

## Support for a better evaluation of the result of judicial reform efforts in the Eastern Partnership "Justice Dashboard EaP"

### Prosecution case-flow data

### Summarizing discussions and recommendations for improving prosecutorial data collection processes

## EXPERT REPORT

### Executive summary

In February 2025, the European Commission for the Efficiency of Justice (CEPEJ) organized a targeted workshop to address the challenges faced by Eastern Partnership (EaP) countries in collecting and managing prosecutorial case flow data reported to CEPEJ<sup>1</sup>. The workshop focused on both discussing these challenges and finding potential solutions. A back-to-back workshop was also held for Western Balkans (WB) countries focusing on the same topics.

The CEPEJ Secretariat provided an overview of the challenges related to data collection and data quality in prosecution case flow data within the Dashboard Eastern Partnership (DEaP). Findings and best practices identified across Council of Europe (CoE) member states, based on the 2024 CEPEJ Evaluation Cycle were also shared. Representatives from EaP countries presented their prosecutorial systems and the specific issues they face in managing prosecutorial case flow data.

Key challenge identified during the workshops was horizontal data inconsistency, a result from a combination of factors, including national legal systems, case management practices, and specific procedural frameworks. Other identified key challenges are variations in case registration methodologies in terms of what is counted as a case and is the same case unit used consistently for reporting, gaps in cases that were brought to courts by prosecutors and criminal cases received in the courts, the registration and counting of unknown offenders' cases, and treatment of suspended cases.

The workshop resulted in seven specific recommendations which could be summarised as:

1. Ensuring horizontal and vertical consistency

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<sup>1</sup> This activity was organised within the framework of the Joint Programme "Support for a better evaluation of the results of judicial reform efforts in the Eastern Partnership" ("Justice Dashboard EaP"), which is co-funded by the European Union and the Council of Europe and implemented by the latter. The views included in this report are those of the experts and do not necessarily reflect the position of the Council of Europe and/or the EU.

2. Eliminating double counting, mixing methodologies, and data black holes
3. Reporting by case file as the measure of unit
4. Reporting on unknown offenders cases separately or alternatively omitting those cases from the reporting to CEPEJ
5. Distinguishing between cases represented by public prosecutors and those brought by other entities
6. Elaborating system specifics in the general comments
7. Following discrepancies in comparison to previous years/cycles

On a general note, it is recommended to discuss all issues related to the data collection process during the meetings between beneficiary correspondents and the CEPEJ Secretariat. Analysing past reports allows for self-assessment and growth, while leveraging information and communication technologies (ICT) possibilities can enhance the process. Additionally, continuous capacity building is found to be essential to ensure ongoing improvement.

## Introduction

The European Union (EU) and the CoE have launched in 2021 the "Justice Dashboard EaP" to better measure the impact of justice reforms in EaP countries. Strengthening the rule of law, fair justice systems, and democratic institutions is a key priority for the region, supporting credible and sustainable reforms.

The DEaP aims to assist Armenia, Azerbaijan, Georgia, the Republic of Moldova, and Ukraine in improving the monitoring and evaluation of their justice systems, including prosecution services, particularly in areas such as efficiency, independence, and accountability. It follows the CEPEJ methodology to collect and analyse data, helping countries base their policies and budget decisions on reliable findings.

By supporting annual data collection, technical expertise, and capacity building, the initiative aims to enhance the monitoring and evaluation of justice reforms. The project, co-funded by the EU and the CoE and implemented by the latter, will ultimately benefit justice professionals, system users, and citizens through more efficient and high-quality judicial services.

Based on findings of recent cycles of data collection, a need to address the common challenges and share good practices in data collection and analysis in respect of prosecution case-flow data has been identified at countries' and EaP level. In this context, a regional workshop has been organized, as described below.

## Workshop on prosecution case-flow data (February 2025)

CEPEJ convened a workshop on 27 February 2025 at the European Youth Centre in Budapest, offering a platform for in-depth discussions on the challenges beneficiaries face in collecting and managing prosecutorial case flow data. The workshop was co-organized by the CEPEJ Secretariat, DEaP and Dashboard Western Balkans (DWB) teams and was conducted on consecutive days, following the same structure but adapted to regional specificities. The co-organization allowed CEPEJ to pool expertise and share resources and knowledge across both regions. The workshop focused on data collection methodologies and statistical reporting, facilitating exchanges on best practices, common challenges, and potential solutions to improve the accuracy, consistency, and comparability of prosecutorial data.

In preparation for the workshop, participants - beneficiary correspondents and representatives of public prosecution services - were invited to research and present background information on the following topics: the role of prosecutors in criminal cases, case recording and management, sources of data provided under Q 041-3<sup>2</sup> of the DEaP, and the basis for reported statistics. For the list of participants, see Annex I.

Furthermore, the CEPEJ Secretariat, together with CEPEJ experts Ms Ana Krnic Kulusic and Mr Georg Stawa, presented an overview of the challenges and findings related to quality control in prosecution case-flow data within the DEaP. They also highlighted findings and best practices identified across CoE member states, based on the 2024 CEPEJ Evaluation Cycle. Representatives of the CEPEJ Secretariat were involved in the discussions bringing insights related to data analysis, quality check and preparation of deliverables.

The workshop featured two interactive sessions facilitated by Mr Georg Stawa and Ms Ana Krnic Kulusic. The first session, "Identifying Common Challenges and Good Practices in the EaP Region Regarding Prosecution Case-Flow Data" focused on analysing recurring difficulties in data collection, inconsistencies in statistical reporting, and variations in prosecutorial case management across the region. Participants exchanged insights on effective methodologies and shared examples of best practices from their respective jurisdictions. The second session, "Discussion and Initial Recommendations for Improvement of the Collection Process" built upon these findings, fostering a collaborative dialogue on practical steps to enhance the accuracy, reliability, and comparability of prosecution case-flow data. Experts and national correspondents explored potential solutions, including standardising data collection procedures, and strengthening quality control mechanisms to promote greater sustainability and ownership within the prosecutorial data collection process.

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<sup>2</sup> For more on the DEaP questionnaire see <https://www.coe.int/en/web/cepej/justice-dashboard-eap>. The same question is also comprised within the CEPEJ biennial Evaluation report questionnaire as Q107, it relates to prosecutorial case-flow data.

## Structure of the prosecutorial system in the Eastern Partnership - challenges, good practices and approaches in prosecution case-flow data collection

The shared historical heritage of EaP countries has resulted in similar distributions of power within public prosecution services, as well as comparable procedural rules and practices. However, over time, various reforms in these countries have also introduced significant differences in their legal frameworks and prosecutorial systems. These changes, in some cases, make it more difficult to find a common denominator when it comes to prosecutorial case flow (e.g. the powers to conclude a case by a penalty or a measure imposed or negotiated by the public prosecutor without a judicial decision).

The following section provides an overview of the legislation and organizational structure of the prosecutorial system in the EaP countries. It provides a summary of key aspects, including legal frameworks, institutional organization, case management systems and procedures, and statistical reporting. Additionally, it highlights challenges and best practices in data collection relevant to CEPEJ's ongoing evaluations in these jurisdictions, as presented by beneficiary correspondents. The following analysis by country is a summary of presentations made by beneficiary correspondents and representatives of public prosecution services during the workshop.

### Armenia

The Armenian prosecutorial system operates independently from the judiciary and follows a unified structure under the leadership of the Prosecutor General. There are no specialized prosecutor offices; instead, the Prosecutor General's Office manages the system through 13 departments, each overseeing pre-trial proceedings for specific crime categories.

The prosecutorial system includes the Prosecutor General's Office, Prosecutor's Offices in 10 regions of Armenia, and 7 administrative districts of Yerevan. Additionally, there is a Prosecutor's Office for the city of Yerevan and a Military Prosecutor's Office, which comprises the Central Military Prosecutor's Office and Military Prosecutor's Offices in 8 garrisons.

Public prosecutors have clearly defined responsibilities including instigating criminal prosecution, overseeing the legality of pre-trial proceedings, and pursuing charges in court. They are also responsible for appealing civil and criminal judgments, supervising the lawfulness of punishments and other coercive measures, and bringing civil actions to protect state or community interests. Additionally, they are involved in bankruptcy proceedings, ensuring legal compliance throughout the process.

Since 2022, Armenia's new Criminal Procedure Code no longer includes provisions for suspending criminal proceedings. However, it allows for agreement proceedings, enabling a

defendant to seek a negotiated resolution during preliminary hearings, subject to court approval. Unlike some other EaP countries, Armenia allows private criminal prosecution, meaning that cases can be brought before the court not only by prosecutors but also by private individuals.

The Prosecutor General's annual report provides a comprehensive overview of the prosecutorial system's activities. The Department of Statistics and Analysis within the Prosecutor General's Office is responsible for compiling and managing statistics. Efforts are underway to enhance statistical management mechanisms and improve the CMS to strengthen data collection and analysis across the system.

In Armenia, cases that would typically be considered misdemeanours are treated as administrative offenses, regulated by the Code of Administrative Offenses and handled by the administrative court. However, in accordance with the EN, they are registered for CEPEJ reporting as first-instance criminal cases. Armenia reports on case files as a case unit as preferred by the EN, also Armenia did not report on unknown offenders' cases, but this data was already provided for 2024, within the framework of the 2025 data collection cycle.

## Georgia

The Prosecutor's Office of Georgia is an independent institution led by the Prosecutor General. Its structure includes the Office of the Prosecutor General, Prosecutor's Offices of the Autonomous Republics of Adjara and Abkhazia (currently occupied by Russia), the Tbilisi Prosecutor's Office, as well as Regional and District Prosecutor's Offices. Unlike some judicial systems, it is not structured according to court instances but operates under a hierarchical framework.

Key responsibilities of prosecutors include conducting or supervising investigations, requesting judicial authorization for investigative measures when necessary, filing charges, and presenting cases in court. They also have the authority to appeal decisions, discontinue cases without judicial approval, and resolve cases through negotiated measures without a court ruling. Additionally, prosecutors participate in civil cases related to the confiscation of illicit, undocumented, or racketeering-related property. In Georgia, only prosecution can initiate a criminal case before the courts.

The Prosecutor General releases an annual report on the activities of the Prosecutor's Office. The office operates a CMS that allows prosecutors and investigators across all agencies to work within a unified digital platform, enhancing procedural oversight and statistical analysis. Efforts are underway to integrate this system with the judicial CMS. Cases are categorized based on case file, perpetrator, offense, and proceedings, with the ability to classify them individually or collectively.

There are no separate statistical records for the number of investigation orders, as the concept of issuing such orders does not exist in the criminal legislation of Georgia. According to the Criminal Procedure Code, upon receiving information about a crime, the investigator or the prosecutor is obliged to initiate a criminal investigation. This is done by completing a specific electronic form in the CMS. No specific authorization is required for this purpose. Discontinued cases involving unidentified perpetrators were reported for 2024 within the framework of the 2025 data collection cycle.

The data for Q 041-3 EaP (Q107 EVAL) – "Total number of 1st instance criminal cases" is sourced from the CMS, with the Analytical Unit of the Prosecutor's Office responsible for processing it. This dataset includes discontinued criminal cases and diverted individuals. Cases are counted per case files, and offenders. As in Armenia, misdemeanour cases in Georgia are treated as administrative offenses, regulated by the Code of Administrative Offenses and brought before the administrative court. These cases are reported to CEPEJ in accordance with the EN.

Georgia's legislation does not recognize the concept of "suspended cases", and due to conceptual differences in case classification, it is not possible to provide data on cases received during the reference year, pending cases as of January 1, or pending cases as of December 31. Namely, Georgia faces the challenge of determining the exact point at which cases should begin to be counted for CEPEJ reporting, as there is technically no formal stage for a prosecutor to receive a criminal case. Instead, these cases are managed electronically and are assigned to the appropriate prosecutor as soon as they are initiated in the CMS. One of the proposed solutions could be starting counting cases as prosecutorial once the investigation has started. This possibility will be further explored by the Georgian representatives.

## Republic of Moldova

The Prosecution Service is an autonomous public institution operating within the judicial authority. It functions as a unified system comprising the General Prosecutor's Office, specialized prosecutor's offices, and territorial prosecutor's offices. The specialized prosecutor's offices include the Anticorruption Prosecutor's Office, and the Prosecutor's Office for Combating Organized Crime and Special Cases. The territorial prosecutor's offices consist of 39 active offices, categorized as follows: 32 district prosecutor's offices, 3 circumscription prosecutor's offices, 4 municipal prosecutor's offices.

Moldovan prosecutors oversee investigations, represent in court, and ensure the proper application of procedures. They lead and manage criminal investigations conducted by investigation officers or by themselves. Prosecutors have the discretion to initiate or refuse a criminal investigation based on the available evidence. They may also discontinue a case if legal conditions are met. Prosecutors can also decide to conclude a case under certain circumstances. Cases may also be closed if there has been a change in circumstances, the

offender no longer poses a social threat, or if the offender qualifies for conditional release from criminal liability or the statute of limitations has expired.

The territorial (district) prosecution offices will be reduced from 36 to 14 in accordance with the recent court map optimization reform (to align geographically with court jurisdictions), starting with 01.04.2025. Starting with the same date, new subdivisions will be set up at the Prosecutor General's Office: Division for combating corruption and money laundering, Division of combating offences against the environment and Division of representation of accusation at the Supreme Court of Justice. At the level of the General Prosecutor's Office, a statistics and archive service will operate separately. According to a recent legislative initiative it was proposed to merge the 2 specialized prosecutors' offices into a single institution.

The General Prosecutor's Office's prepares and publishes annually an Activity Report of the Prosecution Service. Criminal cases are counted based on the number of events leading to prosecution, with each event or series of events being recorded as a single case, regardless of the number of offenders or offences. Persons are counted individually, unless they are prosecuted for multiple related offences, in which case they are recorded as one person. If a person is prosecuted more than once in a year, they are counted separately for each case unless those cases are merged.

The crimes in the Republic of Moldova are recorded in the Automated Information System Register of Criminalistic and Criminological Information AIS RCCI (managed by the Ministry of Internal Affairs - MIA). The data in AIS RCCI is updated by MIA with information (files) on case solutions submitted by the Prosecution Service on a regular basis. The Prosecution Service keeps track on its activity separately, through the internal SIA system "Criminal Prosecution: e-Dossier" and INFO-PG. All these systems are not yet integrated. Statistical data on Prosecution activity is collected using standardized forms, which are filled out electronically by each prosecutor's office.

The data for Q 041-3 and other CEPEJ questions related to the Prosecution Service is primarily sourced from aggregated written information provided by the Prosecutor General's Office based on internal CMS reports. Additional sources are used for some of the data.

In terms of case categorization, the data under Q 041-3 EaP (Q 107 EVAL) includes all criminal cases recorded during the criminal investigation phase. "Incoming/Received cases" refer to cases submitted to prosecutors by the police, other bodies, or victims within the reference year, including reopened suspended cases. "Resolved cases" include those that are either closed or brought to court between January 1 and December 31 of the reference year. Suspended cases are also included in the response for Q 041-3 EaP (Q 107 EVAL), specifically under the sub-categories 3.1.1 (discontinued because the offender could not be identified) and 3.1.4 (discontinued for other reasons, such as reconciliation of the parties or other suspensions). In the Republic of Moldova, criminal prosecution can be discontinued, and the case can be pursued under the provisions of the Administrative Offences Code.



One of the challenges faced in completing the CEPEJ questionnaire is the difficulty in aligning national data or legal provisions with the definitions provided in the EN. For example, certain questions pose particular challenges, such as Q041-3 on discontinued cases (the offender could not be identified or cases still pending at year-end), Q041-4 on sub-categories of guilty-plea procedures, Q246 and Q247 on initiated disciplinary proceedings against public prosecutors, and Q266 on the attribution by categories of the members of the Superior Council of Prosecutors.

Another challenge is due to turnover among interlocutors from the General Prosecutor's Office and Superior Council of Prosecutors during each data collection cycle, which results in delays as additional and multiple discussions and clarifications are needed. The complexity of the questionnaire itself adds to the difficulty.

On the good practices side, the data submitted by national authorities is checked by the national correspondent in line with legal provisions and compared with the answers from the previous year, to ensure accuracy and consistency. In case of discrepancies, internal meetings or discussions with national authorities are organized, and the responses are revisited before submission. CEPEJ Secretariat is consulted in such cases, and it provides data collection support, whenever necessary.

In view of facilitating better data reporting, Moldovan counterparts support the idea of simplifying and refining the DEaP Questionnaire, and, at the same time, propose expanding it with questions that focus on implemented information systems (interconnections, deployment rates, and usage rates), mirroring the one for courts.

## Ukraine

The prosecution bodies of Ukraine include the Prosecutor General's Office, the Specialized Anti-Corruption Prosecutor's Office, and a network of regional and district prosecutor's offices. Specifically, there are 26 regional prosecutor's offices and 188 district prosecutor's offices. Additionally, Ukraine has specialized prosecutor's offices with regional rights (4) and those with district rights (30). As of 2024, the Specialized Anti-Corruption Prosecutor's Office has become a separate legal entity.

Prosecutors in Ukraine have the authority to initiate a pre-trial investigation and instruct the relevant body to carry it out. They can direct investigators or pre-trial investigation bodies to perform investigative or covert actions and may also personally conduct investigative and procedural actions. Prosecutors also have the right to appeal court decisions, as outlined by the Criminal Procedure Code. However, the Code does not grant prosecutors the authority to conclude a case with a punishment or measure that has been agreed upon or imposed by the prosecutor.



Since 2012, Ukraine has maintained a Unified Register of Pre-Trial Investigations, which is used by six agencies: the Prosecutor's Office, the National Police, the Security Service of Ukraine, the Bureau of Economic Security, the National Anti-Corruption Bureau, and the State Bureau of Investigation. This system covers all administrative and territorial units.

The Unified Report on Criminal Offenses provides a comprehensive overview of criminal offenses committed, while the Unified Report on Persons Who Have Committed Criminal Offenses details individuals involved in such crimes. Additionally, reports are generated to assess the results of the work conducted by pre-trial investigation authorities, offering insights into their activities and outcomes.

The "Accounting and Statistics of Prosecution Authorities" system is used to generate quarterly administrative reports on the work of the prosecutor's office. This system, along with the reports it generates, serves as the foundation for filling in the individual sections of the CEPEJ Questionnaire.

Ukraine reports cases involving unknown offenders to CEPEJ alongside those with known offenders. Similarly to Georgia, prosecutors in Ukraine are involved early in the process but, opposed to Georgia, Ukraine reports on received and pending cases.

Suspended cases arise when the offender is on the run or when there is a need for legal aid. These cases are considered pending until there is a change in the situation, such as the offender being apprehended or the required legal assistance being provided.

## Annex 1 – List of participants

### EaP countries:

#### Armenia:

Eva Soghoyan - Advisor of the Prosecutor General

Hrach Sargsyan - National Correspondent (Online)

#### Georgia:

Justice Ketevan Tsintsadze – National Correspondent (online )

Nikoloz Chinkorashvili - Deputy Head of the International Relations and Legal Department,  
Office of the Prosecutor General of Georgia

#### Republic of Moldova:

Victoria Palanciuc – National Correspondent

Ana Cusnir, prosecutor in the Policies and project management division, General Prosecution  
Office

#### Ukraine:

Inna Kulabukhova on behalf of Lina Hubar – National Correspondent

Volodymyr Kupetskyi - Deputy Head of the Information Technology Department, General  
Prosecution Office

### CEPEJ Experts:

Georg Stawa – Former President of the CEPEJ

Ana Krnic Kulusic – Justice Reform Expert

### CEPEJ Secretariat:

Christel Schurrer- Deputy Secretary of the CEPEJ

Lidija Naumovska – Statistics Coordinator

Tony Vilela – Statistician

Oxana Gutu – Programme Manager – DEaP

Bakar Jikia – Senior Project Officer - DEaP

Federica Viapiana – Project Coordinator – DWB

Enes Sehic – Project Manager – DWB

Lejla Begovic- Project Assistant – DWB

## Annex 2- Abbreviations

CEPEJ	European Commission for the Efficiency of Justice
CMS	Case Management System
CoE	Council of Europe
DEaP	Dashboard Eastern Partnership
DWB	Dashboard Western Balkans
EaP	Eastern Partnership
EN	Explanatory Note
EU	European Union
GT-EVAL	Working Group on evaluation of judicial systems
ICT	Information and communication technology
WB	Western Balkans