



Reference data 2018 (01/01/2018 - 31/12/2018)

Start/end date of the data collection campaign : 01/03/2019 - 01/10/2019

Objective :

The CEPEJ decided, at its 31th plenary meeting, to launch the eighth evaluation cycle 2018 – 2020, focused on 2018 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 47 member states of the Council of Europe as well as three observer states (Israel, Morocco and Kazakhstan). This will enable policy makers and judicial practitioners to take account of such unique information when carrying out their activities.

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

Instruction :

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

- User manual
- Explanatory note

While the explanatory note gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, the User manual is a tool to help you navigate through this application. You can download the Explanatory note as a whole on the CEPEJ website. The specific explanations are also accessible for each question within this application under the tab "Explanatory note". This will serve as immediate consultation tool when answering questions. The user manual is accessible in the "Documentation" tab of the application.

In case you have any questions related to these documents or on the use of the application, please do not hesitate to contact the Secretariat.

1.General and financial information

1.1.Demographic and economic data

1.1.1.Inhabitants and economic general information



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

[42 153 201]

Comments

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

	Amount
State or federal level	31 281 321 299 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Regional / federal entity level (total for all regions / federal entities)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The growth in state budget revenues compared to the previous period of account for about 20% made possible for the Government increasing the state expenditures. According to the Accounting Chamber of Ukraine, the increase of the state budget revenues was caused by the increase in the volumes of imports, prices, profits from work of enterprises, receipts of funds from the National Bank, average monthly wages, and part of licensing fees after introducing 4G communications.

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

[2 655]

Comments In absolute figures, per capita, Gross Domestic Product EUR 2655 has raised on 33% compared with the previous figure equal to EUR 2001 due to visible strong economic trends: Ministry of Finance of Ukraine paid \$661 million in Eurobonds and paid off \$441 million of interest. In addition, the largest growth increase in 2018 was demonstrated by such industries: financial and insurance activities +12.4%; agriculture and forestry +7.8%, construction +7.2%.

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

[3 355]

NA

Comments The average gross annual salary for the current cycle is equal to EUR 3355 which is higher for approx. 40% than the annual salary for the previous cycle EUR 2376. This is a result of systematic raising by Ukrainian Government the minimum wages, started from 2017. The largest nominal increase in salaries was observed in the following activities: public administration and defense, obligatory social insurance; professional, scientific and technical activities, electricity, gas, steam, and air conditioning supplies; financial and insurance activities; information and telecommunications.

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

[31.71]

Allow decimals : 5

NAP

Comments Notwithstanding ongoing inflation, the Government tends to keep the currency exchange rate on the appropriate level not much exceeding the level for the previous cycle: 28.42 against 31.71 UAH per 1 EUR, which is 12% higher.

A1. Please indicate the sources for answering questions 1 to 5

Sources: Q1 - State Statistics Service of Ukraine;
Q2 - Law of Ukraine "On the State Budget of Ukraine for 2018";
Q3 - Ministry of Finance of Ukraine;
Q4 - Ministry of Finance of Ukraine;
Q5 - National Bank of Ukraine official website.

1.1.2. Budgetary data concerning judicial system



006. Annual (approved and implemented) public budget allocated to the functioning of all courts, in € (without the budget of the public prosecution services and without the budget of legal aid). If you cannot separate the budget allocated to the courts from the budgets of public prosecution services and/or legal aid, please go to question 7. If you are able to answer this question 6, please answer NA to the question 7.

	Approved budget (in €)	Implemented budget (in €)
TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	440 663 131 [] NA [] NAP	396 967 949 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	256 664 853 [] NA [] NAP	256 159 041 [] NA [] NAP
2. Annual public budget allocated to computerisation	10 561 734 [] NA [] NAP	11 479 227 [] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)	91 624 [] NA [] NAP	91 611 [] NA [] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	8 757 565 [] NA [] NAP	7 373 538 [] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	4 086 976 [] NA [] NAP	1 584 242 [] NA [] NAP
6. Annual public budget allocated to training	27 509 [] NA [] NAP	17 332 [] NA [] NAP
7. Other (please specify)	160 472 870 [] NA [] NAP	120 262 958 [] NA [] NAP

Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main reasons for the differences: Discrepancies between 2016 and 2018 cycles were caused by rise of expenditures for judicial system within judicial reform and were caused by changes in the legislation concerning the amount of judicial remuneration, rising of social standards and consumer price index, improving the accessibility conditions of court users to the courts, increasing the cost of payment for goods and services etc.

Here are some explanations in respect of increased court system budget expenditures in 2018:

Item 1: the discrepancy is caused by planned budgeting raise for salaries for judges and court staff almost in 1,6 times in 2017 compared to 2016, and almost 1,5 times increase in 2018 comparing to 2017.

Item 2: the increase in funding is caused by equipping the court buildings with videoconference equipment for local and appellate courts in connection with the introduction of such an option for court users. Item 3: the raise of funding is caused by increased prices for state postal services (e.g. for sending the request for summons) and by the spending for translation from Russian to Ukrainian in court proceedings.

Item 4: the budgeting was raised because of the need of court buildings renovation (305 court premises); the funds were spent for rising the accessibility of courts for disabled people through appropriate equipping of court building; Item 5: the funds were spent on the purchase of new 5 court buildings;

Item 7: the increase of funding was caused by the need of purchase of accommodation (more than 17000 square meters) for 295 judges and court staff in connection to their transfer to other courts from Donetsk and Luhansk regions, Autonomous Republic of Crimea, Sevastopol City (city located in the Autonomous Republic of Crimea with a special status).

007. If you cannot answer question 6 because you cannot isolate the public budget allocated to courts from the budget allocated to public prosecution services and/or legal aid, please fill 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	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Total annual public budget allocated to all courts and legal aid together	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Total annual public budget allocated to all courts, public prosecution services and legal aid together	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> 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:

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

	Litigants required to pay a court fee to start a proceeding at a court of general jurisdiction ?
for criminal cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
for other than criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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

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

- The court fee is collected at the appropriate amount from the subsistence minimum for able-bodied persons established by law on 1st January of the calendar year in which the corresponding application or complaint has been submitted to the court. The court fee is collected in percentage to the price of the claim and at a fixed amount.

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

[30]

NA

NAP

Comments The sum stated is to payed in case the claimant is an individual person or individual entrepreneur.

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

[114 509 600]

[] NA

[] NAP

Comments The amount of annual income of court taxes or fees in UAH has increased by 1 % compared with the previous cycle, however, due to currency fluctuations, current cycle figure in EUR differs downwards for 9% compared with previous one.

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

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)	16 424 976 [] NA [] NAP	8 043 961 [] NA [] NAP	8 381 015 [] NA [] NAP
12.1 for cases brought to court (court fees and/or legal representation)	12 869 536 [] NA [] NAP	8 043 961 [] NA [] NAP	4 825 575 [] NA [] NAP
12.2 for cases not brought to court (legal advice, ADR and other legal services)	3 555 440 [] NA [] NAP	[] NA [X] NAP	3 555 440 [] NA [] NAP

Comments There are several reasons concerning the increasing of expenses from the State budget of Ukraine for free legal aid in this cycle comparing the previous cycle:

1. Increase in the amount of legal aid lawyer's hourly work, which is connected with amendments to Cabinet of Minister's Decree dated 17.09.2014 No.465 "Issues of payment for services and reimbursement of lawyers providing free secondary legal aid". Starting 01.01.2018 the amount of payment per hour of a lawyer who provides legal aid was increased from 2.5% to 5% of the subsistence minimum, approved for able-bodied persons at the time of submission by the lawyer of the act. Besides, in 2018 comparing with 2016 the entire level of subsistence minimum approved for able-bodied persons was increased.

2. The number of cases under which the free legal aid was granted, has increased, including the following reasons:

- a. The number of cases subject to secondary legal aid in criminal cases has increased from 77 233 in 2016 to 91 120 in 2018;
- b. The number of cases subject to secondary legal aid in other cases (civil and administrative) has increased from 37 953 in 2016 to 75 311 in 2018.
- c. There has been an increase in providing legal aid for legal consultations, drafting legal documents (except procedural documents) from 239 164 in 2016 to 553 301 in 2018.

Increasing number of cases subject to legal aid in civil and administrative cases, including legal consultations in 2018 comparing 2016 took place due to increased access to services of legal aid as result of establishment of legal aid Bureau, which began working throughout Ukraine starting September 01, 2016. It resulted into increase of the number of requests to receive legal aid more than 4 times.

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

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)	16 359 666 [] NA [] NAP	7 664 806 [] NA [] NAP	8 694 860 [] NA [] NAP
12-1.1 for cases brought to court (court fees and/or legal representation)	12 834 973 [] NA [] NAP	7 664 806 [] NA [] NAP	5 170 167 [] NA [] NAP
12-1.2 for cases not brought to court (legal advice, ADR and other legal services)	3 524 693 [] NA [] NAP	[] NA [X] NAP	3 524 693 [] NA [] NAP

If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main reasons for the differences: Due to the ongoing justice sector reform in Ukraine, the judicial system obtains a

higher budget for its needs.

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

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the public prosecution services, in € (including 13.1)	221 368 146 [] NA [] NAP	218 799 218 [] NA [] NAP
13.1. Annual public budget allocated to training of public prosecution services	[] NA [X] NAP	[] NA [X] NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: From 2016 to 2018 the State Budget for General's Prosecutor Office was increasing sequentially. It is caused by lasting reform of prosecution service.

In late 2017, basing on the Strategy for Reforming of the Judiciary, the System of Justice, and Ancillary Legal Institutions for 2015-2020, General Prosecutor adopted Road Map on reforming prosecution bodies. The said document prescribed a series of activities dedicated to ensure the independence of prosecutors during the fulfillment of their duties as well as bodies of prosecutor self-governance and to create additional anti-corruption safeguards.

For implementation of the said Road Map, in early 2018 the Prosecutor General of Ukraine by an order established the Working Group for implementation of the said Road Map in part of the development of a system for evaluating the performance of prosecutors.

Furthermore, within implementation of Section 4 of the said Road Map the System of electronic document circulation of the Prosecutor's Office of Ukraine was put into operation from 01/01/2019.

The two aforementioned novelties are only few examples which caused the raise of expenditures for prosecution as part of reform. If to study the raise of budget expenditures in 2017 and then in 2018, the situation was the following. Expenditures from the approved budget for 2017 compared to the budget for 2016 have risen by around 76% in absolute figures. Almost the same situation is observed in the 2018 compared to 2017 period. However, expenditures from the approved budget have risen by around 23%.

Increased budget allocations from the State Budget are caused by increasing costs for:

- implementation of prosecutorial investigative activities, training and advanced training of prosecutors;
- the functioning of Specialized Anti-Corruption Prosecutor's Office;
- consumption costs;
- labor costs;
- utilities and energy;
- development costs. The difference between the amounts of an approved annual budget of prosecution bodies and actually implemented budget appeared due to accumulation of funds for redistribution between budgetary programs of Prosecutor General's Office of Ukraine, which was not implemented, and due to saving funds, foreseen for:
 - utilities and energy through energy conservation measures and favorable weather conditions;
 - court fees, since it is not possible to schedule the exact number of violations detected, which should be subject to representative measures

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

	Preparation of the total court budget	Adoption/approval of the total court budget	Management and allocation of the budget among the courts	Evaluation of the use of the budget at a national level
Ministry of Justice	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP

Other ministry	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP
Parliament	() Yes (X) No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Supreme Court	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
High Judicial Council	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Courts	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Inspection body	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Other	(X) Yes () No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP

If any other Ministry and/or inspection body and/or other, please specify: other means State Judicial Administration of Ukraine

014-1. (Former question 61) Who is entrusted with responsibilities related to the budget within the court?

	Preparation of the budget	Arbitration and allocation of the budget	Day to day management of the budget	Evaluation and control of the use of the budget
Management Board	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Court President	(X) Yes () No	(X) Yes () No	(X) Yes () No	(X) Yes () No
Court administrative director	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Head of the court clerk office	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Other	(X) Yes () No	(X) Yes () No	(X) Yes () No	(X) Yes () No

Comments - If "other", please specify: Paragraph 4 of Article 148 of the current Law of Ukraine "On the Judiciary and the Status of Judges" indicates, that territorial offices of the State Judicial Administration of Ukraine are entrusted with the function to allocate budgetary funds to local courts.

A2. Please indicate the sources for answering questions 6 to 14:

Sources: Sources: The Law of Ukraine on the Court Fee. State Judicial Administration of Ukraine.
Law of Ukraine "On the State Budget of Ukraine for 2018".
Information obtained from the State Treasury Service of Ukraine.
Information obtained from the Coordination Center for Legal Aid

1.1.3. Budgetary data concerning the whole justice system

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

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the whole justice system in €	5 082 767 025 [] NA [] NAP	[X] NA [] NAP

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

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

	Included	Not included	Does not exist (NAP)
Courts (see question 6 or 7)	(X)	()	()
Legal aid (see question 12 or 7)	(X)	()	()
Public prosecution services (see question 13 or 7)	(X)	()	()

015-3. Other budgetary elements

	Included	Not included	Does not exist (NAP)
Prison system	(X)	()	()
Probation services	(X)	(X)	()
High Judicial Council	(X)	()	()
Constitutional court	(X)	()	()
Judicial management body	(X)	()	()
State advocacy	()	(X)	()
Enforcement services	(X)	()	()
Notariat	(X)	()	()
Forensic services	()	(X)	()

Judicial protection of juveniles	(X)	()	()
Functioning of the Ministry of Justice	(X)	()	()
Refugees and asylum seekers services	(X)	()	()
Immigration Service	(X)	()	()
Some police services (e.g. : transfer, investigation, prisoners' security)	(X)	()	()
Other	(X)	()	()

If "other", please specify: National Anti-Corruption Bureau of Ukraine; National Agency for Corruption Prevention; State Bureau of Investigation; High Qualification Commission of Judges of Ukraine; National School of Judges of Ukraine; National Prosecution Academy of Ukraine; Secretariat of Ukrainian Parliament Commissioner for Human Rights.

State advocacy is excluded because it is a constituent part of the Legal Aid (See Q. 15-1). The Legal Aid in Ukraine, among others, contains free legal counsel.

A3. Please indicate the sources for answering questions 15-1, 15-2 and 15-3:

Sources: State Judicial Administration of Ukraine.
The law of Ukraine "On the State Budget of Ukraine for 2018"

2. Access to justice and all courts

2.1. Legal Aid

2.1.1. Scope of legal aid

016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP
Legal advice, ADR and other legal services	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP

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

- The state legal aid system includes the following 2 types of such aid:
1. Primary legal aid is the type of state guarantee, which is to inform a person of his or her rights and freedoms, the order of its

realization, restoration in case of their violation and procedure for appealing against decisions, actions or inactions of the state bodies, local self-government bodies, officials and servants. Primary legal aid includes the following types of legal services: - provision of legal information;- provision of consultations and clarifications on legal issues;- assistance in making appeals, claims and other documents of legal nature (except court procedural documents); - providing assistance in ensuring access of a person to secondary free legal aid and mediation; The right to primary legal aid according to the Constitution of Ukraine and the Law of Ukraine “On the Legal Aid” have all individuals, who are under the jurisdiction of Ukraine. 2. Secondary free legal aid is the type of state guarantee which is to create equal opportunities for access to justice by persons. Secondary legal aid includes the following types of legal services: - protection; -representation of interests of persons, who have the right to secondary free legal aid in courts, other state governmental bodies, self-government bodies, before other persons; -drafting of court procedural documents.

The right to secondary free legal aid according to the Law of Ukraine “On Legal Aid” and other related laws has the following categories of persons:

-persons, who are under the jurisdiction of Ukraine if their average monthly income does not exceeding of 2 sizes of subsidence minimum, calculated and approved according to the law for the persons, who belong to main social and demographic groups of population, as well as persons with disabilities who receiving pension or assistance which is appointed instead of pension in the amount not exceeding 2 subsidence minimum for disabled persons - for all types of legal assistance foreseen by part 2 Article 13 of the Law of Ukraine “On Legal Aid”

-children, as well orphans, children deprived of parental care, children who are in difficult circumstances, children who have been affected by war or armed conflict – for all types of legal assistance;

-internally displaced persons for all types of legal assistance and other similar types of persons.

017. Does legal aid include the coverage of or the exemption from court fees?

Yes

No

NAP

If yes, please specify:

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

Yes

No

NAP

If yes, please specify:

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

Criminal cases	Other than criminal cases
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Legal aid granted for other costs	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
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Comments - If yes, please specify: According to the procedure for payment of services and reimbursement of lawyers providing secondary legal aid, adopted by the Cabinet of Minister's Decree dated 17.09.2014, No 465, lawyers are reimbursed with costs connected to legal aid providing in following situations: 1) travel by public transport (except aviation, railway, ships and vessels for sea/ river transportation);

2) Purchasing of fuel and lubricants in accordance with the standards set for budgetary institutions when using their own vehicle at night or in the countryside or in the absence of public transport connection, taking into account the distance from the lawyer's or his workplace to the place of legal assistance and vice versa direction;

3) Business travel out of the region (daily expenses, costs associated with renting a dwelling) for the purpose of meeting with a client, familiarizing with case files, interviewing persons, participating in a court hearing, as well as in case of change of jurisdiction of criminal proceedings or continuity of criminal offense or continuity of criminal offense, change of place of crime, the detention of a suspected, accused or punished, convicted person to whom a lawyer provides legal assistance in accordance with the rules established by law for employees of budgetary institutions.

By the Cabinet of Minister's Decree dated 24.06.2016 No. 401 the Centers for providing legal aid are entitled with the possibility of attracting interpreter (sign language interpreter) to secure the provision of secondary legal aid for persons in the case when such persons do not speak the state language.

2.1.2. Information on legal aid



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

	Total	Cases brought to court	Cases not brought to court
TOTAL	719 732 <input type="checkbox"/> NA <input type="checkbox"/> NAP	166 431 <input type="checkbox"/> NA <input type="checkbox"/> NAP	553 301 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In criminal cases	91 120 <input type="checkbox"/> NA <input type="checkbox"/> NAP	91 120 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
In other than criminal cases	628 612 <input type="checkbox"/> NA <input type="checkbox"/> NAP	75 311 <input type="checkbox"/> NA <input type="checkbox"/> NAP	553 301 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please specify when appropriate: The statistical reporting in the system of delivering free legal aid provides data collection on the number of events when the legal aid was granted, but not the number of cases for which legal aid has been granted. Due to sufficient budget allocated to legal aid, its bodies have a variety of opportunities to exercise their tasks and powers. The amount of cases for which the legal aid is granted has increased in 2018 from 115 186.00 to 166 431.00 Increasing number of cases of providing free legal aid in civil and administrative cases, including legal consultations in 2018 comparing 2016 took place due to increased access to services of free legal aid as result of establishment of Legal Aid Bureau, which began working throughout Ukraine starting September 01, 2016 results that the number of requests to receive free legal aid increased more than 4 times.

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

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

Victims	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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Comments - If yes, please specify:

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

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

Comments In general, the Ukrainian legislation provides the right of a person to choose freely its lawyer, but not in case of providing the lawyer for a person within state legal aid.

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

Yes

No

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

023. If yes, please specify in the table:

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

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

Yes

No

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

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

- the court
- an authority external to the court
- a mixed authority (court and external bodies)

Comments

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

- Yes
- No

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

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

	Judicial decisions direct how legal costs will be shared
in criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
in other than criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

B1. Please indicate the sources for answering questions 20 and 23 :

Sources: Information obtained from the Coordination Center for Delivering Legal Aid

2.2.Court users and victims

2.2.1.Rights of the users and victims

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

	Yes	Internet adresse(es)
legal texts (e.g. codes, laws, regulations, etc.)	<input type="checkbox"/>	<input checked="" type="checkbox"/> https://rada.gov.ua/ https://online.minjust.gov.ua/
case-law of the higher court/s	<input type="checkbox"/>	<input checked="" type="checkbox"/> https://court.gov.ua/
other documents (e.g. downloadable forms, online registration)	<input type="checkbox"/>	<input checked="" type="checkbox"/> https://online.minjust.gov.ua

Please specify what documents and information are included in “other documents”:

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

- Yes, always
 No
 Yes, only in some specific situations

Comments - If yes, only in some specific situations, please specify:

030. Is there a public and free-of-charge specific information system to inform and to help victims of offences?

- Yes
 No

Comments - If yes, please specify: Victims of crime can approach the following: http://minjust.gov.ua.onion.gold/legal_aid (the network of about 550 free legal aid officers in all regions of Ukraine and the tel. number of the free legal aid system (free within territory of Ukraine), ombudsman.gov.ua (Ukrainian parliament Commissioner for Human Rights), www.irf.ua (Program Initiative “Human Rights and Justice” of the International Renaissance Foundation), www.helsinki.org.ua (The Ukrainian Helsinki Human Rights Union provides information and free legal aid), numerous regional NGOs

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

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

Comments - If “other vulnerable person” and/or “other special arrangements”, please specify:

031-1. Is it possible for minors to be a party to a judicial proceeding:

- Yes
 No

Comments - If yes, please specify which procedures can be concerned (civil, criminal, administrative / normal or accelerated procedure)

and at which conditions (can minor benefit from legal aid, be represented by a lawyer, etc.):

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

Yes, please specify for which kind of offences:civil, criminal, administrative

No

Comments

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

Yes

No

Comments

033. If yes, does this compensation come from:

a public fund

damages and interests to be paid by the person responsible

a private fund

Comments

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

Yes

No

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

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

Yes

No

Comments - If yes, please specify:

036. Do victims of offences have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answer with that of the question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge". (The answer NAP means that the public prosecutor cannot decide to discontinue a case on his/her own. A decision by a judge is needed.)

Yes

No

NAP

Comments - If necessary, please specify:

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

Number of requests for compensation	Number of condemnations	Total amount (in €)
-------------------------------------	-------------------------	---------------------

Total	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Excessive length of proceedings	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Non-execution of court decisions	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Wrongful arrest	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Wrongful conviction	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

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

2.2.2 Confidence and satisfaction of citizens with their justice system

038. Does your country implement surveys aimed at legal professionals and court users to measure their trust in justice and their satisfaction with the services delivered by the judicial system? If yes, how frequently and up to what level?

	National level	Court level
1. Surveys aimed at judges	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
2. Surveys aimed at court staff	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
3. Surveys aimed at public prosecutors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
4. Surveys aimed at lawyers	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
5. Surveys aimed at the parties	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
6. Surveys aimed at other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs)	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
7. Surveys aimed at victims	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc

8. Other not mentioned	<input type="checkbox"/> Annual	<input type="checkbox"/> Annual
	<input type="checkbox"/> Other regular	<input type="checkbox"/> Other regular
	<input checked="" type="checkbox"/> Ad hoc	<input checked="" type="checkbox"/> Ad hoc

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

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

Yes

No

Comments

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

	Authority responsible for dealing with the complaint	Existence of a time limit to deal with the complaint for this authority
Court concerned	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Higher court	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Ministry of Justice	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
High Judicial Council	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other external bodies (e.g. Ombudsman)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments Depending on the issue, the user of the justice system may file an appeal to the higher court (if the situation, for instance, concerns the issue of violation of material or procedural rules), to file a complaint in respect of a judge to the High Council of Justice within a system of the disciplinary procedure or adress to the Ombudsmen.

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

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

3. Organisation of the court system

3.1. Courts

3.1.1. Number of courts

042. Number of courts considered as legal entities (administrative structures) and geographic locations.

	Number of courts
42.1 First instance courts of general jurisdiction (legal entities)	587 <input type="checkbox"/> NA <input type="checkbox"/> NAP
42.2 First instance specialised courts (legal entities)	50 <input type="checkbox"/> NA <input type="checkbox"/> NAP
42.3 All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all Supreme Courts)	679 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments By the decision of the High Council of Justice dated 25.01.2018 the number of courts was decreased from 663 first instance courts of general jurisdiction to 587 and from 54 first instance specialised courts to 50 courts.

The decreased number of all court also caused by the liquidation of 4 High Specialized Courts and creation of the new Supreme Court with 4 specialized cassation courts within it.

043. Number (legal entities) of first instance specialised courts (or specific judicial order)

	Number of courts
Total (must be the same as the data given under question 42.2)	50 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Commercial courts (excluded insolvency courts)	25 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Insolvency courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Labour courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Family courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Rent and tenancies courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Enforcement of criminal sanctions courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Fight against terrorism, organised crime and corruption	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Internet related disputes	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Administrative courts	25 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Insurance and / or social welfare courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Military courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other specialised 1st instance courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "other specialised 1st instance courts", please specify:

044. Is there a foreseen change in the structure of courts [for example a reduction of the number of courts (geographic locations) or a change in the powers of courts]?

Yes

No

Comments - Please specify: According to the decrees of the President of Ukraine dated 29.12.2017 changes in the structure of courts was introduced. Local general and appellate courts shall be reorganized, and some of them shall be liquidated, and circuit courts shall be created. This process has already begun. These measures were taken for optimization purposes.

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

	Number of courts
a debt collection for small claims	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
an employment dismissal	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
a robbery	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
an insolvency case	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

045-1. Is your definition for small claims the same as the one in the Explanatory note?

Yes

No

Comments - If not, please give your definition for small claims: Small claims were introduced after entry into force of amendments to the

Civil Procedural Code of Ukraine. The value of small claims are established by law but can also be established as such by court if the amount sued for does not exceed specific sum of money.

Definition of "small claims" is in question 045-2.

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

[0]

Comments Under Article 19 part 6 of the Civil Procedural Code of Ukraine small claims are the following:

- 1) claims in which amount sued for does not exceed 6057 €
- 2) uncomplicated claims recognized by court as small claims except cases that are to be considered only by means of general adversarial proceedings and cases in which amount sued for exceeds 30286 €

C. Please indicate the sources for answering questions 42, 43 and 45:

Sources: High Qualification Commission of Judges of Ukraine
 State Judicial Administration of Ukraine
 The Civil Procedural Code of Ukraine

3.2. Court staff

3.2.1. Judges and non-judge staff



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

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	5 409 [] NA [] NAP	2 581 [] NA [] NAP	2 828 [] NA [] NAP
1. Number of first instance professional judges	4 224 [] NA [] NAP	2 001 [] NA [] NAP	2 223 [] NA [] NAP
2. Number of second instance (court of appeal) professional judges	1 067 [] NA [] NAP	516 [] NA [] NAP	551 [] NA [] NAP
3. Number of Supreme Court professional judges	118 [] NA [] NAP	64 [] NA [] NAP	54 [] NA [] NAP

Comment - Please provide any useful comment for interpreting the data above: The difference in the number of judges for 2016 and 2018 is partially caused by measures taken by the judicial reform, according to which all Ukrainian judges are subject to undergo the qualification evaluation. Part of judges failed to pass it or resigned by their own will which influenced on the number of judges. The dramatic change regarding the number of Supreme Court judges is caused by the creation of the new Supreme Court as part of the reform (with another number of judges). In 2018 after the reformation the Court consisted of 4 Courts of Cassation: Administrative Cassation Court, Commercial Cassation Court, Criminal Cassation Court and Civic Cassation Court (up to 200 judges). In 2017 118 judges were selected within the first competition to the Supreme Court. In 2018-2019 the second competition to the Supreme Court was held and as a result in March 2019 additional 78 judges were selected.

047. Number of court presidents (professional judges).

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	585 [] NA [] NAP	374 [] NA [] NAP	211 [] NA [] NAP
1. Number of first instance court presidents	547 [] NA [] NAP	342 [] NA [] NAP	205 [] NA [] NAP
2. Number of second instance (court of appeal) court presidents	37 [] NA [] NAP	32 [] NA [] NAP	5 [] NA [] NAP
3. Number of Supreme Court presidents	1 [] NA [] NAP	0 [] NA [] NAP	1 [] NA [] NAP

Comments For explanations regarding the differences with the previous cycle please see the comments to the Q046

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

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

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

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

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

Comments

049. Number of non-professional judges who are not remunerated but who can possibly 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 in a jury):

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

Comments In Ukraine there are no professional judges acting on an occasional basis. In accordance with Article 52 of the Law of Ukraine “On the Judiciary and the Status of Judges”, a judge is a citizen of Ukraine, who, in accordance with the Constitution of Ukraine and the Law, has been appointed as a judge, holds a full-time judicial position in one of the courts of Ukraine and carries out professional duties.

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

	Yes	No	Echevinage
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”, please specify:

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

Yes

No

Comments

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

Criminal cases

Other than criminal cases

Comments After amendments to the Criminal and Civil Procedural Codes of Ukraine in 2017, now the jurisdiction of the jury expands on cases subject to life imprisonment and civil court cases regarding restriction of an individual's civil capacity, recognition of an individual having no legal capacity, renewal of an individual's civil capacity, recognition by a court to be missing or presumed dead, adoption, assigning psychiatric care, compulsory hospitalization to antituberculous institutions.

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

[9 400]

NA

NAP

Comments

052. Number of non-judge staff who are working in courts (if possible on 31 December of the

reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for permanent posts actually filled)

	Total	Males	Females
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	26 445 [] NA [] NAP	5 663 [] NA [] NAP	20 782 [] NA [] NAP
1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions)	6 586 [] NA [] NAP	1 535 [] NA [] NAP	5 051 [] 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)	15 708 [] NA [] NAP	3 029 [] NA [] NAP	12 679 [] NA [] NAP
4. Technical staff	3 640 [] NA [] NAP	970 [] NA [] NAP	2 670 [] NA [] NAP
5. Other non-judge staff	511 [] NA [] NAP	129 [] NA [] NAP	382 [] NA [] NAP

Comments - If "other non-judge staff", please specify: Other non-judge staff means staff of the departments of maintenance of the President and the Vice-President of the Supreme Court and of the Presidents and Vice-Presidents of the Courts of Cassation, departments of support of activity of the head of the apparatus and deputy heads of the apparatus.

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

	Total	Males	Females
Total non-judge staff working in courts (1+2+3)	26 445 [] NA [] NAP	5 663 [] NA [] NAP	20 782 [] NA [] NAP
1. Total non-judge staff working in courts at first instance level	20 507 [] NA [] NAP	4 233 [] NA [] NAP	16 274 [] NA [] NAP
2. Total non-judge staff working in courts at second instance (court of appeal) level	4 792 [] NA [] NAP	1 107 [] NA [] NAP	3 685 [] NA [] NAP

3. Total non-judge staff working in courts at Supreme Court level	1 146 [] NA [] NAP	323 [] NA [] NAP	823 [] NA [] NAP
--	----------------------------	--------------------------	--------------------------

Comments

053. If there are Rechtspfleger (or similar bodies) in your judicial system, please specify in which fields do they have a role:

- legal aid
- family cases
- payment orders
- registry cases (land and/or business registry cases)
- enforcement of civil cases
- enforcement of criminal cases
- other cases not mentioned (please describe in comment)
- non-litigious cases
- NAP

Comments - Please briefly describe their status and duties:

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

- Yes
- No

Comments

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

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

Comments

C1. Please indicate the sources for answering questions 46, 47, 48, 49 and 52

Sources: Answers provided by the State Judicial Administration of Ukraine and the High Qualification Commission of Judges of Ukraine.

3.3. Public prosecution

3.3.1. Public prosecutors and staff



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

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	10 561 [] NA [] NAP	6 458 [] NA [] NAP	4 103 [] NA [] NAP
1. Number of prosecutors at first instance level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Number of prosecutors at second instance (court of appeal) level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Number of prosecutors at Supreme Court level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Please indicate any useful comment for interpreting the data above:

056. Number of heads of prosecution offices.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	219 [] NA [] NAP	207 [] NA [] NAP	12 [] NA [] NAP
1. Number of heads of prosecution offices at first instance level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Number of heads of prosecution offices at Supreme Court level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Please provide any useful comment for interpreting the data above:

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

() Yes

(X) No

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

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

[]
[] NA

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

Yes

No

NAP

Comments

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

Yes

No

Comments

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

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	3 684 <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA

Comments

C2. Please indicate the sources for answering questions 55, 56 and 60

Sources: Answers provided by the Prosecutor General's Office Of Ukraine.

3.4. Gender equality

3.4.1 Specific provisions for facilitating gender equality

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

	Yes, please specify	No
judges	<input type="checkbox"/>	<input checked="" type="checkbox"/>
prosecutors	<input type="checkbox"/>	<input checked="" type="checkbox"/>
non-judge staff	<input type="checkbox"/>	<input checked="" type="checkbox"/>
lawyers	<input type="checkbox"/>	<input checked="" type="checkbox"/>
notaries	<input type="checkbox"/>	<input checked="" type="checkbox"/>

enforcement agents	()	(X)
--------------------	-----	-------

[] NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify: There are no other specific provisions for facilitating gender equality within the framework of the procedures for recruiting except one defined in the Constitution of Ukraine (according to article 24 of Constitution men and women are equal in their rights) and Law of Ukraine "On ensuring equal rights and opportunities for women and men".

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

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

[] NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify: There are no other specific provisions for facilitating gender equality within the framework of the procedures for promoting except one defined in the Constitution of Ukraine (according to article 24 of Constitution men and women are equal in their rights) and Law of Ukraine "On ensuring equal rights and opportunities for women and men".

3.4.2 At national level

061-4. Do you have, at national level, one or more recent surveys or reports related to - wholly or partly - the distribution males/females within the judicial system concerning:

	Yes	No
judges	(X)	()
prosecutors	()	(X)
non-judge staff	(X)	()
lawyers	()	(X)
notaries	()	(X)
enforcement agents	()	(X)

Comments - If the situation changed since the reference year, please specify in the comments. Could you specify the reference or internet link of this/these document(s) or send it/them to us? On March 1, 2018, The State Judicial Administration made a survey related to the distribution of males/females within the courts (judges and non-judge staff). According to this report, 77% of staff are women, 33% - men. <https://dsa.court.gov.ua/dsa/pres-centr/news/466232/>

061-5. Is there a national programme or an orientation document to promote males/females equality within the judicial system?

Yes

No

Comments - if the situation changed since the reference year, please specify in the comments. Could you specify the reference or internet link of this/these document(s) or send it/them to us? On April 11, 2018, the Cabinet of Ministers approved the State Social Program for Equal Rights and Opportunities for Women and Men for the period up to 2021. http://search.ligazakon.ua/l_doc2.nsf/link1/KP180273.html

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

	Yes, please specify	No
the recruitment of judges	<input type="checkbox"/>	<input checked="" type="checkbox"/>
the promotion of judges	<input type="checkbox"/>	<input checked="" type="checkbox"/>
the recruitment of prosecutors	<input type="checkbox"/>	<input checked="" type="checkbox"/>
the promotion of prosecutors	<input type="checkbox"/>	<input checked="" type="checkbox"/>
the recruitment of non-judge staff	<input type="checkbox"/>	<input checked="" type="checkbox"/>
the promotion of non-judge staff	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

(title, date, nature of the text)

NAP

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

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

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

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

3.4.3 At court/public prosecution services level

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

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

Comments - If yes, please specify their titles and tasks. If the situation changed since the reference year, please specify in the comments.

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

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

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

061-9. In order to improve gender balance in access to different judicial professions and equality in promotion and in access to functions of responsibility, what are the measures, in your country, which:

have been already implemented (please specify) : As to providing gender equality in the judiciary and improving women's access to justice, the judicial bodies of Ukraine cooperate with UN Women and the Ukrainian-Canadian Support to Judicial Reform Project in Ukraine.

Within implementation of observations of Ukraine's 8th periodic report to the UN Committee on Elimination of Discrimination against Women on the Implementation of the UN Convention on the Elimination of All Forms of Discrimination against Women, Ukraine was called upon to develop a system of gender indicators to improve the collection of data needed to adequately assess the impact of and programs aimed at gender equality.

In this respect, the Council of Judges of Ukraine adopted a decision of September 16, 2016 No. 65, which recommended that the State Judicial Administration of Ukraine facilitate the collection, analysis and dissemination of court statistics, disaggregated by gender, including the number of men and women among judges, presidents and deputy heads of courts, heads, deputy heads and staff of local, appellate courts.

The State Judicial Administration of Ukraine started activities towards analysing gender composition of judges and employees of local and appellate courts of Ukraine for informing society about the participation of women and men in the decision-making process in the judiciary of Ukraine.

After the adoption of the respective decision and starting from July 2018 the State Judicial Administration began to prepare and publish on its website Summary on the gender composition of the courts of appeal and local courts of Ukraine, the State Judicial Administration of Ukraine and its territorial departments every 6 months. 80 public servants of the State Judicial Administration also passed special trainings regarding the importance of application gender-oriented tools in the work of the judiciary (organized with support of the Canadian-Ukrainian Support to Judicial Report Project)

are planned (please specify) : -

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

[] NAP

061-10. In your judicial system, and eventually based on evaluation, studies or official reports, what are the main causes of inequalities in:

recruitment procedures (please specify):

promotion procedures and access to the functions of responsibility (please specify) :

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

NAP

061-11. In your courts, is there particular attention given to gender issues regarding the public and users of justice, in particular:

	Yes, please specify	No
judges and court staff are more chosen among males or females according to the type of cases	()	(X)
the composition of hearings with several judges is always mixed	()	(X)
statistics exist concerning males and females who initiate a case/victims, accused persons, etc.	()	(X)

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

3.5 Use of information technologies in courts

3.5.1 General policies in Information Technology in judicial systems

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

	Organisation
IT policies and strategies	(X) defined and coordinated at national level by one institution () defined and coordinated at national level by several institutions () defined and coordinated at unit/stakeholder level () other
IT Governance	(X) governed on national level by one institution () governed on national level by several institutions () organised at unit/stakeholder level () other

Comments Information technology policies and strategies definition are determined by the State Judicial Administration of Ukraine.

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

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

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

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

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

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

065-3. Is there a device of detection and promotion of innovations regarding IT coming from personal and/or local/court level initiatives?

- Yes
- No

Comments (please specify projects that have experienced national developments)

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

- Yes
- No

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

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

Comments (please specify examples of the impact)

3.5.2 Security of courts information system and personal data protection

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

Yes

No

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

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

Yes

No

Comment - If yes, please specify among others: if there are authorities specifically responsible for protection of personal data; the extent of the rights granted to citizens in the specific framework of software used by courts; if there are controls or limitations by law regarding the sharing of databases managed by courts with other administrations (police, etc.) In order to specify the human right guaranteed by Article 32 of the Constitution of Ukraine and determine the mechanisms for its implementation, on June 1, 2010 the Verkhovna Rada of Ukraine adopted the Law "On Protection of Personal Data", which entered into force on January 1, 2011. The subject of legal regulation of the Law "On Protection of Personal Data" is the legal relationship related to the protection of personal data during its processing. The control over the observance of the legislation on the protection of personal data in accordance with Article 23 of the Law "On Protection of Personal Data" is entrusted to the State Service of Ukraine for the Protection of Personal Data.

3.5.3 Centralised databases for decision support

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

Yes

Non

Comments <http://reyestr.court.gov.ua/>

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

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

Administrative	(X) Yes all judgements () Yes some judgements () No	(X) Yes all judgements () Yes some judgements () No	(X) Yes all judgements () Yes some judgements () No	() Yes (X) No	(X) Yes () No	(X) Yes () No	(X) Yes () No
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Comments - if it exists in other matters please specify

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

- () Yes
(X) No

Comments There is no unified separate register of criminal convictions in Ukraine. The answer was different in the previous cycle because the question was interpreted in a wrong way.

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

- [] Linkage with other European records of the same nature
[] Content directly available through computerised means for judges and/or prosecutors
[] Content directly available for purposes other than criminal (civil and administrative matters)

Comments - Please specify who is the authority delivering the access

3.5.4 Writing assistance tools

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

- () Yes
(X) No

Comment – if it exists in other matters please specify

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

	Availability rate
Civil and/or commercial	() 100% () 50-99% () 10-49% () 1-9% () 0% (NAP) [X] NA
Criminal	() 100% () 50-99% () 10-49% () 1-9% () 0% (NAP) [X] NA

Administrative	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA
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062-8. Are there voice recording tools?

Yes

No

Comments

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

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

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

Availability rate:

100% - accessible to everyone in judiciary

50-99% - accessible for most judges/prosecutors in all instances

10-49% - in some courts only

1-9% - in one court only

0% (NAP) - No access

3.5.5 Technologies used for administration of the courts and case management

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

Yes

No

Comments - if it exists in other matters please specify

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

	CMS deployment rate	Status of case online	Centralised or interoperable database	Early warning signals (for active case management)	Status of integration/connection of a CMS with a statistical tool
Civil and/or commercial	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> accessible to parties <input checked="" type="checkbox"/> publication of decision online <input type="checkbox"/> both <input type="checkbox"/> not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input checked="" type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP
Criminal	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> accessible to parties <input checked="" type="checkbox"/> publication of decision online <input type="checkbox"/> both <input type="checkbox"/> not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input checked="" type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP
Administrative	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> accessible to parties <input checked="" type="checkbox"/> publication of decision online <input type="checkbox"/> both <input type="checkbox"/> not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input checked="" type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP

063-2. Computerised registries managed by courts

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

Comment – if it exists in other matters please specify Business registry is governed by the Ministry of Justice of Ukraine.
The Land registry is governed by the State Service of Ukraine for Geodesy, Cartography and Cadastre.

063-6. Budgetary and financial management systems of courts

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

Comments

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

Yes

() No

Comments

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

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

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

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

Yes

No

Comments In accordance with the order of the State Judicial Administration of Ukraine 628 dated 22.12.2018 "On testing of the subsystem "E-court" in local and appellate courts", subsystem "E-court" began its work in test mode in all local and appellate courts of Ukraine since 22.12.2018.

E-court is available by the link <https://id.court.gov.ua/>

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

Availability rate	Simultaneous submission of cases in paper form remains mandatory	Specific legislative framework authorising the submission of a case	An integrated/connect ed tool with the CMS

Civil and/or commercial	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Criminal	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Administrative	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - if it exist in other matters please specify In 2017 changes to the Procedural Codes were adopted and submission of a case to courts by electronic means became possible.

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

Yes

No

Comments

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

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

Information available in CMS	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
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064-4. Is it possible to transmit summons to a judicial meeting or a hearing by electronic means? (a judicial meeting relates to stages prior to a court hearing, with a view to mediation or conciliation)

Yes

No

Comments

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

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

Comments

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

Communication between court and lawyers representing parties

Yes

No

Communication between court and parties not represented by lawyer

Yes

() No

Comments

064-6-1. If yes, please specify the following information:

	Tool deployment rate	Trial phases concerned	Modalities (if there are different according to the trial phases or if other, please specify in a comment)	Specific legal framework
Civil and/or commercial	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) - for this matter <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Submission of a case to a court <input checked="" type="checkbox"/> Phases preparatory to a hearing <input checked="" type="checkbox"/> Schedule of hearings and/or appeals management <input type="checkbox"/> Transmission of court decisions	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input checked="" type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes
Criminal	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) - for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Submission of a case to a court <input type="checkbox"/> Phases preparatory to a hearing <input type="checkbox"/> Schedule of hearings and/or appeals management <input type="checkbox"/> Transmission of court decisions	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes
Administrative	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) - for this matter <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Submission of a case to a court <input checked="" type="checkbox"/> Phases preparatory to a hearing <input checked="" type="checkbox"/> Schedule of hearings and/or appeals management <input type="checkbox"/> Transmission of court decisions	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input checked="" type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes

Comments "Other" in the section "Modalities" means electronic cabinet of the user.

Since 2018 the new system "Digital Court" started its work in a test regime. This system is implemented in majority of courts and in majority of matters on the communication with court. The user has to create electronic cabinet to get the access to the functions of the system. Through this cabinet user can share and receive documents from court and other participants of the proceedings. Also this cabinet contains information on schedule of hearings.

064-7. Terms and conditions of electronic communication used by professionals other than

lawyers (sending of electronic data concerning a judicial proceeding with or without scanned documents, mainly to develop dematerialised communication)

	Tool deployment rate	Modalities (if there are different according to the deeds or if other, please specify in a comment)	Specific legal framework
Enforcement agents (as defined in Q169 and following)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes
Notaries (as defined in Q192 and following)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes
Experts (as defined in Q202 and following)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes
Judicial police services	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes

Comments

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

Yes

No

Comments – Please describe the system that exists.

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

Yes

No

Comments

064-10-1. If yes, please specify the following information and describe in comments of this

section the cases of actual use of videoconferencing and the expected benefits (for example, the use of this device to reduce the number of detainees' transfers to the court):

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

Comments

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

Yes

No

Comments

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

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

Administrative	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Sound <input type="checkbox"/> Video <input type="checkbox"/> Both <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
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064-12. Is electronic evidence admissible?

	Admissibility of electronic evidence	Legislative framework
Civil and/or commercial	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> General law only <input checked="" type="checkbox"/> General and specialised law <input type="checkbox"/> Specialised law only
Criminal	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> General law only <input checked="" type="checkbox"/> General and specialised law <input type="checkbox"/> Specialised law only
Administrative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> General law only <input checked="" type="checkbox"/> General and specialised law <input type="checkbox"/> Specialised law only

Comments In 2017 changes to the Procedural Codes were adopted where the electronic evidences became admissible.

3.6. Performance and evaluation

3.6.1. National policies applied in courts and public prosecution services

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

Yes

No

Comments - If yes, please specify:

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

	Yes / No
within the courts	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
within the public prosecution services	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments The State Judicial Administration of Ukraine analyses the evaluation information published and sent by the courts.

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

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

Yes

No

Comments

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

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

Comments

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

Yes

No

Comments

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

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of prosecutors and prosecution staff
- satisfaction of prosecution staff
- satisfaction of users (regarding the services delivered by the public prosecutors)
- costs of the judicial procedures

clearance rate

disposition time

percentage of convictions and acquittals

other (please specify):violations of constitutional rights, compensation for damages caused by criminal offenses

Comments

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

Yes

No

Comments

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

Annual

Less frequent

More frequent

Comments - If "less frequent" or "more frequent", please specify: The analysis is conducted every six months and every year according to basic indicators approved.

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

Yes

No

Comments

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

Identifying to the causes of improved or deteriorated performance

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

Reengineering of internal procedures to increase efficiency (treatment)

Other (please specify):

Comments

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

Yes

No

Comments

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

Annual

Less frequent

More frequent

Comments - If "less frequent" or "more frequent", please specify: Prosecutors' offices inform the society about their activities at least twice a year by means of mass media reports.

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

Yes

No

Comments Currently, the main factor in budgeting within the prosecutor's office is the available financial resources and staffing.

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

Identifying to the causes of improved or deteriorated performance

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

Reengineering of internal procedures to increase efficiency (treatment)

Other (please specify):

Comments

079. Who is responsible for evaluating the performance of the courts (multiple options possible) :

High Judicial Council

Ministry of Justice

Inspection authority

Supreme Court

External audit body

Other (please specify): State Judicial Administration the Council of Judges of Ukraine

Comments The State Judicial Administration and the Council of Judges of Ukraine

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

Public prosecutorial Council

Ministry of Justice

Head of the organisational unit or hierarchical superior public prosecutor

Prosecutor General /State public prosecutor

External audit body

Other (please specify):

Comments

3.6.3. Measuring courts' / public prosecution services activity

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

number of incoming cases

length of proceedings (timeframes)

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

Comments

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

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

Comments Reporting, in particular, includes information on the movement and results of the pre-trial investigation (number of criminal proceedings investigated, including indictments, motions and closed proceedings, data on the timing of the pre-trial investigation, detained and released persons, violations of constitutional rights, compensation for damages caused by criminal offenses)

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

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

Comments This issue is monitored within the Court Performance Evaluation Framework, developed by the working group on the

development of court quality assurance systems approved by the Council of Judges of Ukraine.

072. Do you monitor waiting time during judicial proceedings?

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

Comments This issue is monitored within the Court Performance Evaluation Framework, developed by the working group on the development of court quality assurance systems approved by the Council of Judges of Ukraine.

3.6.4. Information regarding courts /public prosecution services activity

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

- (X) Yes (please indicate the name and the address of this institution):State Judicial Administration
- () No

Comments

080-1. Does this institution publish statistics on the functioning of each court:

- (X) Yes, on internet
- () No, only internally (in an intranet website)
- () No

Comments

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

- (X) Yes (please indicate the name and the address of this institution):the Prosecutor General's Office of Ukraine
- () No

Comments

080-3. Does this institution publish statistics on the functioning of each public prosecution service?

- (X) Yes, on internet
- () No, only internally (in an intranet website)
- () No

Comments

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

targets and assessment of the activity)?

Yes

No

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

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

Internet

Intranet (internal) website

Paper distribution

Comments

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

Annual

Less frequent

More frequent

Comments Every 6 months and every year

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

Yes

No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is intended): These reports include the results of representative work in the field of protection of the interests of the state, data on the supervision of law compliance by bodies conducting pre-trial investigation and investigative activity, the participation of the prosecutor in the judicial review of criminal proceedings and review of court decisions, supervision of compliance with the law in criminal cases, international legal cooperation in criminal proceedings, consideration of appeals, requests for information, as well as coverage of the activities of the prosecution bodies. Reporting, in particular, includes information on the movement and results of the pre-trial investigation (number of criminal proceedings investigated, including indictments, motions and closed proceedings, data on the timing of the pre-trial investigation, detained and released persons, violations of constitutional rights, compensation for damages caused by criminal offenses)

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

Internet

Intranet (internal) website

Paper distribution

Comments

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

Annual

Less frequent

More frequent

Comments According to the results of the work for the six months and the year, on 35-day of the reporting period, consolidated reports on

3.6.5 Courts administration

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

Yes

No

Comments - If yes, please specify:

082-1. Is there in general a process or structure of dialogue between lawyers and courts regarding the way cases are presented before courts in other than criminal matters (e.g. organisation, number and planning of hearings, on-call service for urgent cases)?

Yes

No

Comments - If yes, please specify:

3.6.6 Performance and evaluation of judges and public prosecutors

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

Yes

No

Comments

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

Executive power (for example the Ministry of Justice)

Legislative power

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

President of the court

Other (please specify):

Comments

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

Yes

No

Comments

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

- Annual
- Less frequent
- More frequent

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

- Yes
- No

Comments

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

- Executive power (for example the Ministry of Justice)
- Prosecutor General /State public prosecutor
- Public prosecutorial Council
- Head of the organisational unit or hierarchical superior public prosecutor
- Other (please specify):NAP

Comments

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

- Yes
- No

Comments

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

- Annual
- Less frequent
- More frequent

Comments

C4. Please indicate the sources for answering the questions in this chapter:

Sources: The legislation of Ukraine

4.Fair trial

4.1.Principles

4.1.1.Principles of fair trial

084. Percentage of first instance criminal in absentia judgments (cases in which the suspect is not

attending the hearing in person nor is represented by a lawyer)?

[]

[] NA

[X] NAP

Comments - Please add methodology for calculation used.

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

(X) Yes

() No

Comments - Please could you briefly specify:

085-1. Ratio between the total number of initiated procedures of challenges and total number of finalised challenges (in the reference year):

[]

[X] NA

Comments

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

[X] For civil procedures (non-enforcement)

[X] For civil procedures (timeframe)

[X] For criminal procedures (timeframe)

[] NAP

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

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

(X) Yes

() No

[] NAP

Comments

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

Sources: Law of Ukraine on the implementation of decisions and application of case-law of the European Court of Human Rights; Regulation on the Government Agent of Ukraine before European Court of Human Rights, approved by the Cabinet of Ministers of Ukraine of May 31, 2006 N 784

4.2. Timeframe of proceedings

4.2.1. General information

087. Are there specific procedures for urgent matters regarding:

- civil cases
- criminal cases
- administrative cases
- There is no specific procedure for urgent matters

Comments - If yes, please specify: Civil and Commercial law are separate branches of law in Ukraine.

In 2017 the amendments to the procedural codes on administrative, civil and commercial law were made. The main novelty was the introduction within these branches of law a simplified procedure for cases of low complexity and high priority. It was aimed to ensure the reasonable time of case consideration and reduction of the caseload of courts. That caused the difference in answers for 2016 and 2018.

088. Are there simplified procedures for:

- civil cases (small disputes)
- criminal cases (misdemeanour cases)
- administrative cases
- There is no simplified procedure

Comments - If yes, please specify: The commercial cases may also be considered within a simplified procedure.

The difference in answers for 2016 and 2018 is caused by amendments to procedural codes in 2017 (please see Q087), when in addition to earlier existed writ proceedings (see in general comments) a simplified procedure as a separate type of procedure was introduced.

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

- civil cases
- criminal cases
- administrative cases

Comments - If yes, please specify:

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

- Yes
- No

Comments - If yes, please specify:

4.2.2. Case flow management – first instance

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of other than criminal law cases (1+2+3+4)	312 888 [] NA [] NAP	1 611 451 [] NA [] NAP	1 579 794 [] NA [] NAP	344 545 [] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	220 554 [] NA [] NAP	704 966 [] NA [] NAP	684 268 [] NA [] NAP	241 252 [] NA [] NAP	6 158 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Administrative law cases	51 119 [] NA [] NAP	148 214 [] NA [] NAP	149 362 [] NA [] NAP	49 971 [] NA [] NAP	369 [] NA [] NAP
4. Other cases	41 215 [] NA [] NAP	758 271 [] NA [] NAP	746 164 [] NA [] NAP	53 322 [] NA [] NAP	[X] NA [] NAP

Comments Such a number of cases pending on 31 December is caused by the overall lack of judges in the judicial system. After the introduction of certain measures aimed at raising the transparency and integrity of work of Ukrainian judges in the framework of judicial reform demanded by the Ukrainian society, the whole judicial corps had to go through a thorough evaluation procedure as part of either

qualification evaluation of judges for compliance with the position held or competition for the vacant position. One of its stages - interview with a Members of the High Qualification Commission of Judges of Ukraine - is broadcast online. In addition, the filling of the positions became possible only via the public transparent procedure on a competitive basis. Furthermore, judges now have to file not only the financial declaration but also a declaration of family ties and declaration of integrity. Also, the judicial dossier (which also is open via the Internet for the public, except personal data) within competitions was introduced. The additional stage of career procedures became psychological testing, implemented by an international outsourcing company. The public society also takes part in the procedure of evaluation of the candidates, except the competition to the High Anti-Corruption Court, through the Public Integrity Council(PIC). If the judge or the candidate to judicial position get the PIC's negative opinion, it had to be overruled by 11 votes of the Members of the High Qualification Commission of Judges of Ukraine (HQCJU), which makes the public society a part of the administrative procedure. In case of competition to the High Anticorruption Court, the assistance to the HQCJU is exercised by the Public Council of International Experts. After the introduction of reform novelties in 2016, around 20% of judges resigned on their own will. In 2017 this number reached about 30%. Simultaneously with the process of "purification", the judicial authorities take all the possible efforts to fill the vacancies. For instance, from 2016 there has been held 2 competitions to the Supreme Court (120 and 78 positions accordingly), High Anti-Corruption Court and its Appellate Chamber (39 positions), selection for 600 vacant positions of judges and then the competition to local general courts for 505 positions. The HQCJU still has to complete the competition to the High Court for Intellectual Property and its Appellate Chamber (30 positions), competitions for 54 positions of local administrative courts and 22 positions of local commercial courts, competitions for 7 judicial positions in Donetsk and Luhansk regions, competition for 346 judicial positions of appellate courts, competition for 35 vacant judicial positions in local courts, which already have been initiated.

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

. NAP

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

. The "Other cases" include the number of cases on administrative offences.

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of criminal law cases (1+2+3)	63 145 <input type="checkbox"/> NA <input type="checkbox"/> NAP	131 494 <input type="checkbox"/> NA <input type="checkbox"/> NAP	111 744 <input type="checkbox"/> NA <input type="checkbox"/> NAP	82 895 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8 161 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Severe criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

3. Other cases	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases" please specify: Regarding existing discrepancy with the previous cycle, please see the explanations about the reasons in the comments to the Q091.

4.2.3. Case flow management – second instance



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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of other than criminal law cases (1+2+3+4)	34 306 <input type="checkbox"/> NA <input type="checkbox"/> NAP	229 513 <input type="checkbox"/> NA <input type="checkbox"/> NAP	198 067 <input type="checkbox"/> NA <input type="checkbox"/> NAP	65 752 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	21 134 <input type="checkbox"/> NA <input type="checkbox"/> NAP	109 849 <input type="checkbox"/> NA <input type="checkbox"/> NAP	92 518 <input type="checkbox"/> NA <input type="checkbox"/> NAP	38 465 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Non litigious cases (2.1+2.2+2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.1. Non litigious land registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.2 Non-litigious business registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.3. Other registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

2.3. Other non-litigious cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Administrative law cases	11 249 <input type="checkbox"/> NA <input type="checkbox"/> NAP	95 155 <input type="checkbox"/> NA <input type="checkbox"/> NAP	83 472 <input type="checkbox"/> NA <input type="checkbox"/> NAP	22 932 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	1 923 <input type="checkbox"/> NA <input type="checkbox"/> NAP	24 509 <input type="checkbox"/> NA <input type="checkbox"/> NAP	22 077 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 355 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "Other cases" please specify The "Other cases" include the number of cases on administrative offences.

Regarding existing discrepancy with the previous cycle, please see the explanations about the reasons in the comments to the Q091.

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of criminal law cases (1+2+3)	6 858 <input type="checkbox"/> NA <input type="checkbox"/> NAP	31 350 <input type="checkbox"/> NA <input type="checkbox"/> NAP	22 314 <input type="checkbox"/> NA <input type="checkbox"/> NAP	15 894 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Severe criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Other cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases", please specify. Regarding existing discrepancy with the previous cycle, please see the explanations about the reasons in the comments to the Q091.

4.2.4. Case flow management – Supreme Court

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of other than criminal law cases (1+2+3+4)	7 227 <input type="checkbox"/> NA <input type="checkbox"/> NAP	139 052 <input type="checkbox"/> NA <input type="checkbox"/> NAP	80 257 <input type="checkbox"/> NA <input type="checkbox"/> NAP	66 022 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	1 826 [] NA [] NAP	67 198 [] NA [] NAP	41 799 [] NA [] NAP	27 225 [] NA [] NAP	0 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Administrative law cases	5 401 [] NA [] NAP	71 854 [] NA [] NAP	38 458 [] NA [] NAP	38 797 [] NA [] NAP	0 [] NA [] NAP
4. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If “Other cases”, please specify The increase of unresolved cases by the Supreme Court (SC) is caused by its reformation within the judicial reform. After the Constitutional amendments in part of justice in 2016, the first competition to the new SC (120 positions) was held and the first 118 judges started working from 15 December 2017. The decrease with the numbers on 1 January 2018 comparing the numbers for 31 December 2016 is caused by the need of transferring the cases from the liquidated High Specialized Courts to the new Supreme Court, which took some time and had been lasting until June 2018. Thus, the numbers for 1 January 2018 represents the numbers of transferred cases the new Supreme Court managed to register within the first 15 days of its work. Please also see the general explanations to the existing discrepancy with the previous cycle in the comments to the Q091.

As the court is new it had no pending cases older than 2 years for 31 December 2018.

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

(X) Yes

() No

Comments

099-1-1. If yes, please indicate the number of:

cases received by the Highest court? [0]

cases closed by this procedure? [0]

Comments The number of cases received and closed within the respective procedure is NA.

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of criminal law cases (1+2+3)	548 [] NA [] NAP	15 227 [] NA [] NAP	9 204 [] NA [] NAP	6 571 [] NA [] NAP	0 [] NA [] NAP
1. Severe criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases", please specify Regarding existing discrepancy with the previous cycle, please see the explanations about the reasons in the comments to the Q091 and Q099.

4.2.5. Case flow management and timeframes – specific cases



101. Number of litigious divorce cases, employment dismissal cases, insolvency, robbery cases, intentional homicide cases, cases relating to asylum seekers and cases relating to the right of entry and stay for aliens received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year
Litigious divorce cases	18 147 [] NA [] NAP	116 544 [] NA [] NAP	110 756 [] NA [] NAP	23 935 [] NA [] NAP
Employment dismissal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Insolvency	[X] NA [] NAP	[X] NA [] NAP	1 368 [] NA [] NAP	[X] NA [] NAP

Robbery case	3 886 [] NA [] NAP	5 341 [] NA [] NAP	4 558 [] NA [] NAP	4 669 [] NA [] NAP
Intentional homicide	1 981 [] NA [] NAP	1 660 [] NA [] NAP	1 275 [] NA [] NAP	2 366 [] NA [] NAP
Cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	232 [] NA [] NAP	535 [] NA [] NAP	480 [] NA [] NAP	287 [] NA [] NAP
Cases relating to the right of entry and stay for aliens	49 [] NA [] NAP	1 991 [] NA [] NAP	1 979 [] NA [] NAP	61 [] NA [] NAP

Comments Numbers in section "Cases relating to the right of entry and stay for aliens" concerns exclusion of foreigners and apatrides outside the territory of Ukraine. In the context of the raised number of unresolved cases at the end of the year, please see the explanations about the reasons in the comments to the Q091.

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

. The Law of Ukraine "On Refugees and Persons in Need of Subsidiary Protection or Asylum" determines the procedure for regulating social relations in the area of granting the status of a refugee, a person in need of subsidiary protection, or person in need of asylum; the loss or withdrawal of such status; and for establishing the legal status of refugees, persons in need of subsidiary protections and persons granted asylum in Ukraine.

Chapter IV of the Law is dedicated to asylum.

In case of mass arrival of people to the territory of Ukraine from a country that shares a border with Ukraine, due to external aggression, foreign occupation, civil war, conflicts on the grounds of ethnicity, natural or man-made emergencies, or other events that disrupt public order in a certain part or entire territory of their country of origin, the Cabinet of Ministers of Ukraine, by recommendation of the State Migration Service of Ukraine, adopts a resolution on granting asylum to such arrivals. The issue of receiving by people in need of asylum, determining places for their accommodation, the procedure of their registration and ensuring their livelihood, and the financing, are regulated by the Cabinet of Ministers of Ukraine. Asylum is granted to people by the Cabinet of Ministers of Ukraine until the cessation of circumstances in their country of origin that have forced them to arrive to the territory of Ukraine, but for a term that does not exceed one year. The duration of asylum can be extended, but for a term that does not exceed one year. The State Migration Service of Ukraine issues for each adult person that is part of the people who have been granted asylum an identification certificate of a person who has been granted asylum in Ukraine (Article 18 of the Law).

According to Article 19 of the Law, persons who have been granted asylum are foreigners or stateless persons that legally stay on the territory of Ukraine for the duration of the circumstances that have led to the granting of asylum.

The rights and obligations of persons granted asylum are established by Articles 20 and 21 of the Law.

1. Persons who have been granted temporary protection have the right to:

- free accommodation in suitable places for temporary stay. Requirements for places of temporary stay of persons who have been granted temporary protection shall be established by the Cabinet of Ministers of Ukraine. The list of places for temporary stay of persons granted temporary protection, and the procedure for the maintenance of such places shall be determined by the Cabinet of Ministers of Ukraine taking into account the proposals of the executive authorities and local self-government bodies;
- provision of adequate nutrition, medicines, clothes, taking into account the special needs of children, including newborns, people with diseases, the elderly;
- obtaining work in Ukraine for the term for which temporary protection was granted;
- receive cash assistance if they do not have other income in Ukraine;
- freedom of movement through the territory of Ukraine under the same conditions as determined by the laws of Ukraine for foreigners and stateless persons who are legally in the territory of Ukraine;

- free emergency medical care in state health care institutions;
- voluntary return to the country of origin;
- submission of an application for recognition as a refugee or a person who needs additional protection in accordance with the procedure established by this Law;
- obtaining information about their rights and duties in their native or understandable language;
- use of other rights guaranteed to them in accordance with international treaties, laws and other normative legal acts of Ukraine.

According to Article 24 of the Law, asylum ceases in the following cases:

persons can return to their country of origin due to the cessation of circumstances that have led to the granting of asylum;

The decision to cease asylum is made by the Cabinet of Ministers of Ukraine.

102. Average length of proceedings, in days (from the date the application for judicial review is lodged). 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 enforcement procedure.

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

Comments

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

. According to the Family Code of Ukraine, a marriage can be terminated in two ways. The dissolution can be decided by the State Registration Authority upon joint application of spouses without children. The decision shall be rendered within one month; the marriage is dissolved whatever property dispute between the spouses may exist. The marriage can be terminated through dissolution upon joint application of spouses with children who may file with the court a marriage dissolution application accompanied with

written agreement in respect of the children. The court will dissolve a marriage if the application corresponds to the will of the wife and the husband, and such dissolution does not violate their personal and property rights or the rights of their children. The court makes a decision on marriage dissolution within one month. Each of the spouses has the right to legal action for marriage dissolution. The legal action for marriage dissolution may not be taken during the wife's pregnancy and within one year after the child has been born, except cases when one of the spouses has committed unlawful conduct containing elements of crime in respect of the other spouse or the child. The husband, the wife has the right to take legal action for marriage dissolution during the wife's pregnancy if another person found parental affiliation of the procreated child. The husband, the wife has the right to take legal action for marriage dissolution prior the child has attained the age of 1 if another person found parental affiliation of the child or if upon judicial decision particulars on the husband as the father of the child have been withdrawn from the birth record. The custodian may take legal action for marriage dissolution if the interests of the spouse found legally incapable so require. The court ascertains actual relationships of spouses, real reasons for taking legal action for marriage dissolution, take in consideration existence of a minor child, disabled child and other circumstances relating to the life of married couple. The court pronounces the decision on marriage dissolution if it is ascertained that spouses' continued living together and preservation of marriage would not be in essential interests of one of spouses, the interests of their children.

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

. NA

4.2.6. Case flow management – public prosecution

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

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

Comments

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

civil cases

administrative cases

insolvency cases

Comments - If yes, please specify:

107. Cases processed by the public prosecutor - Total number of first instance criminal cases:

	Received during the reference year	Discontinued during the reference year (see Q108 below)	Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	Cases brought to court
Total number of first instance cases processed by the public prosecutor	24 995 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8 114 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	3 284 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The Prosecutor General's Office of Ukraine had prepared statistics of all the first instance cases and published them on official website.

107-1. If the guilty plea procedure exists, how many cases were brought to court by the prosecutor through this procedure?

	Number of guilty plea procedures
Total	296 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Before the court case	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
During the court case	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

108. Total number of cases which were discontinued by the public prosecutor.

	Number of cases
Total number of cases which were discontinued by the public prosecutor (1+2+3+4)	8 114 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Discontinued by the public prosecutor because the offender could not be identified	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Discontinued by the public prosecutor for reasons of opportunity	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

4. Other

NA

NAP

Comments

109. Do the figures include traffic offence cases?

Yes

No

Comments

D2. Please indicate the sources for answering questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 107-1 and 108.

Sources: Answers 107-108 provided by the General Prosecutor's office.

5. Career of judges and public prosecutors

5.1. Recruitment and promotion

5.1.1. Recruitment and promotion of judges



110. How are judges recruited?

mainly through a competitive exam (open competition)

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

a combination of both (competitive exam and working experience)

other (please specify):

Comments

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

an authority made up of judges only

an authority made up of non-judges only

an authority made up of judges and non-judges

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles:

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

Yes

No

Comments

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

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

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

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

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

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

5.1.2. Status, recruitment and promotion of prosecutors

115. What is the status of public prosecution services?

- statutory independent
- under the authority of the Minister of Justice or another central authority
- other (please specify):

Comments - When appropriate, please specify the objective guarantees of this independence (transfer, appointment...).

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

- Yes
- No

Comments - If yes, please specify: The independence of prosecutor is guaranteed by the Law of Ukraine On Prosecutor's Office.

116. How are public prosecutors recruited?

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

Comments According to the Law of Ukraine On Public Prosecution Office, a citizen may become a prosecutor of the local prosecutor's office by passing the competitive exam and having the experience in the field of law not less than two years.

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

- an authority composed of public prosecutors only

an authority composed of non-public prosecutors only

an authority composed of public prosecutors and non-public prosecutors

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles: The Qualification Disciplinary Commission of Public Prosecutors select candidates to the position of prosecutor through the competitive procedure. After the candidates successfully passed all the stages, the Qualification Disciplinary Commission of Public Prosecutors make a submission to the Prosecutor General of Ukraine on appointment of a candidate to the position of public prosecutor.

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

Yes

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

Comments Prosecutor General promotes public prosecutors on the recommendation of the Council of Prosecutors.

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

Competitive test / exam

Other procedure (interview or other)

No special procedure

Comments - Please, specify the procedure (especially if it is a procedure different from a competitive test or an exam): The prosecutor may be transferred, with his or her consent, to another prosecutor's office, including the one of higher level, to a vacant or temporary position. Transfer to the prosecutor's office of a higher level is based on the results of the competition, the procedure of which is determined by the Qualification and Disciplinary Commission of Prosecutors. The competition should include an evaluation of the professional level, experience, moral and business qualities of the prosecutor and verification of his/her readiness to exercise powers in another prosecutor's office, including the one of a higher level.

Appointment of a prosecutor for an administrative position is carried out by Prosecutor General on the recommendation of the Council of Prosecutors, due to the years of experience, professional skills and subjective criteria.

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

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Assessment results

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

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

5.1.3.Mandate and retirement of judges and prosecutors

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

Yes, please indicate the compulsory retirement age:65

No

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

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

For disciplinary reasons

For organisational reasons

For other reasons (please specify modalities and safeguards):

No

Comments

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

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

No

Comments

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

Yes, please indicate the compulsory retirement age:65

No

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

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

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

No

Comments

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

[]

NA

NAP

Comments

125-1. Is it renewable?

Yes

No

NAP

Comments

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

[]

NA

Comments

126-1. Is it renewable?

() Yes

() No

Comments

E1. Please indicate the sources for answering the questions in this chapter:

Sources: Law of Ukraine On the Judiciary and the Status of Judges.

5.2. Training

5.2.1. Training of judges

127. Types of different trainings offered to judges:

	Compulsory	Optional	No training proposed
Initial training (e.g. attend a judicial school, traineeship in the court)	(X) Yes () No	() Yes (X) No	() Yes (X) No
General in-service training	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for management functions of the court (e.g. court president)	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for the use of computer facilities in courts	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training on ethics	() Yes (X) No	(X) Yes () No	() Yes (X) No

Comments

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

	Frequency of the judges training
General in-service training	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed

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

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

5.2.2. Training of prosecutors

129. Types of different trainings offered to public prosecutors:

	Compulsory	Optional	No training proposed
Initial training	(X) Yes () No	() Yes (X) No	() Yes (X) No
General in-service training	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for specialised functions (e.g. public prosecutors specialised on organised crime)	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for management functions (e.g. Head of prosecution office, manager)	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for the use of computer facilities in office	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training on ethics	() Yes (X) No	() Yes (X) No	(X) Yes () No

Comments Due to the development of technologies and necessity to go in line with it the training for the use of computer facilities was implemented.

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

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

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

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors: Regularly means once in a three years.

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

	Initial training only	Continuous training only	Initial and continuous training
One institution for judges	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
One institution for prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
One single institution for both judges and prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

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

	Budget of the institution for the reference year, in €
One institution for judges	3 792 910 <input type="checkbox"/> NA <input type="checkbox"/> NAP
One institution for prosecutors	3 983 367 <input type="checkbox"/> NA <input type="checkbox"/> NAP
One single institution for both judges and prosecutors	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

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

. NAP

131-2. Number of in-service training courses (in days) organised by the judicial training institution for judges, prosecutors, non-judge and non-prosecutor staff

	Number of training courses in days organised, without e-learning	Online training courses available during the reference year (e-learning)
Total	1 178 [] NA [] NAP	54 [] NA [] NAP
1. Only for judges	269 [] NA [] NAP	24 [] NA [] NAP
2. Only for prosecutors	409 [] NA [] NAP	26 [] NA [] NAP
3. Only for other non-judge staff	480 [] NA [] NAP	4 [] NA [] NAP
4. Only for other non-prosecutor staff	18 [] NA [] NAP	[X] NA [] NAP
5. Other common training	2 [] NA [] NAP	[X] NA [] NAP

Comments:

E2. Please indicate the sources for answering the questions in this chapter:

Sources: Answers provided by the National School of Judges of Ukraine and National Academy of the Public Prosecutor's Office of Ukraine

5.3. Practice of the profession

5.3.1. Salaries and benefits of judges and prosecutors



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

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
First instance professional judge at the beginning of his/her career	15 997 [] NA [] NAP	12 958 [] NA [] NAP	507 456 [] NA [] NAP	411 039 [] 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)	105 667 [] NA [] NAP	85 058 [] NA [] NAP	3 350 700 [] NA [] NAP	2 697 192 [] NA [] NAP

Public prosecutor at the beginning of his/her career	10 689 [] NA [] NAP	8 605 [] NA [] NAP	338 965 [] NA [] NAP	272 867 [] 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).	17 390 [] NA [] NAP	14 006 [] NA [] NAP	551 723 [] NA [] NAP	444 137 [] NA [] NAP

Comments The salaries of judges and prosecutors are raised in the framework of judicial and prosecution reform respectively.

133. Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
Reduced taxation	() Yes (X) No	() Yes (X) No
Special pension	(X) Yes () No	(X) Yes () No
Housing	(X) Yes () No	(X) Yes () No
Other financial benefit	() Yes (X) No	() Yes (X) No

Comments

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

[X] NAP

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

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	() Yes (X) No	() Yes (X) No
Consultant	() Yes (X) No	() Yes (X) No
Cultural function	(X) Yes () No	(X) Yes () No

Political function	() Yes (X) No	() Yes (X) No
Mediator	() Yes (X) No	() Yes (X) No
Other function	() Yes (X) No	() Yes (X) No

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

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

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

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If "other function", please specify: Concerning "Other function": Public prosecutors can also combine their work with medical practice and act as instructors and arbitrator in sports.

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

() Yes

(X) No

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

5.3.2 Body/institution of ethics

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

Yes

No

Comments

138-1. If yes, how is this institution / body formed

only by judges

by judges and other legal professionals

other, please specify:

Comments The institution responsible for issues of ethics of judges is the Council of Judges of Ukraine.

There is a Committee on Ethics, Prevention of Corruption and Conflict of Interest within the Council. Its tasks inter alia include preparation of draft explanations, recommendations and advisory opinions of the Council on the application and interpretation of the rules of judicial ethics.

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

Yes

No

NAP

Comments - Please describe the work of this institution / body, the frequency of opinions, etc. At the same time the Council of Judges of Ukraine publishes the decisions, connected with ethical issues, on it's website, as well as documents such as the Commentary to the Code of Judicial Ethics.

NAP

138-3. Is there in your country an institution / body giving opinions on ethical questions of the conduct of prosecutors (e.g. involvement in political life, use of social media by prosecutors, etc.)

Yes

No

Comments

138-4. If yes, how is this institution / body formed

only by prosecutors

by prosecutors and other legal professionals

other, please specify:

Comments Qualification and Disciplinary Commission of Public Prosecutors provides ethical conclusions on the conduct of prosecutors.

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

Yes

No

NAP

Comments - Please describe the work of this institution / body, the frequency of opinions, etc. The decision of the Qualification and Disciplinary Commission of Public Prosecutors, adopted as a result of disciplinary proceedings, shall be made public on its website within seven days.

NAP

5.4. Disciplinary procedures

5.4.1. Authorities responsible for disciplinary procedures and sanctions

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

- Court users
- Relevant Court or hierarchical superior
- High Court / Supreme Court
- High Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power (please specify):each
- Other (please specify):non-governmental organizations, public prosecutors
- This is not possible

Comments According to Ukrainian legislation, any person has the right to file a complaint regarding disciplinary misconduct of a judge (a disciplinary complaint). Citizens exercise this right in person or through a lawyer, legal persons through a lawyer, state authorities and local self-government bodies - through their leaders or representatives (art. 107 of the Law of Ukraine on Judiciary and the Status of Judges).

141. Who is authorised to initiate disciplinary proceedings against public prosecutors (multiple options 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 or body
- Ombudsman
- Professional body
- Executive power (please specify):each
- Other (please specify):non-governmental organizations
- This is not possible

Comments On April 15, 2017 the article 45 of the Law of Ukraine “On Prosecutor’s Office” came into force. Since that time every category is authorized to initiate disciplinary proceedings against public prosecutors.

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

- Court
- Higher Court / Supreme Court
- High Judicial Council
- Disciplinary court or body

- Ombudsman
- Parliament
- Executive power (please specify):
- Other (please specify):

Comments After the constitutional amendments in part of the justice of 2016 as part of judicial reform, the disciplinary function was transferred from the High Qualification Commission of Judges of Ukraine to the High Council of Justice.

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

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

Comments On April 15, 2017 the article 45 of the Law of Ukraine “On Prosecutor’s Office” came into force. Since that time only Qualification and Disciplinary Commission of Prosecutors have disciplinary power over public prosecutors.

5.4.2.Number of disciplinary procedures and sanctions

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

	Judges	Prosecutors
Total number (1+2+3+4)	453 <input type="checkbox"/> NA <input type="checkbox"/> NAP	353 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If “other”, please specify: Before Constitution amendments in part of justice, which came into force on 30 September 2016, the disciplinary function was exercised by the High Qualification Commission of Judges of Ukraine. Such cases were considered by one Disciplinary Chamber. The second – Qualification Chamber – was responsible for appointment career procedure of judges. After the

Constitutional amendments the disciplinary function was transferred to the High Council of Judiciary, which now is considering the disciplinary cases in three Disciplinary Chambers (and may consider much more cases).

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

	Judges	Prosecutors
Total number (total 1 to 10)	176 <input type="checkbox"/> NA <input type="checkbox"/> NAP	148 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	48 <input type="checkbox"/> NA <input type="checkbox"/> NAP	65 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Withdrawal from cases	11 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Fine	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
5. Temporary reduction of salary	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
6. Position downgrade	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
7. Transfer to another geographical (court) location	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
8. Resignation	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
9. Other	81 <input type="checkbox"/> NA <input type="checkbox"/> NAP	48 <input type="checkbox"/> NA <input type="checkbox"/> NAP
10. Dismissal	36 <input type="checkbox"/> NA <input type="checkbox"/> NAP	35 <input type="checkbox"/> NA <input type="checkbox"/> 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. Sanctions 2 and 5 against judges are parts of sanction 3.

"Other" in case of judges - warning.

"Other" in case of prosecutors - prohibition of up to one year for transfer to a higher level prosecutor's office or appointment to a higher position.

E3. Please indicate the sources for answering questions 144 and 145:

Sources: Information on questions 144 and 145 concerning number of disciplinary proceedings and sanctions against judges contains on official website of the High Council of Justice.

Information regarding prosecutors was provided by the Prosecutor General's Office of Ukraine.

6.Lawyers

6.1.Profession of lawyer

6.1.1.Status of the profession of lawyers

146. Total number of lawyers practising in your country:

	Total	Male	Female
Number of lawyers	45 370 <input type="checkbox"/> NA	28 770 <input type="checkbox"/> NA	16 600 <input type="checkbox"/> NA

Comments The increase in the number of lawyers with attorney's certificate is caused by introduction of attorneys' monopoly to represent the client in court (in result of Constitutional amendments in part of justice of 2016). These circumstances forced many lawyers to get an attorney's certificate.

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

Yes ()

No (X)

Comments

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

[]

NA

NAP

Comments

149. Do lawyers have a monopoly on legal representation in (multiple options are possible):

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Dismissal cases	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Criminal cases – Defendant	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Criminal cases – Victim	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Administrative cases	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

NAP

Comments - Please indicate any useful clarifications regarding the content of lawyers' monopoly: According to the Constitution of Ukraine with amendments dated 02.06.2016 lawyers have a monopoly on legal representation in courts.

149-0. If there is no monopoly, please specify the organisations or persons that may represent a

client in court:

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

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

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

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

Comments

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

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

Comments

150. Is the lawyer profession organised through:

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

Comments

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

- Yes
- No

Comments - If not, please indicate if there are other specific requirements as regards diplomas or university degrees: A person who has expressed a desire to become a lawyer and meets the requirements has the right to apply to the qualification and disciplinary commission of the lawyer at the place of residence with an application for admission to the qualification exam.

The qualification exam is about revealing theoretical knowledge in the field of law, the history of a lawyer, the ethics of a lawyer who has expressed a desire to become a lawyer, as well as the level of his/her practical skills and ability to exercise the law.

The organization and conduct of the qualification examination is carried out by the qualification chamber of the qualification and disciplinary commission of the Bar.

A person who has not passed the qualification exam may be allowed to take such examination again not earlier than six months. A person who has not passed the qualification exam again may be admitted to the next qualification exam not earlier than in one year.

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

Yes

No

Comments The internship is to test the readiness of the person who has received the certificate for passing the qualification examination to practice law alone. The internship is carried out for a period of six months under the direction of a lawyer, on the direction of the Bar Council of the region.

Persons who on the day of application with the application for admission to the qualification examination have the experience of working as an assistant of lawyer for at least one year in the last two years shall be exempted from passing the internship.

As a result of the internship, the intern prepares an internship assessment report and submits it to the region's bar council.

According to the results of the internship, the Bar Council of Ukraine decides on the:

- 1) issuing to the person a certificate of the right to practice law;
- 2) continuation of the internship for a period of one to three months.

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

Yes

No

Comments - If yes, please specify:

F1. Please indicate the sources for answering questions 146 and 148:

Sources: Law of Ukraine On the Bar and Legal Practice

6.1.2. Practicing the profession

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

Yes

No

Comments The procedure for calculating the fee (fixed amount, hourly payment), the grounds for changing the amount of the fee, the procedure for its payment, the conditions of return, etc. are specified in the agreement on provision of legal services.

So, basing on such document the lawyer and court user may count approximate future fee.

155. Are lawyers' fees freely negotiated?

Yes

No

Comments

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

Yes, laws provide rules

Yes, standards of the bar association provide rules

No, neither laws nor bar association standards provide rules

Comments The fee is a form of remuneration for the lawyer for the protection, representation and other legal assistance of a client. The procedure for calculating the fee (fixed amount, hourly payment), the grounds for changing the amount of the fee, the procedure for its payment, the conditions of return, etc. are specified in the legal aid agreement between lawyer and client. When determining the amount of the fee, the complexity of the case, the qualification and experience of the lawyer, the client's financial status and other material circumstances shall be taken into account. The fee should be reasonable and take into account the time spent by the lawyer.

6.1.3. Quality standards and disciplinary procedures

157. Have quality standards been determined for lawyers?

Yes

No

Comments - If yes, what are the quality criteria used? The Attorneys' Code of Ethics aim to unify the traditions and experience of the Ukrainian bar in the interpretation of the standards of bar ethics, as well as the generally recognized deontological rules and regulations adopted in the international legal community. It consists principles of attorneys' rules of conduct which should be followed obligatory.

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

the bar association

the Parliament

other (please specify):

Comments

159. Is it possible to file a complaint about:

the performance of lawyers

the amount of fees

Comments - Please specify: Everyone who knows the facts of a lawyer's conduct, which may have grounds for disciplinary actions has the right to initiate disciplinary proceedings by claiming to the High Qualification and Disciplinary Commission of the Bar.

160. Which authority is responsible for disciplinary procedures?

a judge

Ministry of Justice

a professional authority

other (please specify):

Comments The High Qualification and Disciplinary Commission of the Bar is responsible for disciplinary procedures. Everyone who knows the facts of a lawyer's conduct, which may have grounds for disciplinary actions has the right to initiate disciplinary

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

	Number of disciplinary proceedings
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	3 539 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: Taking into account that disciplinary proceedings can be initiated against one person because of several reasons it is not easy to count total number of all reasons. The disciplinary proceedings initiated against lawyer were count only once and for the main mistake.

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Suspension	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Fine	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
5. Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

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

7. Court related mediation and other alternative Dispute Resolution

7.1 Court related mediation

7.1.1 Details on court related mediation

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

Yes

No

Comments

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

Before/instead of going to court

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

No mandatory mediation

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

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

Yes

No

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

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

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

Comments

165. 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)::

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

	Total	Males	Females
Number of mediators	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

167. Number of court-related mediations:

	Number of cases for which the parties agreed to start mediation	Number of finished court-related mediations	Number of cases in which there is a settlement agreement
Total (1 + 2 + 3 + 4 + 5 + 6)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
1. Civil and commercial cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Family cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Administrative cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Labour cases including employment dismissal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
5. Criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
6. Consumer cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - Please indicate the source:

168. 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):the settlement agreement, international commercial arbitration, non-mediation, settlement of the dispute with the participation of judges.

Comments other: the settlement agreement, international commercial arbitration, non-mediation, settlement of the dispute with the participation of judges.

G1. Please indicate the source for answering question 166:

Source: NAP

8.Enforcement of court decisions

8.1.Execution of decisions in civil matters

8.1.1.Functioning

169. Do you have enforcement agents in your judicial system?

Yes

No

Comments

170. Number of enforcement agents

	Total	Male	Female
Number of enforcement agents	4 735 [] NA	[X] NA	[X] NA

Comments In 2016 the Institute of private bailiffs was introduced into Ukrainian judicial system under the reform of execution service as a part of judicial reform. The Law of Ukraine On Enforcement and the Law of Ukraine On Institutions and Persons who carry out the Enforcement of Court Decisions and Decisions of Other Bodies were adopted on 02 June 2016. The provisions of the Law of Ukraine On Enforcement regarding the activities of private bailiffs entered into force on 05 January 2017.

171. Are enforcement agents (multiple options are possible):

judges

bailiffs practising as private professionals under the authority (control) of public authorities

bailiffs working in a public institution

other

Comments - Please specify their status and powers:

171-1. Do enforcement agents have the monopoly in exercising their profession?

Yes

No

Comments - Please indicate any useful clarifications regarding the content of the enforcement agents' monopoly or on the opposite regarding the competition they have to deal with: According to Article 6 of the Law of Ukraine on Enforcement "Enforcement of decisions by other bodies and institutions", where the law provides, decisions on the recovery of money and property shall be executed by revenue and fee agencies, and decisions on the recovery of money shall be executed by banks and other financial institutions.

The decision on the recovery of money from state bodies, state and local budgets or budgetary institutions shall be executed by the treasury bodies. In cases envisaged by law, decisions may be enforced by other authorities. Bodies and institutions referred to in parts one to three of this article are not the bodies of coercive enforcement.

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

	Option
Seizure of movable tangible properties	<input type="checkbox"/> Yes with monopoly <input checked="" type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of immovable properties	<input type="checkbox"/> Yes with monopoly <input checked="" type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure from a third party of the debtor claims regarding a sum of money	<input type="checkbox"/> Yes with monopoly <input checked="" type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of remunerations	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of motorised vehicles	<input type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
Eviction measures	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Enforced sale by public tender of seized properties	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input type="checkbox"/> Yes with monopoly <input checked="" type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments According to Article 6 of the Law of Ukraine on “Enforcement of decisions by other bodies and institutions”, where the law provides, decisions on the recovery of money and property shall be executed by revenue and fee agencies, and decisions on the recovery of money shall be executed by banks and other financial institutions.

The decision on the recovery of money from state bodies, state and local budgets or budgetary institutions shall be executed by the treasury bodies. In cases envisaged by law, decisions may be enforced by other authorities. Bodies and institutions referred to in parts one to three of this article are not the bodies of coercive enforcement.

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

Service of judicial and extrajudicial documents

- Debt recovery
- Voluntary sale of moveable or immoveable property at public auction
- Seizure of goods
- Recording and reporting of evidence
- Court hearings service
- Provision of legal advice
- Bankruptcy procedures
- Performing tasks assigned by judges
- Representing parties in courts
- Drawing up private deeds and documents
- Building manager
- Other

Comments

172. Is there a specific initial training or exam to become an enforcement agent?

- Yes
- No

Comments

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

- Yes
- No

Comments

173. Is the profession of enforcement agents organised by (the answer NAP means that the profession is not organised):

- a national body
- a regional body
- a local body
- NAP

Comments 1. Ministry of Justice of Ukraine:

- 1) formulates and implements state legal policy in the field of organization of enforcement of decisions;
- 2) provides training for private bailiffs and improves their skills,
- 3) issues the certificate of the private bailiff;
- 4) determines the requirements for the office of a private bailiff;
- 5) ensures the activities of the Private Bailiffs Qualification Commission and the Private Bailiffs Disciplinary Commission;
- 6) establishes the Unified Register of Private Bailiffs of Ukraine, determines the procedure for its maintenance;
- 7) establishes the form and procedure for submission by private bailiffs of information on their activities;
- 8) supervises the activities of private bailiffs and determines the procedure for exercising control over the activities of private bailiffs;
- 9) submits to the Cabinet of Ministers of Ukraine a proposal to determine the amount of the basic remuneration of a private bailiff;
- 10) brings into force the decision of the Disciplinary Commission of private bailiffs on the application of disciplinary sanction to a private bailiff;

11) suspends and terminates the right to carry out the activity of a private bailiff.

174. Are enforcement fees easily established and transparent for court users?

Yes

No

Comments The Law of Ukraine "On the Enforcement" provides that the executive fee shall be levied by the state executor at the amount of 10 percent of the sum subject to compulsory recovery, repayment, or value of the debtor's property, which is subject to transfer to the collector according to the executive document.

For enforcement of a non-property decision, the executive fee shall be charged at the amount of two minimum wages from the debtor - an individual and at the rate of four minimum wages from the debtor - a legal entity.

175. Are enforcement fees freely negotiated?

Yes

No

Comments

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

Yes

No

Comments Please see the comments to the Q174

H0. Please indicate the sources for answering question 170

Source: The Ministry of Justice of Ukraine

8.1.2. Efficiency of enforcement services



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

Yes

No

Comments

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

professional body

judge

Ministry of Justice

public prosecutor

other (please specify):

Comments

179. Have quality standards been determined for enforcement agents?

Yes

No

Comments - If yes, what are the quality criteria used? In accordance with the national law the activities of bailiffs working in public institutions should be carried out in compliance with the following principles:

- 1) the rule of law;
- 2) legality;
- 3) independence;
- 4) fairness, impartiality, and objectivity;
- 5) mandatory implementation of decisions;
- 6) discretion;
- 7) transparency and openness of enforcement proceedings and its fixation by technical means;
- 8) reasonableness of timeframe of enforcement proceedings;
- 9) proportionality of enforcement measures and to the number of claims under decisions.

Bailiffs working in public institutions must carry out their professional activities in good faith, must not disclose professional secrecy, must respect the interests of collectors, debtors, third parties, and not degrade their dignity.

180. If yes, who is responsible for establishing these quality standards?

professional body

judge

Ministry of Justice

other (please specify): The Parliament

Comments

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

Yes

No

Comments - If yes, please specify: The private bailiff shall enforce the decisions except for decisions under which the debtor is the state, state bodies, the National Bank of Ukraine, local self-government bodies, their officials, state and communal enterprises, etc.

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

Yes

No

Comments - If yes, please specify: In accordance with the national law control over the activity of state bailiffs and other employees of bodies of the state executive service shall be exercised by the enforcement agencies specified in the Law, in the manner established by the Ministry of Justice of Ukraine.

In accordance with the national law control over the activity of private bailiffs shall be exercised by the Ministry of Justice of Ukraine.

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

no execution at all

non execution of court decisions against public authorities

lack of information

- excessive length
- unlawful practices
- insufficient supervision
- excessive cost
- other (please specify):

Comments

184. Has your country prepared or established concrete measures to change the situation concerning the enforcement of court decisions – in particular regarding decisions against public authorities?

- Yes
- No

Comments - If yes, please specify: In 2016 the Law on Enforcement and the Law on Institutions and Persons who Carry Out the Enforcement of Court Decisions and Decisions of Other Bodies were adopted. The law defines the timeframe of the enforcement procedure.

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

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

Comments According to the Law:

Seizure of property (funds) shall be imposed no later than the next working day after its discovery.
 Payment requests for the compulsory debiting of funds shall be sent no later than the next working day after the arrest and no later than the next working day after the receipt of the information on the availability of funds in the accounts.
 The description and seizure of the property shall be made no later than on the fifth working day after the receipt of the location information. In the case of the discovery of property by the executor during the inspection of the debtor's property at the place of residence (stay) of the individual and the location of the legal entity, the description and seizure of this property shall be carried out.
 The decision on arrest is made by the executor not later than the next working day after receiving the documents confirming the existence of the grounds provided for the Law and shall be sent on the same day to the body (institution) to which the decision on the execution was sent.

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

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

Comments

187. Number of disciplinary proceedings initiated against enforcement agents. (If a disciplinary

proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	859 [] NA [] NAP
1. For breach of professional ethics	0 [] NA [] NAP
2. For professional inadequacy	832 [] NA [] NAP
3. For criminal offence	27 [] NA [] NAP
4. Other	[] NA [X] NAP

Comments - If "other", please specify:

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	386 [] NA [] NAP
1. Reprimand	342 [] NA [] NAP
2. Suspension	1 [] NA [] NAP
3. Withdrawal from cases	2 [] NA [] NAP
4. Fine	[] NA [X] NAP
5. Other	41 [] NA [] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons: Other - Under the legislation of Ukraine public and private enforcement agents are subject to one of the following types of disciplinary sanctions: remark; reprimand; a warning about professional inadequacy; dismissal from the public service.

14 persons were sanctioned for professional inadequacy, 26 by remark and 1 by warning.

H1. Please indicate the sources for answering questions 186, 187 and 188:

8.2. Execution of decisions in criminal matters

8.2.1. Functioning of execution in criminal matters

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

- Judge
- Public prosecutor
- Prison and Probation Services
- Other authority (please specify): The State Criminal-Executive Service of Ukraine

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

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

- Yes
- No

Comments

191. If yes, what is the recovery rate?

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

Comments - Please indicate the source for answering this question:

9. Notaries

9.1. Profession of notary

9.1.1. Number and status of notaries

192. Number and type of notaries in your country. If you do not have notaries skip to question 197.

	Total	Male	Female
TOTAL (1+2+3+4)	6 561 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Private professionals (without control from public authorities)	5 562 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

2. Professionals appointed by the State	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Public officials	999 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "other", please specify the status:

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

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

Comments

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

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

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

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

- Within some civil procedures (for example inheritance or inheritance distribution; divorce by mutual consent)
- Authentication
- Certification of signatures
- Legality control of documents submitted by the parties
- Mediation
- Taking of oaths

Other, for example collect taxes, keep registers etc. (please specify):impound the documents, maritime protesting, protesting of notes and bills, endorsement of execution, accepting cash and securities on deposit, transmitting statements of natural and legal persons to other natural and legal persons, imposing a ban on the alienation of real estate (property rights to immovable property) subject to state registration, issuing duplicate notarized documents that are kept in files of a notary.

Comments

194-1. Do notaries have the exclusive rights when exercising their profession:

- Within some civil procedures (for example inheritance or inheritance distribution; divorce by mutual consent)
- Authentication
- Certification of signatures
- Legality control of documents submitted by the parties

Mediation

Taking of oaths

Other, for example collect taxes, keep registers etc. (please specify):Please see below

Comments - Please indicate any useful clarifications regarding the content of the notaries' exclusive rights or on the opposite regarding the competition they have to deal with: The legislation of Ukraine prescribes other subjects of public authorities which in one combination or another are entitled to exercise the activities mentioned in the answer to the Q194 (by local self-government authorities, consular institutions, penitentiary institutions)

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

Real estate transaction

Family law

Succession law

Company law

Legality control of gambling activities

Other

Comments

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

In establishing authentic instruments

In recording authentic instruments (archives)

Other activity (please cpecify):NAP

Comments

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

Yes

No

Comments

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

professional body

court

Ministry of Justice

public prosecutor

other (please specify):

Comments

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

Yes

No

Comments

11. Please indicate the sources for answering question 192:

Sources: the Ministry of Justice of Ukraine

10. Court interpreters

10.1. Details on profession of court interpreter

10.1.1. Status of court interpreters

197. Is the title of court interpreters protected?

Yes

No

Comments

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

Yes

No

Comments

199. Number of accredited or registered court interpreters:

[]

NA

NAP

Comments According to Ukrainian national procedural legislation (civil, commercial, criminal and administrative), there are no accredited or registered court interpreters in Ukraine. According to the national procedural legislation (civil, commercial, criminal and administrative) an interpreter is a party to the court proceedings. This shall be a person with a good command of an official language of the court proceedings and other (foreign) language or a person able to communicate with deaf, dumb or deaf-and-dumb people. An interpreter shall be involved in the court proceedings following the party’s application (for civil cases) or on court’s initiative in order to ensure the right to defense.

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

Yes

No

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

201. Are the courts responsible for selecting court interpreters?

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

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

No, please specify which authority selects court interpreters

J1. Please indicate the sources for answering question 199

Sources: Ukrainian national procedural legislation (civil, commercial, criminal and administrative)

11. Judicial experts

11.1. Profession of judicial expert

11.1.1. Status of judicial experts

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

experts who are requested by the parties to bring their expertise to support their argumentation,

experts appointed by a court to put their scientific and technical knowledge on issues of fact at the court's disposal,

"legal experts" who might be consulted by the judge on specific legal issues or requested to support the judge in preparing the judicial work (but do not take part in the decision).

Other (please specify):

Comments Parties concerned shall select an expert among the list of experts registered in the State Register of Certified Judicial Experts except where expertise should be conducted by State specialized institutions, according to the national law. However, under some circumstances of the case, the court also may select the judicial expert or the state specialized institution by itself.

202-1. Are there lists or databases of registered judicial experts?

Yes

No

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

202-2. Who is responsible for registering judicial experts?

Ministry of justice

Courts

Independent body (association of judicial experts)

Other

Comments

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

Yes, for how long 3 or 5 years

No

Comments The validity period of the Certificate for employees of research institutions of forensic examinations of the Ministry of Justice of Ukraine shall be five years; for specialists who are not employees of state specialized institutions shall be three years.

The validity period of the Certificate shall be extended after confirmation of the qualification by an expert. If the validity period of the Certificate is not extended, the Certificate shall be deemed invalid.

203. Is the title of judicial experts protected?

- Yes
- No

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

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

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

Comments

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

- judicial proceedings
- the profession of expert
- other

Comments

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

- Yes
- No

Comments

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

- Yes
- No

Comments

205. Number of accredited or registered judicial experts:

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

Comments The information about the number of judicial experts in the registrar is not stable and shows the number only on the day of using the registrar.

The number of judicial experts for 30.09.2019 is 11891.

205-1. Who sets the expert remuneration?

- The Cabinet of Ministers of Ukraine

206. Are there binding provisions regarding the exercise of the function of judicial expert within judicial proceedings?

Yes

No

Comments - If yes, please specify, in particular the given time to provide a technical report to the judge:

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

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

Comments

207. Are the courts responsible for selecting judicial experts?

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

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

No, please specify which authority selects judicial experts

Comments

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

Yes

No

Comments

K1. Please indicate the sources for answering question 205

12.Reforms in judiciary

12.1.Foreseen reforms

12.1.1.Reforms

208. Can you provide information on the current debate in your country regarding the functioning of justice? Are there foreseen reforms? Please inform whether these reforms are under preparation or have only been envisaged at this stage. Have innovative projects been implemented? If possible, please observe the following categories:

1. (Comprehensive) reform plans In August 2019 the new Parliament started its work. More than 86 Laws were adopted by the Verkhovna Rada of Ukraine since that time. A lot of draft laws were introduced. Changes involved the judicial and procurator's office reforms. At the same time changes to the activity of lawyers are foreseen. The cancelation of advocate's monopoly is under discussion.

Moreover, on December 20, 2019 the final version of Concept of improvement of the judiciary, status of judges and related legal institutions reviewed by the Legal Reform Commission.

It was decided that instead of the disciplinary chambers that are currently considering complaints against judges, a separate disciplinary body would be created.

In particular, the Concept provides for the establishment in the justice system of a single body to hear disciplinary proceedings against judges and prosecutors and a single qualifying body responsible for the selection and career of judges and prosecutors.

2. Budget -

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

On October 17, 2019 the Law of Ukraine On Amendments to Certain Legislative Acts of Ukraine on Priority Measures for the Reform of the Public Prosecutor's Office came into force adopted by the Verkhovna Rada of Ukraine.

The Law provides suspension until September 1, 2021 of the powers of the Qualification and Disciplinary Commission of Public Prosecutors and provisionally, for the same term, that the Procedure for selection of a vacant prosecutor shall be approved by the Prosecutor General. The Office of the Prosecutor General and the Regional Prosecutor's Offices shall also set up appropriate Staff Commissions as bodies to ensure that prosecutors are recruited, to handle disciplinary complaints about prosecutorial misconduct, and to conduct disciplinary proceedings against prosecutors.

The Prosecutor General now have the authority to approve a strategy for the development of the prosecutor's office, a system for

evaluation the quality of work of prosecutors; the procedure for measuring and regulating the burden on prosecutors.

Evaluation of prosecutors shall be conducted by staffing committees that assess prosecutors' professional competence, professional ethics and integrity.

To become a prosecutor a person shall pass the evaluation. The same procedure is provided for acting prosecutors to confirm the position held. Evaluation of prosecutors shall include: 1) passing the exam in the form of anonymous written test to identify the level of knowledge and ability to apply the law, the suitability to exercise the powers of the prosecutor; 2) conducting an interview in order to assess the prosecutor's compliance with the requirements of professional competence, professional ethics and integrity. Prosecutors shall write a written practical assignment to identify the level of practical knowledge and skills. In case of unsuccessful passing of the attestation, the prosecutor will be dismissed.

The National Academy of the Prosecutor's Office of Ukraine is planned to be transformed into the Training Center for Prosecutors of Ukraine.

According to the Law the maximum number of employees of the prosecution bodies shall be largely reduced.

3.1. Access to justice and legal aid Amendments to the Constitution of Ukraine of June, 2, 2016 (concerning justice) and the new version of the Law of Ukraine «On the Judiciary and Status of Judges» provided a number of positive changes, in particular:

- strengthening the independence of the judiciary;
- elimination of political influence on qualification and disciplinary procedures concerning judges;
- strengthening the role of judicial governance and self-government – the High Council of Justice, the High Qualification Commission of Judges of Ukraine, the Council of Judges of Ukraine;
- increasing the capability for lawyers outside the judicial system to participate in competitive procedures to the Supreme Court, the high specialized and appellate courts;
- establishment at the legislative level of financial guarantees for judges.

A constitutional requirement was to evaluate judges according to the criteria of competence, integrity and professional ethics. In connection with this, as of 24.10.2019, the qualification evaluation for compliance with the position held has been completed with respect to 3,135 judges and continues with respect to 2,045 judges.

At the same time, during this period, more than two thousand judges were dismissed, what significantly affected the staffing of courts and the ability to ensure impartial and fair proceedings within a reasonable time.

At the same time, the High Qualification Commission of Judges of Ukraine (HQCJU) has taken the efforts possible to resolve the staffing problem in the country. For instance, from 2016 there has been held 2 competitions to the Supreme Court (120 and 78 positions accordingly), High Anti-Corruption Court and its Appellate Chamber (39 positions), selection for 600 vacant positions of judges and then the competition to local general courts for 505 positions. The HQCJU still has to complete the competition to the High Court for Intellectual Property and its Appellate Chamber (30 positions), competitions for 54 positions of local administrative courts and 22 positions of local commercial courts, competitions for 7 judicial positions in Donetsk and Luhansk regions, competition for 346 judicial positions of appellate courts, competition for 35 vacant judicial positions in local courts, which already have been initiated.

After entering into force the Law No.193-IX, the powers of all the Members of the HQCJU were terminated. But the Law provides that the HQCJU completes the procedure for selecting candidates for the position of judge of a local court within two months from the date of formation of its new composition, announced by the decision of the Commission. Other career procedures initiated by the HQCJU before the Law No.193-IX enters into force shall be continued by the new composition of the HQCJU. According to the Law No.193-IX the new composition of the HQCJU shall be appointed by the High Council of Justice in early February 2020.

On November 7, 2019 the Law No.193-IX «On Amendments to the Law of Ukraine «On the Judiciary and the Status of Judges» and some Laws of Ukraine on the Activity of Judicial Governance Authorities» came into force. This Law introduces major changes to the Law of Ukraine on the Judiciary and the Status of Judges.

According to this Law, the powers of the acting at that moment members of the High Qualifications Commission of Judges of Ukraine (HQCJU) were terminated, the number of Supreme Court judges shall be reduced from 200 to 100, the number of members of the HQCJU shall be reduced from 16 to 12, the new composition of the HQCJU shall be formed by the High Council of Justice (HCJ) within 90 days based on open competition, and the rearranging of the Supreme Court shall be completed within 60 days from the date of formation of the new HQCJU. In addition, the Law provides wider powers to the HCJ, which now shall to approve the procedure for passing the admission exam, the qualification exam within the selection of judges, the procedure and methodology for qualification evaluation, the procedure for the formation and maintenance of the judicial dossier (before had been adopted by the HQCJU without the need of such an approval). The Law No. 193-IX introduces two new commissions – the Selection Commission for the appointment of the members of the HQCJ and the Integrity and the Ethics Commission. The central task of the Selection Board for the appointment of the members of the HQCJ is to recompose the HQCJ. The main task of the Integrity and Ethics Commission is to supervise the behavior of the members of both HCJ and the HQCJ, their members’ compliance with “integrity principles and ethical standards of a judge as an integral component of the professional ethics.” Both the Selection Commission for the appointment of the members of the HQCJ and the Integrity and Ethics Commission are conceived to have a mixed international (three members)/national (three members) composition.

These three persons from among international experts shall be nominated by international organizations and foreign institutions, with which Ukraine cooperates in the area of prevention and combating corrupt activities in accordance with international treaties of Ukraine, from the list of nominees for the membership to the Public Council of International Experts (PCIE) established in accordance with the Law of Ukraine On the High Anticorruption Court.

Some provisions of the Law No.193-IX (when it was a draft), including shortening of the number of judges of the newly created Supreme Court from 200 to 100 judges and shortening some procedural terms within judicial disciplinary procedures, became subject to wide discussion among Ukrainian law community. In this connection, on October 4, 2019, the Monitoring Committee of the Parliamentary Assembly of the Council of Europe requested an opinion of the Venice Commission on the draft amendments to the legal framework in Ukraine governing the Supreme Court and judicial self-governing bodies (now the Law No.193-IX). On 6 December 2019 the respective Opinion of the Venice Commission was adopted.

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

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

7. Enforcement of court decisions The reform of the enforcement service which is an integral part of the judicial reform has been already implemented. On 02 June 2016 the Law of Ukraine 'On Enforcement' and the Law of Ukraine 'On Institutions and Persons Who Carry Out the Enforcement of Court Decisions and Decisions of Other Bodies' were adopted. The reform provides for the elimination of the State Bailiffs Service, the establishment of the Department of the State Bailiffs Service under the auspices of the Ministry of Justice of Ukraine, the establishment of the Institute of private bailiffs, the establishment of the Exclusive Register of

Debtors, the establishment of the automated system of enforcement proceedings. Also the system of assessing and realizing the arrested property has been reformed. Besides, the remuneration of bailiffs has been changed. Given the experience of the European countries, we hope that the reform of the enforcement service, namely the establishment of the institute of private bailiffs will result in competition in this area of service and setting effective mechanism of motivation for public and private bailiffs, increasing revenues to the budget and ensuring the real execution of court decisions within a reasonable time.

8. Mediation and other ADR Concerning the implementation of the mediation procedure and other alternative ways of resolving disputes in Ukraine, it should be noted that, in cooperation with international technical assistance projects, Ukraine has taken certain measures to introduce mediation in Ukraine. In particular, follow-up activities included roundtables to discuss ways to legislate on the mediation procedure, study visits to explore international experience in these matters, and more. Moreover, in some regions, pilot programs have introduced reconciliation programs, including reconciliation of victims and offenders through understanding and compensation for losses, as well as training for mediators, outreach activities and more. Attempts were also made to adopt a profile mediation law, but the draft law was rejected by Parliament in the second reading. Of the outstretched mediators' training programs, not only in the private sector but also in higher education institutions, in particular for lawyers.

At present, the prerequisites for mediation in court proceedings in Ukraine are partly set out in national law. However, this is still not regulated by a special law and changes in procedural law. The new version of the draft law on mediation is now being developed by a working group under the Ministry of Justice of Ukraine.

At the same time, on August 7, 2019, Ukraine signed the United Nations Convention on Mediation in Singapore and became one of the 46 countries that have signed this important international treaty, demonstrating the strong will of the state to take further steps to develop this field in Ukraine.

9. Fight against crime On September 5, the High Anti-Corruption Court (HACC) began its work in Ukraine.

The High Anti-Corruption Court hears the following cases:

- Theft of state property using official position;
- Abuse of influence, power or office;
- The use of budget funds for personal reasons;
- Bribing an auditor, notary or appraiser;
- Provision of budgetary funds or credits from the state budget without stipulations in it;
- Offers or bribery to an official or the head of state-owned enterprises;
- Theft, damage, misappropriation of documents, stamps, seals;
- Violation of established norms of circulation of drugs, psychotropic substances and their analogues.

9.1. Prison system The Government of Ukraine in 2017 has approved Concept of the Reform (development) of the Penitentiary System of Ukraine.

The aim of the Concept is further reforming of the Penitentiary System of Ukraine for unconditional respect of human rights and humanization of criminal-executive mechanism. The Concept, in particular, provides improvement of legislation regulating activity of the State Criminal-Executive Office of Ukraine; optimization of its structural units; optimization of the network of penitentiary institutions and their enterprises, ensuring their effective functioning and profitability (efficiency) of production activities; increase of

efficiency of counteraction to crime and maintenance of law and order in bodies and institutions of the State Criminal-Executive Office of Ukraine; bringing conditions of detention of persons taken into custody and sentenced in accordance with the requirements of the European Prison Rules, ensuring the creation of conditions of detention that do not violate human dignity, and preventing violations of the Convention for the Protection of Human Rights and Fundamental Freedoms.

9.2 Child friendly justice On January 19, 2019 the Law of Ukraine dated December 18, 2019 No. 2657-VIII "On Amendments to Certain Legislative Acts of Ukraine on Counteracting Bullying" came into force.

In this connection, the Law of Ukraine "On Education" was supplemented by a clause which stipulates that bullying is the act of the participants of the educational process, which consists in psychological, physical, economic, sexual violence, including the use of electronic communications, committed against a minor and (or) such a person with respect to other participants in the educational process, which could have caused harm to the victim's mental or physical health.

Administrative responsibility for bullying is introduced. Thus, supplemented by Article 173-4 of the Code of Administrative Offenses stipulates that bullying (harassment) committed against a minor or against other participants in the educational process, as a result of which mental or physical health may have been harmed the victim entails a fine of fifty to one hundred non-taxable minimum incomes or community service for a term from twenty to forty hours.

If the harassment is committed by a group of persons or repeated within a year after the imposition of an administrative penalty, the fine will be from one hundred to two hundred non-taxable minimum incomes of the citizens or community service for a term from forty to sixty hours.

It is also provided that failure of the head of the educational institution to notify authorized units of police bodies about cases of bullying (harassment) of a participant of educational process entails imposing a fine from fifty to one hundred non-taxable minimum incomes of citizens or community service for a term up to one month with deduction of up to 20% of salary.

9.3. Violence against partners On January 11, 2019, the Law on Preventing and Combating Domestic Violence came into force in Ukraine.

The law provides increased responsibility for the commission of domestic violence, the establishment of special centers and the punishment for coercion to marriage.

Parliament passed the law in December, 2017, however, the vast majority of its provisions came into force on January 11, 2019.

According to the document, punishment for committing domestic violence is punished by court in the form of community service for a term from 150 to 240 hours or arrest for a term up to 6 months.

It also provides a restriction of liberty for a term up to five years or imprisonment for a term up to two years.

Phone calls, correspondence with the victim, coming up to a victim for a certain distance will be prohibited in case a violence in a family is been established.

Also criminal liability for coercion to marriage is prescribed.

Now the compulsion to marry or entering into intercourse without marriage, coercion to move to another country for one of the above purposes shall be punishable by arrest for a term up to 6 months or imprisonment for a term up to 3 years.

10. New information and communication technologies -

11. Other -