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Strasbourg, 19 October 2021

**EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE**

**(CEPEJ)**

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| --- |
| **Cooperation with the European Commission –**  **Dashboard Western Balkans (HF II)**  **QUESTIONNAIRE** |

**Reference Year**: 2021

Data collection from 19 October 2021 to 1st March 2022

**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.

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# 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 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:

**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  NAP |
| Probation services | Yes  No  NAP |
| High Judicial Council | Yes  No  NAP |
| High Prosecutorial Council | Yes  No  NAP |
| Constitutional court | Yes  No  NAP |
| 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 |
| Refugees and asylum seekers services | Yes  No  NAP |
| Immigration Service | Yes  No  NAP |
| Some police services (e.g.: transfer, investigation, prisoners’ security) | Yes  No  NAP |
| Other | Yes  No  NAP |

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:

**Legal Aid**

**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:

**Q013-1. Question 12-2 CEPEJ Questionnaire**

**Does legal aid include:**

|  |  |
| --- | --- |
|  | Legal aid includes |
| coverage of court fees | Yes  No  NAP |
| exemption from court fees | Yes  No  NAP |

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

**Doe legal aid budgets indicated in Q12 and Q13 include:**

|  |  |
| --- | --- |
|  | Amount calculated/estimated included |
| coverage of court fees | Yes  No  NAP |
| exemption from court fees | Yes  No  NAP |

# 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 average salary of a judge at this level, and not 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 average salary of a public prosecutor at this level, and not 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)?**

Yes

No

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) | ○ | ○ | ○ |
| Criminal cases (misdemeanour and/or minor) | ○ | ○ | ○ |
| Family law cases | ○ | ○ | ○ |
| Labour law cases | ○ | ○ | ○ |
| Social law cases |  |  |  |
| Commercial law cases | ○ | ○ | ○ |
| Insolvency cases | ○ | ○ | ○ |
| Other civil cases | ○ | ○ | ○ |

NAP

Comments - If “other civil cases”, please specify:

**Q024. Question 50 CEPEJ Questionnaire**

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

Yes

No

**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. *Rechtspfleger*** (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal | \_\_\_/ 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 *administrative tasks* and of the *management of the courts*** (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management) | \_\_\_/ 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 (court of appeal) level | \_\_\_/ NA / NAP | \_\_\_/ NA / NAP | \_\_\_/ NA / NAP |
| 3. Number of heads of prosecution offices at Supreme Court level | \_\_\_/ NA / NAP | \_\_\_/ NA / NAP | \_\_\_/ NA / NAP |

**Q029. Question 57 CEPEJ Questionnaire**

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

Yes

No

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?**

Yes

No

NAP

**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 |

***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 *other than criminal* law cases (1+2+3+4)** | | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP |
|  | | | | | |  |
| **1. Civil (and commercial) litigious cases** (including litigious enforcement cases and if possible without administrative law cases, see category 3) | | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ 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 |  |
| **2.2. Registry cases** (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 | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP |
|  | | | | | |  |
| **4. Other cases** | | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ 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 (1+2+3)** | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP |
| **1. Severe criminal cases** | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP |
| **2. Misdemeanour and / or minor criminal cases** | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP |
| **3. Other criminal cases** | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP |

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

***Second instance cases***

**Q039. Question 97 CEPEJ Questionnaire**

**Second instance courts (appeal): 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 second instance court** |
|  | | | | | |  |
| **Total of *other than criminal* law cases (1+2+3+4)** | | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP |
|  | | | | | |  |
| **1. Civil (and commercial) litigious cases** (including litigious enforcement cases and if possible without administrative law cases, see category 3) | | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ 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, 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 |  |
| **2.2. Registry cases** (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 | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP |
|  | | | | | |  |
| **4. Other cases** | | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP |

Comments - If “Other cases” please specify:

**Q040. Question 98 CEPEJ Questionnaire**

**Second instance courts (appeal): 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 second instance court** |
| **Total of criminal cases (1+2+3)** | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP |
| **1. Severe criminal cases** | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP |
| **2. Misdemeanour and / or minor criminal cases** | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP |
| **3. Other criminal cases** | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP |

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

***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 1st instance (in days)** | **Average length at 2nd instance (in days)** | **Average length at 3rd instance (in days)** | **Average total length of the total procedure (in days)** | **% of cases pending for more than 3 years for all instances** |
| Civil and commercial litigious cases | \_\_\_\_\_/ 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 / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / 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’, 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***

**Q044. Question 77 CEPEJ Questionnaire**

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

Yes

No

**Q045. Question 78 CEPEJ Questionnaire**

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

Number of incoming cases

Length of proceedings (timeframes)

Number of resolved cases

Number of pending cases

Backlogs

Productivity of judges and court staff

Satisfaction of court staff

Satisfaction of users (regarding the services delivered by the courts)

Costs of the judicial procedures

Number of appeals

Appeal ratio

Clearance rate

Disposition time

Other

Comments - If Other”, please specify:

**Q046. Question 77-1 CEPEJ Questionnaire**

**Concerning public prosecution activities, have you defined performance and quality indicators?**

Yes

No

**Q047. Question 78-1 CEPEJ Questionnaire**

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

Number of incoming cases

Length of proceedings (timeframes)

Number of resolved cases

Number of pending cases

Backlogs

Productivity of prosecutors and prosecution staff

Satisfaction of prosecution staff

Satisfaction of users (regarding the services delivered by the public prosecutors)

Costs of the judicial procedures

Clearance rate

Disposition time

Percentage of convictions and acquittals

Other

Comments - If “other”, please specify:

**Q048. Question 73 CEPEJ Questionnaire**

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

Yes

No

**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?**

Yes

No

**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 primarily on the defined indicators?**

Yes

No

**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: \_\_\_\_\_\_

***Measuring courts’ / public prosecution services’ activity***

**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:

**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  Yes  No

within the public prosecution services  Yes  No

Comments - If yes, please specify:

***Information regarding courts /public prosecution services 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

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

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)?**

Yes

No

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

Yes

No

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

○Annual

○Less frequent

○More frequent

***Courts administration***

**Q072. Question 82 CEPEJ Questionnaire**

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

Yes

No

Comments - If yes, please specify:

**Q073. Question 82-1 CEPEJ Questionnaire**

**Is there in general a process or structure of dialogue between lawyers and courts regarding the way cases are presented before courts in other than criminal matters (e.g. organisation, number and planning of hearings, on-call service for urgent cases)?**

Yes

No

Comments - If yes, please specify:

***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)?**

Yes

No

**Q075. Question 83-1 CEPEJ Questionnaire**

**Who is responsible for setting the individual 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 \_\_\_\_\_\_\_\_\_\_\_

NAP

**Q075-1. What are the consequences for a judge if quantitative targets are not met?**

Warning by court’s president

Disciplinary procedure

Temporary salary reduction

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

No consequences

**NAP**

**Q076. Question 114 CEPEJ Questionnaire**

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

Yes

No

**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: \_\_\_\_\_\_\_\_\_\_\_

NAP

**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)?**

Yes

No

**Q079. Question 83-3 CEPEJ Questionnaire**

**Who is responsible for setting the individual targets for each public prosecutor?**

Executive power (for example the Ministry of Justice)

Prosecutor General /State public prosecutor

Public Prosecutorial Council

Head of the organisational unit or hierarchically superior public prosecutor

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

NAP

**Q079-1. What are the consequences for a prosecutor if quantitative targets are not met?**

Warning by head of prosecution

Disciplinary procedure

Temporary salary reduction

Other (please specify) \_\_\_\_\_

No consequences

NAP

**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 \_\_\_\_\_\_\_\_\_\_\_

NAP

**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)?

Yes

No

**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)?**

Yes

No

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:**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **CMS deployment rate** | **Status of case online** | ***Centralised or interoperable database*** | ***Early warning signals (for active case management)*** | ***Status of integration/connection of a CMS with a statistical tool*** |
| **Civil and/or commercial** | ○100%  ○50-99%  ○10-49%  ○1-9%  ○0% (NAP)  ○NA | Accessible to parties  Publication of decision online  Both  Not accessible at all  NAP | Yes NoNAP | Yes NoNAP | Fully integrated including BI  Integrated  Not integrated but connected  Not connected at all  NAP |
| **Criminal** | ○100%  ○50-99%  ○10-49%  ○1-9%  ○0% (NAP)  ○NA | Accessible to parties  Publication of decision online  Both  Not accessible at all  NAP | Yes NoNAP | Yes NoNAP | Fully integrated including BI  Integrated  Not integrated but connected  Not connected at all  NAP |
| **Administrative** | ○100%  ○50-99%  ○10-49%  ○1-9%  ○0% (NAP)  ○NA | Accessible to parties  Publication of decision online  Both  Not accessible at all  NAP | Yes NoNAP | Yes NoNAP | Fully integrated including BI  Integrated  Not integrated but connected  Not connected at all  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 1st instance decisions*** | ***For 2nd instance decisions*** | ***For 3rd instance decisions*** | ***Link with ECHR case law*** | **Data anonymised** | **Case-law database available free online** | **Case-law database available in open data** |
| **Civil and/or commercial** | ○ Yes all judgments  ○ Yes some judgments  ○No | ○ Yes all judgments  ○ Yes some judgments  ○No | ○ Yes all judgments  ○ Yes some judgments  ○No | Yes No | Yes No | Yes No | Yes No |
| **Criminal** | ○ Yes all judgments  ○ Yes some judgments  ○No | ○ Yes all judgments  ○ Yes some judgments  ○No | ○ Yes all judgments  ○ Yes some judgments  ○No | Yes No | Yes No | Yes No | Yes No |
| **Administrative** | ○ Yes all judgments  ○ Yes some judgments  ○No | ○ Yes all judgments  ○ Yes some judgments  ○No | ○ Yes all judgments  ○ Yes some judgments  ○No | Yes No | Yes No | Yes No | Yes No |

Comments – If it exists in other matters please specify:

# Indicator 4. Access to justice - legal aid

**Organisation of the legal aid system**

Q086-0. **Question 16-0 CEPEJ Questionnaire**

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

|  |
| --- |
|  |

## 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 €) | Assets value (for one person), (in €) |
| for criminal cases | \_\_\_\_\_ / NA / NAP | \_\_\_\_\_ / NA / NAP |
| for other than criminal cases | \_\_\_\_\_ / NA / NAP | \_\_\_\_\_ / NA / NAP |

* **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 cases | \_\_\_\_\_ / NA / NAP | \_\_\_\_\_ / NA / NAP |

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?**

Mainly through a competitive exam (open competition)

Mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

A combination of both (competitive exam and working experience)

Other, please specify:

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

**Q090. What are the entry criteria 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 |  |  |
| Clean criminal record |  |  |
| Foreign language knowledge |  |  |
| Entry test |  |  |
| 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 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 |  |  |
| Age |  |  |
| 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 |  |  |
| 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

Court

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**:** \_\_\_\_\_\_

No

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?**

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

No

NAP

**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?**

mainly through a competitive exam (open competition)

mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

a combination of both (competitive exam and working experience)

other

Comments - If “other”, please specify:

1. **Criteria for entry into the process to become a prosecutor**

**Q112. What are the entry criteria 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 |  |  |
| Clean criminal record |  |  |
| Foreign language knowledge |  |  |
| Entry test |  |  |
| 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** | **Without Judicial Academy** |
| 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 |  |  |
| Age |  |  |
| 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 |  |  |
| 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** | **Without Judicial Academy** |
| 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 Duration of the probation period (in years): \_\_\_\_\_\_

No

**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

Judicial Academy

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

**Q133. Question 113 CEPEJ Questionnaire**

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

Competitive test / Exam

Other procedure (interview or other)

No special procedure

Comments - Please specify how the promotion procedure for judges is organised (especially if there is no competition or examination):

**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 Council

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

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 budget of the training institution(s)?**

|  |  |
| --- | --- |
| **Type of institution** | **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** |
| **Initial training** (e.g. attend a judicial school, traineeship in a court) |  |  |  |
| **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** |  |  |  |

**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) |  |  |  |
| **In-service training for management functions** (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** |  |  |  |

**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** |  |  |  |

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) |  |  |  |
| **In-service training for management functions** (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** |  |  |  |

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

**Q147. Question 131-2 CEPEJ Questionnaire**

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

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Number of in-person training courses available** | **Number of delivered in-person training courses in days** | **Online training courses available during the reference year (e-learning)** |
| Total | \_\_\_\_\_\_\_/ NA / NAP | \_\_\_\_\_\_\_/ NA / NAP | \_\_\_\_\_\_\_/ NA / NAP |
| For judges | \_\_\_\_\_\_\_/ NA / NAP | \_\_\_\_\_\_\_/ NA / NAP | \_\_\_\_\_\_\_/ NA / NAP |
| For prosecutors | \_\_\_\_\_\_\_/ NA / NAP | \_\_\_\_\_\_\_/ NA / NAP | \_\_\_\_\_\_\_/ NA / NAP |
| For non-judge staff | \_\_\_\_\_\_\_/ NA / NAP | \_\_\_\_\_\_\_/ NA / NAP | \_\_\_\_\_\_\_/ NA / NAP |
| For non-prosecutor staff | \_\_\_\_\_\_\_/ NA / NAP | \_\_\_\_\_\_\_/ NA / NAP | \_\_\_\_\_\_\_/ NA / NAP |
| Training for other professionals | \_\_\_\_\_\_\_/ NA / NAP | \_\_\_\_\_\_\_/ NA / NAP | \_\_\_\_\_\_\_/ NA / NAP |

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 training courses during the reference year**

|  |  |  |
| --- | --- | --- |
|  | **Number of participants in in-person training courses** | **Number of participants** **in online training courses (e-learning)** |
| Total | \_\_\_\_\_\_\_/ NA / NAP | \_\_\_\_\_\_\_/ NA / NAP |
| Judges | \_\_\_\_\_\_\_/ NA / NAP | \_\_\_\_\_\_\_/ NA / NAP |
| Prosecutors | \_\_\_\_\_\_\_/ NA / NAP | \_\_\_\_\_\_\_/ NA / NAP |
| Non-judge staff | \_\_\_\_\_\_\_/ NA / NAP | \_\_\_\_\_\_\_/ NA / NAP |
| Non-prosecutor staff | \_\_\_\_\_\_\_/ NA / NAP | \_\_\_\_\_\_\_/ NA / NAP |
| Other professionals | \_\_\_\_\_\_\_/ NA / NAP | \_\_\_\_\_\_\_/ 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 ethics, the 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 days

longer

NAP

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

|  |  |
| --- | --- |
|  | **Frequency** |
| judges | Only once  More than once on an ad hoc basis  More than once on a regular basis  NAP |
| prosecutors | Only once  More than once on an ad hoc basis  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 No  NA  NAP |
| Sexual violence | Yes  Yes, specifically for minor victims No  NA  NAP |

|  |
| --- |
| Comments - If yes, please specify: |

## Indicator 7.2 Training in EU Law

**Q154. Number of training courses organised by the institutions responsible for training and number of participating judges and prosecutors concerning the following categories**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Type of training** | **Number of in-person training courses available** | **Number of delivered in-person training courses in days** | **Number of online training courses (e-learning) available** | **Number of judges participating** | **Number of prosecutors participating** |
| 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. Number of these training courses organised/financed by other stakeholders in the framework of co-operation programmes (for ex. EU funded projects).**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Type of training** | **Number of in-person training courses available** | **Number of delivered in-person training courses in days** | **Number of online training courses (e-learning) available** | **Number of judges participating** | **Number of prosecutors participating** |
| 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 |

# 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 for compensating users in the following circumstances:**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Number of requests for compensation** | **Number of condemnations** | **Total amount (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 | \_\_\_\_\_ / 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):

**Q157. Question 40 CEPEJ Questionnaire**

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

Yes  No

**Q158. Question 41 CEPEJ Questionnaire**

**If yes, please specify certain aspects of this procedure:**

|  |  |  |
| --- | --- | --- |
|  | **Authority responsible for dealing with the complaint** | **Existence of a time limit to deal with the complaint for this authority** |
| Court concerned |  |  |
| Higher court |  |  |
| Ministry of Justice |  |  |
| High Judicial Council |  |  |
| Other external bodies (e.g. Ombudsman) |  |  |

**Q159. Question 41-1 CEPEJ Questionnaire**

**If yes, please specify certain aspects of this procedure:**

|  |  |  |
| --- | --- | --- |
|  | **Number of complaints** | **Compensation amount granted in euros** |
| TOTAL | \_\_\_\_\_ / NA / NAP | \_\_\_\_\_ / NA / NAP |
| Court concerned | \_\_\_\_\_ / NA / NAP | \_\_\_\_\_ / NA / NAP |
| Higher court | \_\_\_\_\_ / NA / NAP | \_\_\_\_\_ / NA / NAP |
| Ministry of Justice | \_\_\_\_\_ / NA / NAP | \_\_\_\_\_ / NA / NAP |
| High Judicial Council | \_\_\_\_\_ / NA / NAP | \_\_\_\_\_ / NA / NAP |
| Other external bodies (e.g. Ombudsman) | \_\_\_\_\_ / NA / NAP | \_\_\_\_\_ / NA / NAP |

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

**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?**

Yes

No

Comments - Please, could you briefly specify:

**Q161. Question 85-1 CEPEJ Questionnaire**

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

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

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)

Is part of the judicial power (without functional independence)

Is a mixed model (please explain)

Has other status (please explain)

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

**Q162. Question 115-1 CEPEJ Questionnaire**

**Does the law or other regulation prevent specific instructions to prosecute or not, addressed to a public prosecutor?**

Yes

No

Comments - If yes, please specify:

**Q162-1. Question 115-2 CEPEJ Questionnaire**

**If you answered “Yes” to Q162, are there exceptions provided by the law/regulations?**

Yes

No

NAP

Comments - Please describe this exception:

**Q162-2.0. Question 115-3 CEPEJ Questionnaire**

**If you answered “No” to Q162, which authority can issue the specific instructions?**

General Prosecutor

Higher prosecutor/Head of prosecution office

Executive power

Other

Comments - If “Other”, please specify:

**Q162-2. Question 115-4 CEPEJ Questionnaire**

**If you answered “No” to Q162, 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:**

Issued seeking prior advice from the competent public prosecutor

Mandatory

Argumented

Recorded in the case file

Other

NAP

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

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 |
| Rotation of assignments of judges, prosecutors and staff | Yes / No / NAP | Yes / No / NAP |
| Gift rules | Yes / No / NAP | Yes / No / NAP |
| Specific training | Yes / No / NAP | Yes / No / NAP |
| Internal controls | Yes / No / NAP | Yes / No / NAP |
| Safe complaints mechanisms | Yes / No / NAP | Yes / No / NAP |
| Other (please specify) | Yes / No / NAP | Yes / No / NAP |
| No mechanism in place | Yes / No / NAP | Yes / No / NAP |

**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.**

YesPlease provide the link \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

No

**Q175. If yes, is it regularly updated?**

Yes

No

NAP

**Q175-1** **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:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Q176. Question 138 CEPEJ Questionnaire**

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

Yes

No

**Q177. Question 138-1 CEPEJ Questionnaire**

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

Only judges

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.:

**Q179. Question 138-3 CEPEJ Questionnaire**

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

Yes

No

**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

NAP

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

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

for judges, please describe \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

for prosecutors, 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: \_\_\_\_\_\_

**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

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:**

NAP

**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

NAP

**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** |
|  | \_\_\_\_\_ / NA / NAP | \_\_\_\_\_ / NA / NAP | \_\_\_\_\_ / NA / NAP |

**For prosecutors**

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

Constitution

Law regulating the status of prosecutors

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

No

NAP

**Q206. What items are to be declared?**

assets

financial interests

sources of income

liabilities

gifts

others, please specify: \_\_\_\_\_

NAP

**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

partner

children (under legal age)

adult children

other family members, please specify:

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.)

NAP

**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: \_\_\_\_

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** |
|  | \_\_\_\_\_ / 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: \_\_\_\_\_

NAP

**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?**

law on prevention of conflict of interest

criminal procedure code

civil procedure code

code of ethics

law on judges

law on the High Judicial Council

other, please specify: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

NAP

**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

law on the High Judicial Council

other, please specify: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

NAP

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** |
|  | \_\_\_\_\_ / 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?**

Yes

No

**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:**

law on the prevention of conflict of interests

criminal procedure code

criminal code

civil procedure code

civil code

code of ethics

law on public prosecutors/public prosecution

law on the High Judicial/Prosecutorial Council

other, please specify: \_\_\_\_\_

NAP

**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** |
|  | \_\_\_\_\_ / 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)?**

Court users

Relevant Court or hierarchical superior

High Court / Supreme Court

High Judicial Council

Disciplinary court

Disciplinary body (disciplinary prosecutor. investigator etc.)

Ombudsman

Parliament

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

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

This is not possible

**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 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:

**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?**

Yes

No

**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 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):**

Citizens

Head of the organisational unit or hierarchical superior public prosecutor

Prosecutor General / State public prosecutor

Public Prosecutorial Council (High Judicial Council)

Disciplinary court

Disciplinary body (disciplinary prosecutor. investigator etc.)

Ombudsman

Professional body

Executive power (please specify):

Other (please specify):

This is not possible

**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 integrity) | \_\_\_\_\_/ NA / NAP |
| 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?**

Yes

No

**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  No  NAP | Yes  No  NAP | Yes  No  NAP | Yes  No  NAP |
| Family cases | Yes  No  NAP | Yes  No  NAP | Yes  No  NAP | Yes  No  NAP |
| Administrative cases | Yes  No  NAP | Yes  No  NAP | Yes  No  NAP | Yes  No  NAP |
| Labour cases including employment dismissals | Yes  No  NAP | Yes  No  NAP | Yes  No  NAP | Yes  No  NAP |
| Criminal cases | Yes  No  NAP | Yes  No  NAP | Yes  No  NAP | Yes  No  NAP |
| Consumer cases | Yes  No  NAP | Yes  No  NAP | Yes  No  NAP | Yes  No  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 |

**Q258. Question 167 CEPEJ Questionnaire**

**Number of court-related mediations:**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Number of cases for which the parties agreed to start mediation** | **Number of finished court-related mediations** | **Number of cases in which there is a settlement agreement** |
| **Total (1 + 2 + 3 + 4 + 5+ 6)** | \_\_\_\_\_/ 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 cases | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP |
| 5. Criminal cases | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP | \_\_\_\_\_/ NA / NAP |
| 6. Consumer 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

Arbitration

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):

NAP

Comments - Please, specify what are the terms and conditions of this monitoring system (information related to acknowledged violations by ECHR at the State/courts level; implementation of internal systems to prevent other violations (that are similar) and if possible to measure an evolution of the established violations):

**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)**

**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

Yes  No if yes, please specify:

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

**Q280. Question 61-6-1 CEPEJ Questionnaire**

**Please specify the text which set up this person/institution (title, date, nature of the text):**

NAP

**Q281. Question 61-6-2 CEPEJ Questionnaire**

**Please specify the status of this person/institution (e.g. independent, attached to the Ministry of Justice, to the High Judicial Council or equivalent or to an inter-ministerial institution specifically dedicated to gender equality):**

NAP

**Q282. Question 61-6-3 CEPEJ Questionnaire**

**Please specify if this person/institution has an information and consultative function or if its opinions/decisions have legal consequences (e.g. to block a decision or allow an appeal):**

NAP

**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)

Yes  No

* 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:

**Q284. Question 61-8 CEPEJ Questionnaire**

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

* Assignment to different positions

Yes  No

* Workload distribution

Yes  No

* Working hours

Yes  No

* Modalities of teleworking and presence in the workspace

Yes  No

* Replacement of absent persons

Yes  No

* Organisation of the hearings

Yes  No

* Other

Yes  No

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

**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: