAP

Comments - If "Other non-judge staff", please specify:

## Q027. Question 52-1 CEPEJ Questionnaire

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 32) (please give the information in full-time equivalent and for posts actually filled).

	Total	Male	Females
Total non-judge staff working in courts (1+2+3)	/ NA / NAP	/ NA / NAP	/ NA / NAP

1. Total non-judge staff working in courts at first instance level	/ NA / NAP	/ NA / NAP	/ NA / NAP
2. Total non-judge staff working in courts at second instance (court of appeal) level	/ NA / NAP	/ NA / NAP	/ NA / NAP
3. Total non-judge staff working in courts at Supreme Court level	/ NA / NAP	/ NA / NAP	/ NA / NAP

## Public prosecutors and non-prosecutor staff

## Q028. Question 55 CEPEJ Questionnaire

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)	/ NA / NAP	/ NA / NAP	/ NA / NAP
1. Number of prosecutors at first instance level	/ NA / NAP	/ NA / NAP	/ NA / NAP
2. Number of prosecutors at second instance (court of appeal) level	/ NA / NAP	/ NA / NAP	/ NA / NAP
3. Number of prosecutors at Supreme Court level	/ NA / NAP	/ NA / NAP	/ NA / NAP

Comments - Please indicate any useful comment for interpreting the data above:

## Q028-1. Question 56 CEPEJ Questionnaire

## Number of heads of prosecution offices:

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	/ NA / NAP	/ NA / NAP	/ NA / NAP
1. Number of heads of prosecution offices at first instance level	/ NA / NAP	/ NA / NAP	/ NA / NAP
2. Number of heads of prosecution offices at second instance	/ NA / NAP	/ NA / NAP	/ NA / NAP
(court of appeal) level			
3. Number of heads of prosecution offices at Supreme Court level	/ NA / NAP	/ NA / NAP	/ NA / NAP

## Q029. Question 57 CEPEJ Questionnaire

In your judicial system, do other persons have similar duties to those of public prosecutors?



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

Q030. Question 57-1 CEPEJ Questionnaire

If yes, please provide the number (full-time equivalent) \_\_\_\_\_ / 📃 NA

## **Q031.** Question 59 CEPEJ Questionnaire

If yes, is their number included in the number of public prosecutors that you have indicated under question 28?



## Q032. Question 60 CEPEJ Questionnaire

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 26 (in full-time equivalent and for

posts actually filled).

Total	Male	Female
/ NA	/ NA	/ NA

Comment – please describe which categories of staff you have included in your reply:

## Lawyers

Q033. Question 146 CEPEJ Questionnaire

Total number of lawyers practicing in your country:

Total	Male	Female
/ NA	/ NA	/ NA

## Q034. Question 147 CEPEJ Questionnaire

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

## 🗌 Yes 🔲 No

**Indicator 3. Efficiency and productivity** 

## Indicator 3.1 Case flow (Clearance Rate, Disposition Time, Pending cases)

## First instance cases

## Q035. Question 91 CEPEJ Questionnaire

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

Type of 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 <i>other than criminal</i> law cases (1+2+3+4)	/ NA /				
	NAP	NAP	NAP	NAP	NAP
<b>1. Civil (and commercial) litigious</b> <b>cases</b> (including litigious enforcement cases and if possible without administrative law cases, see category 3)	/ NA / NAP				

2. Non-litigious cases (2.1+2.2+2.3)	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, requests 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 / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	

<b>2.2. Registry cases</b> (2.2.1+2.2.2+2.2.3)	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	
2.2.1. Non-litigious land registry cases	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	
2.2.2 Non-litigious business registry cases	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	
2.2.3. Other registry cases	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	
2.3. Other non-litigious cases	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	
3. Administrative law cases	/ NA / NAP				
4. Other cases	/ NA / NAP				

Note 1: the cases mentioned in categories 2.2.1. and 2.2.2. (*land registry, business registry*) should be presented separately in the table. The cases mentioned in category 3 (*administrative law cases*) should also be separately mentioned for the countries which have specialised administrative courts or separate administrative law procedures or are able to distinguish in another way between administrative law cases and civil law cases.

Note 2: please check if the figures submitted are (horizontally and vertically) consistent. *Horizontal consistent* data means that: "(pending cases on 1 January reference year + incoming cases) – resolved cases" should give the correct number of pending cases on 31 December reference year. If this horizontal consistency is not possible due to joined cases, please specify.

Vertical consistency of data means that the sum of the individual case categories 1 to 4 should reflect the total number of other than criminal law cases.

## Q036. Question 92 CEPEJ Questionnaire

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

### Q037. Question 93 CEPEJ Questionnaire

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

### Q038. Question 94 CEPEJ Questionnaire

First instance courts: number of criminal law cases.

Type of 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 cases	/ NA /	/ NA /	/ NA /	/ NA /	/ NA /
(1+2+3)	NAP	NAP	NAP	NAP	NAP
1. Severe criminal cases	/ NA /	/ NA /	/ NA /	/ NA /	/ NA /
	NAP	NAP	NAP	NAP	NAP
2. Misdemeanour and /	/ NA /	/ NA /	/ NA /	/ NA /	/ NA /
or minor criminal cases	NAP	NAP	NAP	NAP	NAP
3. Other criminal cases	/ NA /	/ NA /	/ NA /	/ NA /	/ NA /
	NAP	NAP	NAP	NAP	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:

## Second instance cases

## Q039. Question 97 CEPEJ Questionnaire

Second instance courts (appeal): Number of "other than criminal law" cases.

instance court
-------------------

Total of other than criminal law cases      / NA // NA /
--

1. Civil (and commercial) litigious	/ NA /				
cases (including litigious enforcement	NAP	NAP	NAP	NAP	NAP
cases and if possible without					
administrative law cases, see category 3)					

2. Non-litigious cases (2.1+2.2+2.3)	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / 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 / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	
<b>2.2. Registry cases</b> (2.2.1+2.2.2+2.2.3)	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	
2.2.1. Non-litigious land registry cases	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	
2.2.2 Non-litigious business registry cases	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	
2.2.3. Other registry cases	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	
2.3. Other non-litigious cases	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	
3. Administrative law cases	/ NA /	/ NA /	/ NA /	/ NA /	/ NA / NAP

4. Other cases	/ NA /				
	NAP	NAP	NAP	NAP	NAP

Comments - If "Other cases" please specify:

## Q040. Question 98 CEPEJ Questionnaire

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

	ng cases an. ref. 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 cases	/ NA /				
(1+2+3)	NAP	NAP	NAP	NAP	NAP
1. Severe criminal cases	/ NA /				
	NAP	NAP	NAP	NAP	NAP
2. Misdemeanour and /	/ NA /	/ NA /	/ NA /	/ NA /	/ NA /
or minor criminal cases	NAP	NAP	NAP	NAP	NAP
3. Other criminal cases	/ NA /				
	NAP	NAP	NAP	NAP	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:

## Special category cases

**Q041.** 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 at 1 <sup>st</sup> instance (in days)	Average length at 2 <sup>nd</sup> instance (in days)	Average length at 3 <sup>rd</sup> 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	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP
Litigious divorce cases	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP
Employment dismissal cases	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP
Insolvency cases	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP
Robbery cases	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP
Intentional homicide cases	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP

Bribery cases	/ NA /	/ NA /	/ NA /	/ NA /	/	/
	NAP	NAP	NAP	NAP	NA / NAP	NA / NAP
Trading in influence cases	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP

# Indicator 3.2 Monitoring and evaluation of courts, public prosecution services, judges and prosecutors' activities

National policies applied in courts and public prosecution services

Q042. Question 66 CEPEJ Questionnaire

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

Yes
No

Comments - If yes, please specify:

Q043. Question 67 CEPEJ Questionnaire

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

within the courts

within the public prosecution services

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

### **Q058.** Question 70 CEPEJ Questionnaire

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:

### Q059. Question 70-1 CEPEJ Questionnaire

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 public prosecution)
- Costs of the judicial procedures
- Clearance rate
- Disposition time
- Percentage of convictions and acquittals
- Other, please specify:

## Q048. Question 73 CEPEJ Questionnaire

Do you have a system to evaluate regularly court performance based on the monitored indicators of question 58?



Q049. Question 73-0 CEPEJ Questionnaire If yes, please specify the frequency:

- Annual
- Less frequent
- More frequent

Comments - If "Less frequent" or "More frequent", please specify:

## Q050. Question 73-1 CEPEJ Questionnaire

Is this evaluation of the court activity used for the later allocation of resources within this court?



Q051. Question 73-2 CEPEJ Questionnaire

If yes, which courses of action are taken (multiple replies possible)?

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

## Q052. Question 73-3 CEPEJ Questionnaire

Do you have a system to evaluate regularly the performance of the public prosecution services based on the monitored indicators of question 59?



Q053. Question 73-4 CEPEJ Questionnaire If yes, please specify the frequency:

Annual

- Less frequent
- More frequent

Comments - If "Less frequent" or "More frequent", please specify:

#### **Q054.** Question 73-5 CEPEJ Questionnaire

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

Yes
No

Q055. Question 73-6 CEPEJ Questionnaire

If yes, which courses of action are taken (multiple replies possible)?

Identifying the causes of improved or deteriorated performance

Reallocating resources (human/financial resources based on performance)

Reengineering of internal procedures to increase efficiency

Other, please specify:

## Q056. Question 79 CEPEJ Questionnaire

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: \_\_\_\_\_

### Q057. Question 79-1 CEPEJ Questionnaire

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: \_\_\_\_\_

## **Q060.** Question 71 CEPEJ Questionnaire

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

#### Q061. Question 72 CEPEJ Questionnaire Do you monitor waiting time during judicial proceedings?

within the courts within the public prosecution services

Yes	No
Yes	No

## Comments - If yes, please specify:

#### Q061-1. Question 89 CEPEJ Questionnaire

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:

Information re	darding cou	rts /nublic i	prosecution	services	activity
mormation re	garunig cou	ι ις /ραρπο μ	prosecution	301 11003	activity

#### Q062. Question 80 CEPEJ Questionnaire

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):
No

Q063. Question 80-1 CEPEJ Questionnaire

Are the statistics on the functioning of each court published:

	Yes, on the internet	please provide the link	)
--	----------------------	-------------------------	---

- No, only internally (on an intranet website)
- 🔲 No

## Q064. Question 80-2 CEPEJ Questionnaire

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): \_\_\_\_\_\_
 No

Q065. Question 80-3 CEPEJ Questionnaire

Are the statistics on the functioning of each public prosecution service published?

Yes, on the internet (please provide the link)\_\_\_\_\_

No, only internally (on an intranet website)

🔲 No

## Q066. Question 81 CEPEJ Questionnaire

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)?



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

## Q067. Question 81-1 CEPEJ Questionnaire

If yes, please specify in which form this report is released:

Internet	

Intranet website

Paper distribution

Q068. Question	81-2	<b>CEPEJ</b>	Questionnaire
----------------	------	--------------	---------------

## If yes, please, indicate the periodicity at which the report is released:

- Annual
- Less frequent
- More frequent

## Q069. Question 81-3 CEPEJ Questionnaire

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)?



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

### **Q070.** Question 81-4 CEPEJ Questionnaire

If yes, please specify in which form this report is released:

- Internet
- Intranet website
- Paper distribution

## Q071. Question 81-5 CEPEJ Questionnaire

If yes, please, indicate the periodicity at which the report is released:

oAnnual

Less frequent

More frequent

## Performance and evaluation of judges and public prosecutors

## Q074. Question 83 CEPEJ Questionnaire

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



#### Q075. Question 83-1 CEPEJ Questionnaire Who is responsible for setting these targets for each judge?

Executive power (for example the Ministry of Justice) - please specify \_\_\_\_\_

Legislative power

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

- President of the court
- Other please specify \_\_\_\_\_

## Q075-1. Question 083-1-1 CEPEJ Questionnaire

What are the consequences for a judge if quantitative targets are not met?

Warning by court's president

- Disciplinary procedure
- Temporary salary reduction

Reflected in the individual assessment

Other, please specify: \_\_\_\_

No consequences

## **Q076.** Question 114 CEPEJ Questionnaire

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



## Q076-1 Who is responsible for setting the criteria for qualitative assessment of the judges' work?

Executive power (for example the Ministry of Justice) - please specify \_\_\_\_\_

Legislative power

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

President of the court

Other, please specify: \_\_\_\_\_

## Q077. Question 114-1 CEPEJ Questionnaire

If yes, please specify the frequency of this assessment:

- Annual
- Less frequent
- More frequent

## Q078. Question 83-2 CEPEJ Questionnaire

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



Q079. Question 83-3 CEPEJ Questionnaire

Who is responsible for setting these 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: \_\_\_\_\_

## Q079-1. Question 83-3-1CEPEJ Questionnaire

What are the consequences for a prosecutor if quantitative targets are not met?

Warning by head of prosecution

Disciplinary procedure

- Temporary salary reduction
- Reflected in the individual assessment
- Other (please specify) \_\_\_\_\_
- No consequences

## Q080. Question 120 CEPEJ Questionnaire

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

🗌 Yes

## 🔲 No

## Q080-1 Who is responsible for setting the criteria for qualitative assessment of the public prosecutors' work?

Executive power (for example the Ministry of Justice) - please specify \_\_\_\_\_

- Prosecutor General /State public prosecutor
- Public Prosecutorial Council
- Head of the organisational unit or hierarchical superior public prosecutor
- Other please specify \_\_\_\_\_

## **Q081.** Question 120-1 CEPEJ Questionnaire

#### If yes, please specify the frequency of this assessment:

- Annual
- Less frequent
- More frequent

## Indicator 3.3 Electronic case management system and court activity statistics

## Q082-0. Is there an IT strategy for the judiciary?

Yes
No

If yes, please provide the currently valid document in English:

#### Q082. Question 63-1 CEPEJ Questionnaire

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



#### Q082-1. When was the running CMS developed (or in case of major redevelopment when it was redesigned)?

In the last 2 years
Between 2 and 5 years
Between 5 and 10 years
More than 10 years
Other

Comments - If "other", please specify:

**Q082-2.** Are there plans for a significant change in the present IT system in the judiciary in the next year (Change of CMS or other main application)?



If yes, please provide details of the planned changes and its timeline including when the new system is expected to become operational:

## Q083. Question 63-1-1 CEPEJ Questionnaire

Please specify the following information:

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

Civil and/or	100%	Accessible to			Fully integrated
commercial	୦ <b>50-99%</b>	parties	Yes No	Yes No	including BI
	o <b>10-49%</b>	Publication of			Integrated
	<b>ୀ-9%</b>	decision online	_	_	Not integrated but
	୦ <b>0% (NAP)</b>	Both			connected
	∘NA	Not accessible			Not connected at all
		at all			
		NAP			
Criminal	100%	Accessible to			Fully integrated
	50-99%	parties	Yes No	Yes No	including BI
	10-49%	Publication of	NAP	NAP	Integrated
	ୀ-9%	decision online			Not integrated but
	୦ <b>୦% (NAP)</b>	Both			connected
∘NA		Not accessible			Not connected at all
		at all			NAP
		NAP			
Administrative	100%	Accessible to			Fully integrated
	୦ <b>50-99%</b>	parties	Yes 🔲 No	Yes No	including BI 🗌
	୦ <b>10-49%</b>	Publication of	<b>NAP</b>	NAP	Integrated
	ୀ-9%	decision online			Not integrated but
	୦ <b>୦% (NAP)</b>	Both			connected
	∘NA	Not accessible			Not connected at all
		at all			NAP
		NAP			

Comments – If it exists in other matters please specify:

## Q084. Question 62-4 CEPEJ Questionnaire

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

Yes No

## Q085. Question 62-4-1 CEPEJ Questionnaire

If yes, please specify the following information:

	For 1 <sup>st</sup> instance decisions	For 2 <sup>nd</sup> instance decisions	For 3 <sup>rd</sup> instance decisions	Link with ECHR case law	anonymised	database available free	Case-law database available in open data
Civil and/or commercial	<ul> <li> Yes all judgments</li> <li> Yes some judgments</li> <li> No</li> </ul>	<ul> <li>Yes all</li> <li>judgments</li> <li>Yes some</li> <li>judgments</li> <li>No</li> </ul>	<ul> <li>Yes all</li> <li>judgments</li> <li>Yes some</li> <li>judgments</li> <li>No</li> </ul>	Yes 🗋 No	Yes No	Yes No	Yes No
Criminal	<ul> <li>Yes all</li> <li>judgments</li> <li>Yes</li> <li>some</li> <li>judgments</li> <li>No</li> </ul>	<ul> <li>Yes all</li> <li>judgments</li> <li>Yes some</li> <li>judgments</li> <li>No</li> </ul>	<ul> <li>Yes all</li> <li>judgments</li> <li>Yes some</li> <li>judgments</li> <li>No</li> </ul>	Yes 🗖 No	Yes No	Yes No	Yes No
Administrative	<ul> <li> Yes all judgments</li> <li> Yes</li> <li>some</li> <li>judgments</li> <li>No</li> </ul>	<ul> <li>Yes all</li> <li>judgments</li> <li>Yes some</li> <li>judgments</li> <li>No</li> </ul>	<ul> <li>Yes all</li> <li>judgments</li> <li>Yes some</li> <li>judgments</li> <li>No</li> </ul>	Yes 🗋 No	Yes No	Yes No	Yes No

Comments - If it exists in other matters please specify:

Indicator 4. Access to justice - legal aid (for legal aid budget, please see indicator 1)

## Organisation of the legal aid system

Q086-0-0. Question 16 CEPEJ Questionnaire

## Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	☐ Yes ☐ No ☐ NA ☐ NAP	☐ Yes ☐ No ☐ NA ☐ NAP
Legal advice, ADR and other legal services	Yes No NA NAP	Yes No NA NAP

## Q086-0. Question 16-1 CEPEJ Questionnaire

Please briefly describe the organisation of the legal aid system in your country.

## Indicator 4.1 Number of cases for which legal aid has been granted

## **Q086.** Question 20 CEPEJ Questionnaire

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

	Total	Cases brought to court	Cases not brought to court
Total	/ NA / NAP	/ NA / NAP	/ NA / NAP
In criminal cases	/ NA / NAP	/ NA / NAP	/ NA / NAP
In other than criminal cases	/ NA / NAP	/ NA / NAP	/ NA / NAP

Comments - Please specify when appropriate:

## Indicator 4.2 (Amount of legal aid)

Q087. Question 23-0 CEPEJ Questionnaire

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

## 📘 Yes 📘 No

## **Q088.** Question 23 CEPEJ Questionnaire

If yes, please specify in the table:

• For full legal aid to the applicant:

	Annual income value (for	
	one person), (in €)	person), (in €)
for criminal cases	/ NA / NAP	/ NA / NAP
for other than criminal	/ NA / NAP	/ NA / NAP
cases		

• For partial legal aid to the applicant:

	Annual income value (for one person), (in €)	Assets value (for one person), (in €)
for criminal cases	/ NA / NAP	/ NA / NAP
for other than criminal	/ NA / NAP	/ NA / NAP
cases		

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

## Indicator 4.3 (Timeframes for granting legal aid)

## Q088-1. Question 20-1 CEPEJ Questionnaire

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	/ NA / NAP
Actual average duration	/ NA / 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:

## Indicator 5 Appointment/recruitment/mandate of judges/prosecutors

## **Indicator 5.1 Selection and recruitment**

Description of the specific procedure of recruitment (entry procedure/selection/appointment) for a judge:

Q089. Question 110 CEPEJ Questionnaire How are judges recruited?

Through a competitive exam (open competition)

Through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

Other, please specify:

## A. Criteria for entry into the process to become a judge

## Q090. What are the entry criteria (pre-conditions) to become a judge?

Criteria	Via Judicial Academy	Without Judicial Academy
Basic law studies		
Advanced law studies (masters or PhD)		
Judicial exam/bar exam		
Average grades in education		
Years of work experience		
Relevance of previous work experience		
Citizenship		
Age		
Clean criminal record		
Foreign language knowledge		
Entry test/exam		
Other		
NAP		

Comments - If "Other" or "Clean criminal record", please specify:

## Q091. Which authority is competent during the entry selection procedure?

	Via Judicial Academy	Without Judicial Academy
Parliament		
Executive power		
High Judicial Council		
Judicial Academy		
Other body		
NAP		

Comments - If "Other body" or "Executive power", please specify:

## Q092. Is there a public call for candidates to become a judge?

☐ Via the Judicial Academy ☐ Without Judicial Academy

## Q093. Are the entry criteria to become a judge publicly available?

	Via Judicial Academy	Without Judicial Academy
Yes, announced as part of the public call		
Yes, announced separately		
No		
Other		
NAP		

Comments - If "Other", please specify:

## Q094. Is there a list of pre-selected candidates which is public?

	Via Judicial Academy	Without Judicial Academy
Yes, published on the internet		
No, sent only to the candidates who participated in the competition		
No		
Other		
NAP		

Comments - If "Other", please specify:

## Q095. Is there a possibility for non-pre-selected candidates to appeal?

	Via Judicial Academy	Without Judicial Academy
Yes		
No		
NAP		

## Q096. If yes, what body is competent to decide on appeal?

	Via Judicial Academy	Without Judicial Academy
Parliament		
Executive power		
High Judicial Council		
Judicial Academy		
Other body		
Court		
NAP		

Comments - If "Other body", "Court" or "Executive power", please specify:

## B. Selection procedure for judges (after exam/interviews, etc.)

## Q097. What are the criteria for the selection of judges?

Criteria	Judicial Academy	Other than Judicial
	graduates	Academy graduates

Results/score from Judicial Academy training / Additional testing for non-Academy graduates	
Relevance of previous work experience	
Duration of previous work experience	
Interview evaluation	
Performance appraisal (from previous employer)	
Other criteria	
Automatic selection of each successful candidate from the Judicial Academy / or every pre-selected experienced candidate outside of Judicial Academy	
NAP	

Comments - If "Other criteria", please specify:

# **Q097-1** If you selected "Interview evaluation" in the previous Question, please indicate what measures are in place to ensure the transparency of the interview process:

- Minutes of the interviews are taken
- Audio or video recording of the interviews are taken
- A standardised Questionnaire is used for all candidates
- A standardised point system is used to evaluate the candidates
- Other
- □ NAP

## Q098. Which authority is competent to select judges?

	Via Judicial Academy	Without Judicial Academy
Parliament		
Executive power		
High Judicial Council		
Judicial Academy		
Other body		
NAP		

Comments - If "Other body" or "Executive power", please specify:

## C. Formal decision of appointment of judges (including by Parliament)

## Q099. Which authority is competent for the final appointment of a judge?

Parliament
 Executive power, please specify: \_\_\_\_\_
 High Judicial Council
 Judicial Academy
 Court/Court president concerned
 Higher court/Supreme Court
 Other body, please specify: \_\_\_\_\_

## Q100. Which competences has this authority in the final appointment procedure (multiple replies possible):

Only confirms all the selected (proposed) candidates

Has a right to appoint some and reject some among the selected (proposed) candidates

☐ Has a right to appoint candidates that were not selected (proposed) by the competent authority ☐ Other, please specify: \_\_\_\_\_

## Q101. May non-selected candidates appeal against the decision of appointment?

Yes
No

## Q102. If yes, what body is competent to decide on appeal?

Parliament	
Executive power	
High Judicial Council	
Judicial Academy	
Other body, please specify: _	

## Q103. How do you check the integrity of candidate judges?

Through the check of criminal records

Through the check of disciplinary proceedings and sanctions

☐ Through intelligence investigation

Through an integrity assessment test

Through psychological assessment

## D. Mandate of judges

## Q104. Question 121 CEPEJ Questionnaire

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

Yes. If yes, please indicate the compulsory retirement age: \_\_\_\_\_

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

## Q105. Question 122 CEPEJ Questionnaire

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



Duration of the probation period (in years):

### Q106. If yes, which authority is competent to decide if the probation period is successful?

Parliament
 Executive power, please specify: \_\_\_\_\_
 High Judicial Council
 Judicial Academy
 Court/Court president concerned
 Higher court/Supreme Court
 Other body, please specify: \_\_\_\_\_

### Q107. Is there a possibility to appeal against this decision?

🗌 Yes 🗌 No

Q108. Question 125 CEPEJ Questionnaire

If the mandate for judges is not for an undetermined period (see question 104), what is the length of the mandate (in years)?

Length of the mandate for judges (in years): \_\_\_\_\_ / NA/ NAP

Q109. Question 125-1 CEPEJ Questionnaire Is it renewable?

Yes No NAP

## Description of the specific procedure of recruitment (entry procedure/selection/appointment) for a prosecutor:

## Q111. Question 116 CEPEJ Questionnaire

## How are public prosecutors recruited?

Through a competitive exam (open competition)
 Through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

other

Comments - If "other", please specify:

## A. Criteria for entry into the process to become a prosecutor

## Q112. What are the entry criteria (pre-conditions) to become a prosecutor?

Criteria	Via Judicial Academy	Without Judicial Academy
Basic law studies		
Advanced law studies (master or PhD)		
Judicial exam/bar exam		
Average grades in education		
Years of work experience		
Relevance of previous work experience		
Citizenship		
Age		
Clean criminal record		
Foreign language knowledge		
Entry test/exam		
Other		
NAP		

Comments - If "Clean criminal record" or "Other", please specify:

## Q113. Which authority is competent during the entry selection procedure?

	Via Judicial Academy	Without Judicial Academy
Parliament		
Executive power		
High Judicial/Prosecutorial Council		
Prosecution services		
Judicial Academy		
Other body		
NAP		

Comments - If "Executive power" or "Other body", please specify:

## Q114. Is there a public call for candidates to become a prosecutor?

Via the Judicial Academy Without Judicial Academy

## Q115. Are the entry criteria to become a prosecutor publicly available?

	Via Judicial Academy	Without Judicial Academy
Yes, announced as part of the public call		
Yes, announced separately		
No		
Other		
NAP		

Comments - If "Other", please specify:

## Q116. Is there a list of pre-selected candidates which is public?

	Via Judicial Academy	Without Judicial Academy
--	----------------------	-----------------------------

Yes, published on the internet	
No, sent only to the candidates who participated in the competition	
No	
Other	
NAP	

Comments - If "Other", please specify:

## Q117. Is there a possibility of non-pre-selected candidates to appeal?

	Via Judicial Academy	Without Judicial Academy
Yes		
No		
NAP		

## Q118. If yes, what body is competent to decide on appeal?

	Via Judicial	Academy	<u>Without Judicial</u> <u>Academy</u>
Parliament			
Executive power			
High Judicial/Prosecutorial council			
Prosecution services			
Judicial Academy			
Other body			
Court			
NAP			

Comments - If "Other body", "Court" or "Executive power", please specify:

## B. Selection procedure for prosecutors (after exam/interview, etc)

## Q119. What are the criteria of selection of public prosecutor?

Criteria	Judicial Academy graduates	Other than Judicial Academy graduates
Results/score from Judicial Academy training/ Additional testing for non-Academy graduates		
Relevance of previous work experience		
Duration of previous work experience		
Interview evaluation		
Performance appraisal (from previous employer)		
Other criteria		
Automatic selection of each successful candidate from the Judicial Academy / or every pre-selected experienced candidate outside of Judicial Academy		
NAP		

Comments - If "Other criteria", please specify:

Q119-1 If you selected "Interview evaluation" in the previous Question, please indicate what measures are in place to ensure the transparency of the interview process:

- Minutes of the interviews are taken
- Audio or video recording of the interviews are taken
- A standardised Questionnaire is used for all candidates
- A standardised point system is used to evaluate the candidates
- Other
- □ NAP

## Q120. Which authority is competent during the selection procedure of a public prosecutor?

	Via Judicial Academy	<u>Without Judicial</u> <u>Academy</u>	
Parliament			
Executive power			
High Judicial/Prosecutorial Council			
Prosecution services			
Judicial Academy			
Other body			
NAP			

Comments - If "Other body" or "Executive power", please specify:

## C. Formal decision of appointment of prosecutors (including by Parliament)

## Q121. Which authority is competent for the final appointment of a prosecutor?

Parliament
Executive power, please specify
High Judicial/Prosecutorial Council
Judicial Academy
Other body, please specify:

## Q121-1 Which competences has this authority in the final appointment procedure (multiple replies possible):

Only confirms all the selected (proposed) candidates
 Has a right to appoint some and reject some among the selected (proposed) candidates
 Has a right to appoint candidates that were not selected (proposed) by the competent authority
 Other, please specify: \_\_\_\_\_

## Q122. May non-selected candidates appeal against the decision of appointment?

Yes
No

## Q123. If yes, what body is competent to decide on appeal?

Parliament
 Executive power, please specify: \_\_\_\_\_
 High Judicial/Prosecutorial Council
 Court/prosecution office
 Judicial Academy
 Other body, please specify: \_\_\_\_\_

## Q124. How do you check the integrity of candidate prosecutors?

- Through the check of criminal records
- Through the check of disciplinary proceedings and sanctions
- Through intelligence investigation
- Through an integrity assessment test
- Through psychological assessment

## D. Mandate of prosecutors

#### Q125. Question 123 CEPEJ Questionnaire

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

Yes.	If yes, please indicate the compulsory retirement age:
🔲 No	

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

## **Q126.** Question 124 CEPEJ Questionnaire

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

Yes 🗖 No

Duration of the probation period (in years): \_\_\_\_

## Q127. If yes, which authority is competent to decide if the probation period is successful?

Parliament

Executive power, please specify: \_\_\_\_\_\_\_ High Judicial/Prosecutorial Council

Judicial Academy

Prosecution office concerned

Higher prosecution office / Prosecutor general (State public prosecutor)

Other body, please specify: \_

## Q128. Is there a possibility to appeal against this decision?

☐ Yes ☐ No ☐ NAP

#### Q129. Question 126 CEPEJ Questionnaire

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

Length of the mandate for public prosecutors (in years): \_\_\_\_ / NA / NAP

#### Q130. Question 126-1 CEPEJ Questionnaire Is it renewable?

Yes No NAP

## **Indicator 6 Promotion**

#### For judges

## Q132. Which authority is competent for the promotion of judges?

Parliament

- Executive power, please specify:
- High Judicial Council
- Other body, please specify: \_\_\_\_

## **Q133.** Question 113 CEPEJ Questionnaire

What is the procedure for the promotion of judges? (multiple replies possible)

Competitive test / Exam

Previous individual evaluations

- 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):

## **Q134.** Question 113-1 CEPEJ Questionnaire

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 ticked the box "Performance" or "Other"):

## Q135. Can a decision on the promotion of judges be appealed?

🗌 Yes 🗌 No 🗌 NAP

## Q136. If yes, what is the body competent to decide on appeal?

Parliament
Executive power
High Judicial council
Court
Judicial academy
Other body

Comments - If "Executive power" and/or "Other", please specify:

## For prosecutors

## Q137. Which authority is competent for the promotion of prosecutors?

Parliament
Executive power, please specify: _
High Judicial/Prosecutorial Counci
Judicial Academy
Other body, please specify:

## Q138. Question 119 CEPEJ Questionnaire

## What is the procedure for the promotion of prosecutors? (multiple replies possible)

Competitive test / exam

- Previous individual evaluations
- 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):

### Q139. Question 119-2 CEPEJ Questionnaire

Please indicate the criteria used for the promotion of a prosecutor (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 information regarding the criteria (especially if you have ticked the box "Performance" or "Other"):

## Q140. Can a decision on the promotion of prosecutors be appealed?

🗌 Yes 🗌 No 🗌 NAP

## Q141. If yes, what body is competent to decide on appeal?

Parliament
 Executive power, please specify: \_\_\_\_
 High Judicial/Prosecutorial Council
 Court/prosecution office
 Judicial Academy
 Other body, please specify: \_\_\_\_

## **Indicator 7 Training**

## **Indicator 7.1 Training**

## Q142. Question 131-0 CEPEJ Questionnaire

## What is the implemented budget of the training institution(s)?

Type of institution	Implemented budget of the institution for the reference year, in €
One institution for judges	/ NA / NAP
One institution for prosecutors	/ NA / NAP
One single institution for both judges and prosecutors	/ NA / NAP

## Q143.Question 127 CEPEJ Questionnaire

Training of judges:

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

## Q144. Question 129 CEPEJ Questionnaire

Training of public prosecutors:

Type of training	Compulsory	Optional	No training proposed
Initial training			
General in-service training			
In-service training for specialised functions (e.g. public prosecutor specialised in organised crime)			
<b>In-service training for management functions</b> (e.g. Head of prosecution office, manager)			
In-service training for the use of computer facilities in office			
In-service training on ethics			

In-service training on child-friendly justice		
Other in-service training		

### Q145. Question 128 CEPEJ Questionnaire

Frequency of the in-service training of judges:

Type of training	Regularly (for example every year)	Occasional (as needed)	No training proposed
General in-service training			
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)			
In-service training for management functions of the court (e.g. court president)			
In-service training for the use of computer facilities in courts			
In-service training on ethics			
In-service training on child-friendly justice			
Other in-service training			

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

## Q146. Question 130 CEPEJ Questionnaire

Frequency of the in-service training of public prosecutors:

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

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

## Q146-1: Question 130-1 CEPEJ Questionnaire

## Do you have a minimum number of compulsory trainings:

	Per judge	Per prosecutor
Initial compulsory training - minimum number of trainings	/NA/NAP	/NA/NAP
Initial compulsory training - minimum number of days	/NA/NAP	/NA/NAP
In-service compulsory trainings - minimum number of trainings per year	/NA/NAP	/NA/NAP
In-service compulsory trainings - minimum number of days	/NA/NAP	/NA/NAP

Q147. Question 131-2 CEPEJ Questionnaire
	different training available live (in person, hybrid,	Number of delivered live (in person, hybrid, video conference) trainings	Number of days of delivered live(in person, hybrid, video conference) trainings	internet-based trainings	Number of internet-based trainings completed by justice professionals on other e- learning platforms (HELP, EJTN, UN, etc)
Total	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP
For judges	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP
For prosecutors	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP
For non-judge staff	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP
For non- prosecutor staff	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP

Number of in-service trainings available and delivered (in days) by the public institution(s) responsible for

Comments - Please specify if there are training courses of judges and/or prosecutors that include other professionals in the field of justice:

# Q147-1. Question 131-3 CEPEJ Questionnaire

# Number of participants of the trainings during the reference year

	live (in-person, hybrid, video conference) trainings	internet-based trainings	Number of internet-based trainings completed by justice professionals on other e-learning platforms (HELP, EJTN, UN, etc)
Total	/ NA / NAP	/ NA / NAP	/ NA / NAP
Judges	/ NA / NAP	/ NA / NAP	/ NA / NAP
Prosecutors	/ NA / NAP	/ NA / NAP	/ NA / NAP
Non-judge staff	/ NA / NAP	/ NA / NAP	/ NA / NAP
Non-prosecutor staff	/ NA / NAP	/ NA / NAP	/ NA / NAP

Q147-2. Number of unique participants of the trainings during the reference year

	Number of unique participants in live (in-person, hybrid, video conference) trainings
Total	/ NA / NAP
Judges	/ NA / NAP
Prosecutors	/ NA / NAP
Non-judge staff	/ NA / NAP
Non-prosecutor staff	/ NA / NAP

Q148. If in-service training is compulsory for judges, are sanctions foreseen if judges do not attend the training sessions? If yes, please specify.

Yes, please specify: \_\_\_\_\_

🗌 No

Q149. If in-service training is compulsory for prosecutors, are sanctions foreseen if prosecutors do not attend the training sessions? If yes, please specify.

□ Yes, please specify: \_\_\_\_\_

🗌 No

Q150. Do judges/public prosecutors have to undergo compulsory in-service training solely dedicated to prevention of corruption and conflicts of interest?

Judges

Public prosecutors

Comments - Please describe this training:

# Q151. If yes, what is the duration of this training in total?

Up to 1	day
2-3 day	s
longer	
NAP	

# Q152. If yes, how often during their career do they need to participate on this training?

	Frequency
	Only once
iudaoo	More than once on an ad hoc basis
judges	More than once on a regular basis
	NAP
	Only once
propagutoro	More than once on an ad hoc basis
prosecutors	More than once on a regular basis
	□ NAP

# Q153. Question 59-1 CEPEJ questionnaire

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

Domestic violence	Yes Yes, specifically for minor victims
Sexual violence	Yes Yes, specifically for minor victims

Comments - If yes, please specify:

# Indicator 7.2 Training in EU Law

Q154. Number of in-service trainings available (planned/offered) and delivered (organized) (in total and in days) in the reference year by the public institution(s) responsible for training concerning the following categories

	Number of	Number of	Number of days of	Number of	Number of
	different available	delivered live (in-	delivered live (in-	internet-based	internet-based
	• •	·	· · ·	trainings provided	trainings
	hybrid, video		video conference)	-	completed by
	conference)	trainings	J		justice
	trainings			training institution	
				. ,	other e-learning
					platforms (HELP,
					EJTN, UN, etc…)
	/ NA / NAP	/ NA /	/ NA / NAP	/ NA / NAP	/ NA / NAP
EU law		NAP			
	/ NA / NAP	/ NA /	/ NA / NAP	/ NA / NAP	/ NA / NAP
EU Charter of	/ NA / NAF	/ NA/	/ NA / NAF	/ NA / NAF	/ NA / NAF
Fundamental		INAF			
Rights/European					
Convention on					
Human Rights					

**Q154-1.** Number of participating judges and prosecutors to trainings in EU Law and EU Charter of Fundamental Rights/European Convention on Human Rights during the reference year organized by the public institution(s) responsible for training

Number of	Number of unique	Number of	Number of
participations in liv	ve participants in live	participations in	participations in
(in-person, hybrid o	or (in-person, hybrid or	internet-based	internet-based
different available l	live different available live	trainings provided on	trainings provided
(in person, hybrid,	(in person, hybrid,	the e-learning	on other e-learning
video conference)	video conference)	platform of the	platforms (HELP
trainings	trainings	training institution	EJTN, UN)
		(not live)	

	/ NA / NAP			
Judges				
	/ NA / NAP			
Prosecutors				

# Q155. Number of these in-service trainings available (planned) and delivered (organised) (in total and in days) in the reference year organised/financed by other stakeholders in the framework of co-operation programmes (for ex. EU funded projects).

	available live (in- person, hybrid, or different available live (in person, hybrid, video conference) trainings	delivered live (in-person hybrid or different available live (in	Number of days of delivered live (in- person, hybrid or different available live (in person, hybrid, video conference) trainings	internet-based trainings provided on the e-learning platform of the training institution (not live)	Number of internet-based trainings completed by justice professionals on other e- learning platforms (HELP, EJTN, UN, etc)
EU law	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP
EU Charter of Fundamental Rights/European Convention on Human Rights	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP

**Q155-1.** Number of participating judges and prosecutors to trainings in EU Law and EU Charter of Fundamental Rights/European Convention on Human Rights during the reference year organized by other stakeholders in the framework of co-operation programmes (for ex. EU funded projects).

	based trainings completed by justice professionals on other e-learning platforms (HELP, EJTN, UN,	participants in live (in-person, hybrid or different available live (in person, hybrid, video conference) trainings	participations in internet-based trainings provided on the e-learning platform of the	Number of participations in internet-based trainings provided on other e-learning platforms (HELP EJTN, UN)
Judges	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP
Prosecutors	/ NA / NAP	/ NA / NAP	/ NA / NAP	/ NA / NAP

# Indicator 7.3 Quality of judicial training

Q155-2. How do you identify (collect information about) future training needs? (multiple possible answers)

From the target audience itself

From the previous participants in trainings
From the trainers
From the Courts/prosecutor's offices
From the relevant judicial institutions
From the Ministry of Justice
Other, please specify:

# Q155-3. What is the frequency of assessing future training needs?

Annual
Biannual
Every 4-5 year
Other, please specify:
NAP

### Q155-4. Do you evaluate the in-service trainings (seminars, workshops, round tables)?

Yes
No

□ NAP

🗀 No

# Q155-5. If yes: what type of training evaluation model do you use?

Kirkpatrick training evaluation model

A combination Kirkpatrick and other training evaluation models

Other – please specify

# Q155.6. If yes: what is the frequency of training evaluation? (multiple possible answers)

Immediately after the training is delivered

3-6 months after the training is delivered

A year or more after the training

# Q155-7. If yes: what is the feedback of the training evaluation process used for (multiple possible answers):

To prepare a training evaluation report with recommendations

- To improve the training course which, according to the report, needed improvements
- To replace the trainers that failed to meet expected learning outcomes/were negatively evaluated

To suppress a training course

☐ To introduce a new course

☐ Other

# **Indicator 8 Accountability and processes affecting public trust**

# Indicator 8.1 Confidence and satisfaction of the public with their justice system

### Q156. Question 37 CEPEJ Questionnaire

Is there a system of compensation in the following circumstances:

	Number of requests for compensation	Number of compensations granted	Total amount of compensations granted (in €)
Total	/ NA / NAP	/ NA / NAP	/ NA / NAP
excessive length of proceedings	/ NA / NAP	/ NA / NAP	/ NA / NAP
non-execution of court decisions	/ NA / NAP	/ NA / NAP	/ NA / NAP
Wrongful arrest / detention	/ NA / NAP	/ NA / NAP	/ NA / NAP
wrongful conviction	/ NA / NAP	/ NA / NAP	/ NA / NAP

	other	/ NA / NAP	/ NA / NAP	/ NA / NAP
--	-------	------------	------------	------------

Comments - 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):

### Q156-1. Question 37-1 CEPEJ Questionnaire

Please specify which authorities are responsible for dealing with the requests and whether a legal time limit exists to deal with these requests:

	Responsible authorities	Legal time limit
Court concerned		
Higher court		
Ministry of Justice		
High Judicial Council		
Other external bodies (e.g. Ombudsman)		

### Q160. Question 85 CEPEJ Questionnaire

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



Comments - Please, could you briefly specify:

Q161. Question 85-1 CEPEJ Questionnaire

# If yes, what are:

	Total number of procedures/recusals
the total number of the initiated procedures in the reference year	/NA/NAP
the total number of recusals pronounced in the reference year:	/NA/NAP

Comments - Please, could you briefly specify:

# Q162-0. Question 115 CEPEJ Questionnaire 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)

Spart 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:

# Q162. Question 115-1 CEPEJ Questionnaire

Are specific instructions addressed to a public prosecutor to prosecute or not prohibited by the law or other regulation?



Comments - If yes, please specify:

# Q162-1. Question 115-2 CEPEJ Questionnaire

# If they are prohibited by the law or other regulation, are there exceptions?

Yes
No
NAP

Comments - Please describe this exception:

Q162-2-0. Question 115-3 CEPEJ Questionnaire Which authority can issue such specific instructions?

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

Comments - If "Other", please specify:

# Q162-2. Question 115-4 CEPEJ Questionnaire

# What form these instructions may take?

Oral instruction
Oral instruction with written confirmation
Written instruction
Other
NAP

Comments - If "Other", please specify:

# Q162-3. Question 115-5 CEPEJ Questionnaire

# In that case, are the instructions:



# Comments - If "Other", please specify:

### Q162-4. Question 115-6 CEPEJ Questionnaire

# What is the frequency of this type of instructions:

- Exceptional
   Occasional
   Frequent
   Systematic

# 162-4-1 How many instructions addressed to a public prosecutor to prosecute or not were issued in the reference year?

\_\_\_\_ / NA/ NAP

# Q162-5. Question 115-7 CEPEJ Questionnaire

# 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:

### Q163. Question 31 CEPEJ Questionnaire

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			
Victims of terrorism			
Minors (witnesses or victims)			
Victims of domestic violence			
Ethnic minorities			
Persons with disabilities			
Juvenile offenders			
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)			

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

# Indicator 8.2 Promotion of integrity and prevention of corruption

# Q164. What are the legal provisions in the hierarchy of norms, which guarantee the independence of judges?

Constitution
Special law
Bylaw
Other, please specify:

# Q165. Please indicate the articles and copy the relevant legal provisions in English which ensure guarantees of the independence of judges:

Q166. What are the legal provisions in the hierarchy of norms, which guarantee the independence of prosecutors?

Constitution
Special law
Bylaw
Other, please specify:

**Q167.** Please indicate the articles and copy the relevant legal provisions in English which guarantee the independence of prosecutors:

Q168. Please indicate and copy the terms of the laws and regulations (criminal code, law on disciplinary liability, codes of conduct, etc.) which describe the different possible breaches of integrity of judges:

Q169. Please indicate and copy the terms of the laws and regulations (criminal code, law on disciplinary liability, codes of conduct, etc.) which describe the different possible breaches of integrity of prosecutors:

Q170. Please indicate and copy the terms of the laws and regulations (criminal code, law on disciplinary liability, codes of conduct, etc.) which describe the different possible breaches of integrity of staff of the court:

### Q171. Number of criminal cases against judges or prosecutors.

	Number of initiated cases	Number of completed cases	Number of sanctions pronounced
Judges	/ NA / NAP	/ NA / NAP	/ NA / NAP
Prosecutors	/ NA / NAP	/ NA / NAP	/ NA / NAP

### Q172-0. Are specific measures to prevent corruption in place?

	Judges	Prosecutors
Mandatory rotation of judges, prosecutors, and staff	Yes / No	Yes / No
Gift rules	Yes / No	Yes / No
Specific training	Yes / No	Yes / No
Internal controls	Yes / No	Yes / No
Safe complaints mechanisms	Yes / No	Yes / No
Other (please specify)	Yes / No	Yes / No
No mechanism in place	Yes / No	Yes / No

### Q172. Is there a code of ethics applicable to all judges? Please provide the link.

Yes. Please provide the link \_\_\_\_\_\_

🗌 No

Q173. If yes, is it regularly updated?

Yes
No
NAP

If yes, please specify how often:

# Q173-1 Does the Code of Ethics contains principles on:

Adherence to judicial values (independence, integrity, impartiality)

Relationship with institution, citizens and users

Competence and continuing education

Extrajudicial activities
--------------------------

Conflict of interest

Information disclosure and relationship with press agencies

Political activity

Association membership and institutional positions

Gift rules

If yes, please specify how often:

Q174. Is there a code of ethics applicable to all prosecutors? Please provide the link.

☐ Yes Please provide the link	
No	

# Q175. If yes, is it regularly updated?

Yes
No
NAP

# Q175-1 Does the Code of Ethics contains principles on:

- Relationship with institution, citizens and users
- Competence and continuing education

Extrajudicial activities

Conflict of interest

Information disclosure and relationship with press agencies

Political activity

Association membership and institutional positions

Gift rules

If yes, please specify how often:

# Q176. Question 138 CEPEJ Questionnaire

Is there in your country an institution / body giving guidelines and/or 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 -Please specify

# Q177. Question 138-1 CEPEJ Questionnaire

# If yes, who are the members of this institution / body ?

☐ Only judges ☐ Judges and

Judges and other legal professionals

Other, please specify:

# Q178. Question 138-2 CEPEJ Questionnaire

# 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.:

Q178-1. Question 138-2-1 CEPEJ Questionnaire

### How many opinions were given during the reference year?

/NA/NAP

Comments -- Please specify what were the topics addressed?

### Q179. Question 138-3 CEPEJ Questionnaire

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



Comment - Please specify the name and status of the institution/body

# Q180. Question 138-4 CEPEJ Questionnaire

### If yes, who are the members of this institution / body ?

Only prosecutors
 Prosecutors and other legal professionals
 Other, please specify:

#### Q181. Question 138-5 CEPEJ Questionnaire

# Are the opinions of this institution / body publicly available?

Yes
No
NAF

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

Q181-1. Question 138-5-1 CEPEJ Questionnaire

How many opinions were given during the reference year?

\_\_\_\_\_ /NA/NAP

Comments - Please specify what were the topics addressed?

Q182. Is there in your system an established mechanism to report attempts on influence/corruption on judges and prosecutors?

☐ for judges,☐ for prosecutors,

please describe \_\_\_\_\_\_ please describe \_\_\_\_\_\_

# Q183. Is transparency in distribution of court cases ensured in your judicial system?

□ Yes □ No

### Q184. How is distribution of court cases organized in your system?

automatic allocation (first available judge/allocation from predefined list)

] random allocation (completely by random algorithm)

- other type of allocation, please describe: \_\_\_\_\_
- specific allocation for priority cases, please describe:
- possibility to exclude a judge from the allocation, please describe: \_\_\_\_\_
- all interventions on the system are irreversibly logged/registered

Comments - If there are exceptions from the main process, please specify:

### Q185. What are the different possible reasons for reassigning a case?

Conflict of interest declared by the judge or by the parties

- Recusal of the judge or requested by the parties
- Physical unavailability (illness, longer absence)
- Other, please specify:

#### Q185-1. How many reassignments of cases were processed in the reference year?

	Number of reassignments
TOTAL	/NA/NAP
Conflict of interest declared by the judge or by the parties	/NA/NAP
Recusal of the judge or requested by the parties	/NA/NAP
Physical unavailability (illness, longer absence)	/NA/NAP
Other,	/NA/NAP

Comments - if other please specify:

#### Q186. Does the reassignment of cases have to be reasoned?

Yes, for all reassignments
 Yes, for some reassignments
 No
 NAP

Comments - Please specify:

# Q187. Are all reassignments of cases processed through the computerised distribution of cases?

Yes
No
NAP

#### Q188. If yes, how are reassignments of cases processed:

- automatic allocation (first available/allocation from predefined list)
- random allocation (completely by random algorithm)
- by discretion of a president of a court, please describe: \_
- other, please describe: \_\_\_\_
- all interventions on the system are irreversibly logged/registered

**Q189.** Level of implementation of the recommendations addressed by GRECO (Council of Europe Group of States against Corruption) to the country concerned in its Evaluation Report (in the framework of the 4th cycle of evaluation concerning the prevention of corruption in respect of members of parliament, judges and prosecutors)

# **Indicator 8.3 Declaration of assets**

For judges

# Q190. Which law(s) and regulation(s) require a declaration of assets by judges?

	Constitution
	Law regulating the status of judges
	Law on High Judicial Council
	Special law
	Special regulation
	Bylaw
	Other
$\square$	NAP

# Q191. Please indicate and copy the terms of these law(s) and regulation(s) in English which require a declaration of assets by judges:

Q192. Can you provide the declaration of assets form (attachment)?

□ NAP

# Q193. What items are to be declared?

assets	
financial interests	
sources of income	
liabilities	
☐ gifts	
others. Please specify.	
NAP	

# Q194. What is the moment of the declaration of assets of judges?

at the beginning of the term of office
 at the end of the term of office
 when there is a significant change in the items to be declared.
 other
 NAP

Comments - Please specify what a significant change is:

### Q195. Does this declaration concern the members of the family?

spouse
partner,
children (under legal age)
adult children
other family members, please specify:
NAP

# Q196. Is the declaration for family members the same as for the judge?

Yes
No
NAP

Q197. Which authority receives the declaration? Please specify the status and nature of this authority (is it an independent body, what is the procedure for appointing members etc.):

🗌 NAP

### Q198. Are these declarations of assets verified as regards:

- the timeliness of the form/declaration
   the completeness of the form/declaration
   the accuracy of the content of the declaration

unexplained financial discrepancies (unusual change in assets, liabilities, income, etc.)

□ NAP

### Q199. Is there a register of declaration of assets?

- 🗌 Yes 🗌 No
- □ NAP

### Q200. Where is the declaration published?

On internet

- In an official journal
- Other, please specify: \_\_\_\_
- Not published

## Q201. What is the sanction in case of non-declaration of assets?

Warning
 Fine
 Withdrawal from cases
 Transfer to another geographical (court) location

- Suspension
- Other criminal sanction, please specify:
- Other disciplinary sanction, please specify: \_
- Other, please specify:
- □ NAP

# Q202. Number of proceedings against judges due to violations/discrepancies in their declaration of assets:

	Number of cases initiated	Number of cases completed	Number of sanctions pronounced
Number	/ NA / NAP	/ NA / NAP	/ NA / NAP

# For prosecutors

### Q203. Which law(s) and regulation(s) require a declaration of assets by prosecutors

Constitution

- Law on High Judicial/Prosecutorial Council
- Special law

Special regulation

Bylaw

Other, please specify: \_\_\_\_ NAP

# Q204. Please indicate and copy in English the terms of these law(s) and regulation(s) which require a declaration of assets by prosecutors:

□ NAP

# Q205. Can you provide the declaration of assets form? (attachment)

- ☐ Yes
- ΠNo
- NAP

# Q206. What items are to be declared?

- assets financial interests sources of income
- liabilities
- gifts
- others, please specify:

# Q207. What is the moment of the declaration of assets of prosecutors?

- ☐ at the beginning of the term of office ☐ at the end of the term of office
- when there is a significant change in the items to be declared
- other

□ NAP

Comments - Please specify what a significant change is:

# Q208. Does this declaration concern the members of the family?

	spouse
Π	partner
_ (	children (under legal age)
_	adult children
_ (	other family members, please specify:
1	NAP

# Q209. Is the declaration for family members the same as for the prosecutor?

Yes
No
NAP

# Q210. Which authority receives the declaration?

□ NAP

# Q211. Are these declarations of assets verified as regards:

☐ the timeliness of the form/declaration ☐ the completeness of the form/declaration

the accuracy of the content of the declaration

unexplained financial discrepancies (unusual change in assets, liabilities, income, etc.)

# 

# Q212. Is there a register of declaration of assets?

Yes
No
NAP

# Q213. Where is the declaration published?

On internet

- In an official journal
- Other, please specify: \_\_\_\_
- Not published

🗌 NAP

# Q214. What is the sanction in case of non-declaration of assets?

	Warning
_	Fine
	Withdrawal from cases
	Transfer to another public prosecution office
	Suspension
	Other criminal sanction, please specify:
	Other disciplinary sanction, please specify::
	Other, please specify:
$\square$	NAP

# **Q215.** Number of proceedings against prosecutors due to violations/discrepancies in their declaration of assets:

	Number of cases initiated	Number of cases completed	Number of sanctions pronounced
Number	/ NA / NAP	/ NA / NAP	/ NA / NAP

# **Indicator 8.4 Conflicts of interests**

### For judges

**Q216.** Please indicate the title(s) of the law(s)/regulation(s), the article and copy the text in English (law on prevention of "conflicts of interest" but also criminal procedure code, civil procedure code, code of ethics, etc.) concerning conflicts of interest of judges (and related issues such as recusals, accessory activities, gifts):

Q217. Select and describe the procedures/mechanisms for managing (potential) conflicts of interest of judges:

Regulation/procedure on reporting a (potential) conflict of interest

Regulation/procedure for recusal/withdrawal from a case

Regulation on receiving gifts

Regulation on combining the profession of a judge with other functions/professional activities

Other, please specify

# Q218. Question 135 CEPEJ Questionnaire

# Can judges combine their work with any of the following other functions/activities?

Functions/activities	With remuneration	Without remuneration
Teaching		
Research and publication		
Arbitrator		
Consultant		
Cultural function		
Political function		
Mediator		
Other function		

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

# Q219. Is an authorisation needed to perform these accessory activities for judges?

Yes
No
Yes, for some
NAP

# Q220. If yes, who is giving authorisation for these accessory activities for judges?

The court in question
High Judicial Council
Other, please specify: _
NAD

### Q221. If not, does the judge have to inform his or her hierarchy about these accessory activities?

Yes
No

# Q222. Under which law/regulation are proceedings for breaches of rules on conflicts of interest in respect of judges regulated?

Iaw on prevention of conflict of interest
criminal procedure code
civil procedure code
code of ethics
law on judges
Iaw on the High Judicial Council
other, please specify:

# Q223. In which law is the procedure to sanction breaches of the rules on conflicts of interest in respect of judges regulated:

law on the prevention of conflicts of interest
criminal procedure code
Criminal code
civil procedure code
🗌 civil code
code of ethics
🗌 law on judges
Iaw on the High Judicial Council
other, please specify:

Comments - Please briefly describe the procedure:

# Q224. Number of procedures initiated/completed/sanctions pronounced for breaches of the rules on conflicts of interest in respect of judges in the reference year

	Number of cases initiated	Number of cases completed	Number of sanctions pronounced
Number	/ NA / NAP	/ NA / NAP	/ NA / NAP

# For prosecutors

Q225. Please indicate the title(s) of the law(s)/regulation(s), the article and copy the text in English (law on prevention of "conflicts of interest" but also criminal procedure code, civil procedure code, code of ethics, etc.) concerning conflicts of interest of prosecutors (and related issues such as recusals, accessory activities, gifts):

# Q226. Select and describe the procedures/mechanisms for managing (potential) conflicts of interest of prosecutors:

Regulation/procedure on reporting a (potential) conflict of interest

Regulation/procedure for recusal/withdrawal from a case

Regulation on receiving gifts

Regulation on combining the profession of a prosecutor with other functions/professional activities

Other, please specify

# Q227. Question 137 CEPEJ Questionnaire

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

Functions/activities	With remuneration	Without remuneration
Teaching		
Research and publication		
Arbitrator		
Consultant		
Cultural function		
Political function		
Mediator		
Other function		

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

# Q228. Is an authorisation needed to perform these accessory activities for public prosecutors?

Yes
No
Yes, for some
NAP

Q229. If yes, who is giving authorisation for these accessory activities for public prosecutors?

The public prosecution office in question

High Judicial/Prosecutorial Council

Other, please specify:

Q230. If not, does the prosecutor have to inform his or her hierarchy about these accessory activities?



Q229. If yes, who is giving authorisation for these accessory activities for public prosecutors?

The public prosecution office in question

High Judicial/Prosecutorial Council

Other, please specify:

**Q231.** Under which law/regulation are proceedings for breaches of rules on conflicts of interest in respect of prosecutors regulated?

law on the prevention of conflict of interests
criminal procedure code
civil procedure code
code of ethics
law on public prosecutors/public prosecution
law on the Judicial/Prosecutorial Council
other, please specify:
NAP

Comments - Please briefly describe the procedure:

# Q232. In which law is the procedure to sanction breaches of the rules on conflicts of interest in respect of prosecutors regulated:

	w on the prevention of conflict of interests
🗌 cr	iminal procedure code
🗌 cr	iminal code
🗌 ci	vil procedure code
🗌 ci	vil code
🗌 co	ode of ethics
🗌 la	w on public prosecutors/public prosecution
🗌 la	w on the High Judicial/Prosecutorial Council
🗌 ot	her, please specify:
🗍 N.	AP

# Q233. Number of procedures initiated/completed/sanctions pronounced for conflicts of interests against prosecutors in the reference year

	Number of cases initiated	Number of cases completed	Number of sanctions pronounced
Number	/ NA / NAP	/ NA / NAP	/ NA / NAP

# Indicator 8.5 Discipline

# Description of the disciplinary procedure against judges:

# Q234. Question 140 CEPEJ Questionnaire

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



# Q235. Question 142 CEPEJ Questionnaire

# 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:

### Q236. What are the possibilities for the judge to present an argumentation? (multiple replies possible)

Hearing
Written submission
None

# Q237. Number of disciplinary proceedings initiated during the reference year against judges.

Type of disciplinary proceeding - initiated	Judges
Total number (1 to 5)	/ NA / NAP
1. Breach of professional ethics (including breach of	/ NA / NAP
integrity)	
2. Professional inadequacy	/ NA / NAP
3. Corruption	/ NA / NAP
4. Other criminal offence	/ NA / NAP
5. Other	/ NA / NAP

Comments - If "Other", please describe what is included in this category:

# Q237-1. If you choose "Professional inadequacy", please describe what is included in this category?

# Q238. Number of cases completed in the reference year against judges.

Type of disciplinary proceeding – completed	Judges
Total number (1 to 5)	/ NA / NAP
1. Breach of professional ethics (including breach of integrity)	/ NA / NAP
2. Professional inadequacy	/ NA / NAP
3. Corruption	/ NA / NAP
4. Other criminal offence	/ NA / NAP
5. Other	/ NA / NAP

# Q239. Question 145 CEPEJ Questionnaire

Number of sanctions pronounced during the reference year against judges.

Type of sanctions	Judges
Total number (total 1 to 10)	/ NA / NAP
1. Reprimand	/ NA / NAP
2. Suspension	/ NA / NAP
3. Withdrawal from cases	/ NA / NAP
4. Fine	/ NA / NAP
5. Temporary reduction of salary	/ NA / NAP
6. Position downgrade	/ NA / NAP
7. Transfer to another geographical (court) location	/ NA / NAP
8. Resignation	/ NA / NAP
9. Other	/ NA / NAP
10. Dismissal	

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:

# Q240. Can a disciplinary decision be appealed?



Q241. If yes, what body is competent to decide on appeal?

Court	
Higher Court / Supreme Court	
High Judicial Council	
Disciplinary court or body	
Ombudsman	
Parliament	
Executive power, please specify: _	
Other, please specify:	

# Q242. Question 121-1 CEPEJ Questionnaire

### Can a judge be transferred to another court without his/her consent?

For disciplinary reasons
 For organisational reasons
 For other reason, please specify modalities and

For other reason, please specify modalities and safeguards: \_\_\_\_
No

### Description of the disciplinary procedure against prosecutors:

### Q243. Question 141 CEPEJ Questionnaire

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



# Q244. Question 143 CEPEJ Questionnaire

# 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, please specify: \_\_\_\_\_
Executive power, please specify: \_\_\_\_\_
Other, please specify: \_\_\_\_\_

#### Q245. What are the possibilities for prosecutors to present an argumentation (multiple replies possible)?

Hearing
Written submission
None

# Q246. Number of disciplinary proceedings initiated during the reference year against public prosecutors.

Type of disciplinary proceeding - initiated	Prosecutors
Total number (1 to 5)	/ NA / NAP
1. Breach of professional ethics (including breach of integrity)	/ NA / NAP
2. Professional inadequacy	/ NA / NAP
3. Corruption	/ NA / NAP
4. Other criminal offence	/ NA / NAP
5. Other	/ NA / NAP

Comments - If "Other", please describe what is included in this category:

# Q246-1. If you choose "Professional inadequacy", please describe what is included in this category?

Q247. Number of cases completed in the reference year against public prosecutors.
---

Type of disciplinary proceeding - completed	Prosecutors
Total number (1 to 5)	/ NA / NAP
1. Breach of professional ethics (including breach of	/ NA / NAP
integrity)	
2. Professional inadequacy	/ NA / NAP
3. Corruption	/ NA / NAP
4. Other criminal offence	/ NA / NAP
5. Other	/ NA / NAP

# Q248. Question 145 CEPEJ Questionnaire

# Number of sanctions pronounced during the reference year against public prosecutors.

Type of sanctions	Prosecutors
Total number (total 1 to 10)	/ NA / NAP
1. Reprimand	/ NA / NAP
2. Suspension	/ NA / NAP
3. Withdrawal from cases	/ NA / NAP
4. Fine	/ NA / NAP
5. Temporary reduction of salary	/ NA / NAP
6. Position downgrade	/ NA / NAP
7. Transfer to another public prosecution	/ NA / NAP
8. Resignation	/ NA / NAP
9. Other	/ NA / NAP
10. Dismissal	/ 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:

# Q250. Can the disciplinary decision be appealed?



### Q251. If yes, what body is competent to decide on appeal?

Supreme Court

- Head of the organisational unit or hierarchical superior public prosecutor
- 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: \_\_\_\_

# **Indicator 9 Alternative Dispute Resolution**

# Q252. Question 163 CEPEJ Questionnaire

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

🔲 Yes 📃 No

### Q253. Question 163-1 CEPEJ Questionnaire

### 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:

# Q254. Question 163-2 CEPEJ Questionnaire

# In some fields, does the legal system provide for mandatory informative sessions with a mediator?

- 🗌 Yes 🔲 No
- NAP

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

# **Q255.** Question 164 CEPEJ Questionnaire

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

Type of cases	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
Civil and commercial cases	□Yes	□Yes	□Yes	□Yes
	∐No	∐No	∐No	∐No
			NAP	
Family cases	□Yes	□Yes	□Yes	□Yes
	□No	□No	□No	□No
	□ NAP	□ NAP	□ NAP	□ NAP
Administrative cases	□Yes	□Yes	□Yes	□Yes
	□No	□No	□No	□No
	□ NAP	□ NAP	□ NAP	□ NAP
Labour cases including	□Yes	□Yes	□Yes	□Yes
employment dismissals	□No	□No	□No	□No
	□ NAP	□ NAP	□ NAP	□ NAP
Criminal cases	□Yes	□Yes	□Yes	□Yes
	□No	□No	□No	□No
	□ NAP	□ NAP	□ NAP	□ NAP
Consumer cases	□Yes	□Yes	□Yes	□Yes
	□No	□No	□No	□No
	□NAP	□NAP	□ NAP	□NAP

### **Q256.** Question 165 CEPEJ Questionnaire

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

Yes No NAP

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

# Q257. Question 166 CEPEJ Questionnaire

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

Total	Males Females	
/ NA / NAP	/ NA / NAP	/ NA / NAP

# Q257-1. Question 166-1 CEPEJ Questionnaire

Could you please describe what are the requirements and what is the procedure to become an accredited or registered mediator in your country (educational requirements, working experiences, accrediting procedure etc)?

# **Q258.** Question 167 CEPEJ Questionnaire

Number of court-related mediations:

	parties agreed to start mediation		a settlement agreement
Total (1 + 2 + 3 + 4 + 5+ 6)	/ NA / NAP	/ NA / NAP	/ NA / NAP
1. Civil and commercial cases	/ NA / NAP	/ NA / NAP	/ NA / NAP
2. Family cases	/ NA / NAP	/ NA / NAP	/ NA / NAP
3. Administrative cases	/ NA / NAP	/ NA / NAP	/ NA / NAP
4. Labour cases including employment dismissal	/ NA / NAP	/ NA / NAP	/ NA / NAP
cases			
5. Criminal cases	/ NA / NAP	/ NA / NAP	/ NA / NAP
6. Consumer cases	/ NA / NAP	/ NA / NAP	/ NA / NAP
7. Other cases	/ NA / NAP	/ NA / NAP	/ NA / NAP

# 🗌 NAP

Comments - Please indicate the source:

### Q259. Question 168 CEPEJ Questionnaire

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

Mediation other than court-related mediation

Conciliation (if different from mediation)

Other ADR, please specify: \_\_\_\_

# Indicator 10 ECtHR

# Indicator 10.1 ECHR

# Q260. Question 86 CEPEJ Questionnaire

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

For civil procedures (non-enforcement):

For civil procedures (timeframe):

For criminal procedures (timeframe):

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):

### Q261. Question 86-1 CEPEJ Questionnaire

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?

Yes
No
NAP

Q262. Number of applications against the country allocated to a judicial formation of the European Court of Human Rights during the reference year (Data to be provided by ECHR or Department of execution of judgments of ECHR)

Q263. Number of judgments delivered against the country finding at least one violation of the European Convention on Human Rights (Data to be provided by ECHR or Department of execution of judgments of ECHR)

Q263-1. Number of judgments delivered against the country finding at least one violation of the Article 6 of the European Convention on Human Rights (Data to be provided by ECHR or Department of execution of judgements of ECHR)

Right to a fair trial	
-----------------------	--

Length of proceedings	
Non-enforcement	

**Q264.** Number of cases considered as closed after a judgment of the European Court of Human Rights and the execution of judgments process (Data to be provided by ECHR or Department of execution of judgments of ECHR)

# Indicator 11 Council for the Judiciary/ Prosecutorial Council

# Q265. Do you have a Council for the Judiciary?

Competent only for judges

Competent only for prosecutors

Competent for judges and prosecutors

# **Q266.** What is the composition of the Council(s)? Please specify the number of members from relevant bodies/institutions?

Number of members proposed by:	Single Council for the judiciary	Council for judges only	Council for prosecutors only
Total	/ NA / NAP	/ NA / NAP	/ NA / NAP
Highest authority (Supreme Court/Highest prosecution instance)	/ NA / NAP	/ NA / NAP	/ NA / NAP
Constitutional Court	/ NA / NAP	/ NA / NAP	/ NA / NAP
Second instance (courts/prosecution offices)	/ NA / NAP	/ NA / NAP	/ NA / NAP
First instance (courts/prosecution offices)	/ NA / NAP	/ NA / NAP	/ NA / NAP
Parliament	/ NA / NAP	/ NA / NAP	/ NA / NAP
Ministry of justice	/ NA / NAP	/ NA / NAP	/ NA / NAP
Ministry of interior	/ NA / NAP	/ NA / NAP	/ NA / NAP
Academics	/ NA / NAP	/ NA / NAP	/ NA / NAP
Bar Association	/ NA / NAP	/ NA / NAP	/ NA / NAP
Civil Society Organisations	/ NA / NAP	/ NA / NAP	/ NA / NAP
Other	/ NA / NAP	/ NA / NAP	/ NA / NAP

Comments - If "Other", please describe where the other members come from and how many:

# Q267. What is the procedure to appoint the different members of the Council(s):

In case of a single Council for the judiciary	NAP
In case of a Council for judges only	NAP
In case of a Council for prosecutors only	NAP

# Q268. Are there selection criteria for non-judge/non-prosecutor members in the Council(s)?

🗌 Yes 🗌 No

If yes, what are the criteria?

### Q269. What is the term of office of the members of the Council(s) in years?

	Single Council for the judiciary	Council for judges only	Council for prosecutors only
Term of office as member of the Council	/ NA / NAP	/ NA / NAP	/ NA / NAP

Comments - If the term in office is different for different members, please specify:

# Q270. Conditions for the term of office of members of the Council(s)?

	Single Council for the judiciary	Council for judges only	Council for prosecutors only
Is the term of office of members renewable (in totality or partially)?			
Is it a full-time position?			
If not a full-time position, are members subject to evaluation procedures			

Comments - If you have additional comments please specify:

# **Q271.** Please describe the different competences of the Council(s).

Single Council for the judiciary

Council for judges only

Council for prosecutors only \_\_\_\_

Q272. Please describe what are the operational arrangements in place to avoid an over-concentration of powers in the same hands concerning the different functions to be performed by members of the Judicial Council/Prosecutorial Council?

□ NAP

# Q273. What accountability measures are in place regarding the activities of the Council(s)?

	Single Council for the judiciary	Council for judges only	Council for prosecutors only
published activity reports			
published decisions			
reasoned decisions			
other			

Comments - If "Other" please specify. Please provide links to the publication sites:

Q274. Is/Are the Council(s) competent when it is evident that there is a breach of the independence or the impartiality of a judge or pressure on a prosecutor?

	For judges	For prosecutors
Single Council for the judiciary	🔲 Yes 🛄 No 🛄 NAP	🔲 Yes 🛄 No 🛄 NAP
Council for judges only	Yes 🗌 No 🛄 NAP	🗌 Yes 🗌 No 🛄 NAP
Council for prosecutors only	🔲 Yes 🛄 No 🛄 NAP	🔲 Yes 🗌 No 🛄 NAP

Comments – If the Council(s) has/have this competence, please describe:

# **Indicator 12 Gender Equality**

# Q275. Question 61-2 CEPEJ Questionnaire

Are there specific provisions for facilitating gender equality within the framework of the procedures for recruiting:

-	judges	
	🗌 Yes 🗌 No	If "yes", please specify:
-	prosecutors	
	🗌 Yes 🗌 No	If "yes", please specify:
-	non-judge staff	
	🗌 Yes 🗌 No	If "yes", please specify:
-	lawyers	
	🗌 Yes 🗌 No	If "yes", please specify:
-	notaries	
	🗌 Yes 🗌 No	If "yes", please specify:
-	enforcement agents	
	🗌 Yes 🗌 No	If "yes", please specify:

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

# Q276. Question 61-3 CEPEJ Questionnaire

Are there specific provisions for facilitating gender equality within the framework of the procedures for promoting:

-	judges	
	🗌 Yes 🗌 No	If "yes", please specify:
-	prosecutors	
	🗌 Yes 🗌 No	If "yes", please specify:
-	non-judge staff	
	🗌 Yes 🗌 No	If "yes", please specify:
-	lawyers?	
	🗌 Yes 🗌 No	If "yes", please specify:
-	notaries	
	🗌 Yes 🗌 No	If "yes", please specify:
-	enforcement agents	
	🗌 Yes 🗌 No	If "yes", please specify:

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

# Q277. Question 61-3-1 CEPEJ Questionnaire

Are there specific provisions for facilitating gender equality within the framework of the procedures for the appointment of:

### court president

☐ Yes ☐ No If "yes", please specify:

### head of prosecution services

🗌 Yes 🗌 No

If "yes", please specify

### Q278. Question 61-5 CEPEJ Questionnaire

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

# 🗌 Yes 🗌 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?

# Q279. Question 61-6 CEPEJ Questionnaire

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

- the recruitment of judges
   Yes No if yes, please specify:
- the promotion of judges
   Yes No if yes, please specify:
- the recruitment of prosecutors
   Yes No if yes, please specify:
- the promotion of prosecutors
- the recruitment of non-judge staff
   ☐ Yes ☐ No if yes, please specify:
- the promotion of non-judge staff
   Yes No if yes, please specify:

Comments - Please specify the status of this person/institution and if it has an consultative function or if its opinions/decisions have legal consequences

# Q283. Question 61-7 CEPEJ Questionnaire

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:

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

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

# Q285. Question 61-9 CEPEJ questionnaire

# 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)
- NAP

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

# Q286. Question 61-10 CEPEJ Questionnaire

### Are there evaluation studies or official reports regarding the main causes of possible inequalities with regard to:

Recruitment procedures (please specify)	Yes, please specify No
Appointment to the position of court president	Yes, please specify No
Appointment to the position of head of prosecution services	Yes, please specify No
Promotion procedures and access to the functions of responsibility (please specify)	Yes, please specify No
Other studies	Yes, please specify

🗌 No

🗌 NAP

Comments - Please specify also the reference documents::

# Q287. Question 39 CEPEJ Questionnaire

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

Yes, please specify:No

Comments - If you have additional comments please specify:

# **Overview of reforms**

Q288. Question 208 CEPEJ Questionnaire

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:

Q288-1 Question 208-1 CEPEJ Questionnaire

### (Comprehensive) reform plans

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

Comments - If yes, please specify

Q288-2. Question 208-2 CEPEJ Questionnaire

Budget

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

Comments - If yes, please specify

Q288-3. Question 208-3 CEPEJ Questionnaire

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)

🗌 Ye	es (planned)
🗌 Ye	es (adopted)
🗌 Ye	es (implemented during year of reference +1)
	)

Comments - If yes, please specify

# Q288-4. Question 208-4 CEPEJ Questionnaire

# Access to justice and legal aid

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

Comments - If yes, please specify

### Q288-5. Question 208-5 CEPEJ Questionnaire

# **High Judicial Council and High Prosecutorial Council**

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

Comments - If yes, please specify

### Q288-6.

Legal professionals (judges, public prosecutors, lawyers): organisation, education and training, recruitment, promotion and other related aspects

Yes	(planned)
Yes	(adopted)
Yes	(implemente

s (implemented during year of reference +1) 

Comments - If yes, please specify

### Q288-7. Question 208-7 CEPEJ Questionnaire **Gender equality**

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

Comments - If yes, please specify

#### Q288-8. Question 208-8 CEPEJ Questionnaire

### Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities

☐ Yes (planned)

Yes (adopted)

☐ Yes (implemented during year of reference +1) ☐ No

Comments - If yes, please specify

# Q288-9. Question 208-10 CEPEJ Questionnaire

### Mediation and other ADR

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

Comments - If yes, please specify

Q288-10.

# Fight against corruption and accountability mechanisms

Yes (planned) Yes (adopted)

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

Comments - If yes, please specify

Q288-11. Question 208-14 CEPEJ Questionnaire **Domestic violence** 

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

Comments - If yes, please specify

Q288-12. Question 208-15 CEPEJ Questionnaire

# New information and communication technologies

Yes (planned)
 Yes (adopted)
 Yes (implemented during year of reference +1)

🗌 No

Comments - If yes, please specify