



Reference data 2022 (01/01/2022 - 31/12/2022)

Start/end date of the data collection campaign : 15/03/2023 - 01/10/2023

Objective :

The CEPEJ decided, at its 39th plenary meeting, to launch the ninth evaluation cycle 2024, focused on 2022 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 46 member states of the Council of Europe as well as three observer states (Israel, Morocco and Kazakhstan).

The present questionnaire was developed 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, in service of the European citizens.

For better understanding of the questions it is necessary to consult the Explanatory note that gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, You can download the Explanatory note as a whole document on the CEPEJ website. In addition to the Explanatory note, there is also the User manual that is a technical document to help you navigate through this application for data collection.

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.

Instruction :

Explanatory note: <https://rm.coe.int/explanatory-note-2024-cycle-cepej-2023-2-en/1680aae30a>

Word version of the questionnaire - <https://rm.coe.int/evaluation-scheme-2024-cycle-cepej-2022-9rev1-en-30-march-2023/1680aae309>

CEPEJ COLLECT - User manual – you can download under Documentation tab

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)

[17 811 291]

Comments Inhabitants 2022: 17 590 672

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

[53 817]

Comments To bring these numbers in line with the information shared with Eurostat, we have used the following calculation: National GDP: 958 549 000 000, divided by the number of inhabitants on Jan 1, ref year + 1 (17 811 291).

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

[66 900]

[] NA

Comments

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

[]

Allow decimals : 5

[X] NAP

Comments

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

Sources: GDP: <https://opendata.cbs.nl/#/CBS/nl/dataset/84432NED/table?ts=1699264334723>

Salary: <https://opendata.cbs.nl/#/CBS/nl/dataset/84163NED/table?ts=1699267196114>

1.1.2 Budgetary data concerning judicial system



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

	Approved budget (in €)	Implemented budget (in €)
TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	1 190 124 000 [] NA [] NAP	1 248 099 000 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	945 886 000 [] NA [] NAP	1 004 439 000 [] NA [] NAP
2. Annual public budget allocated to computerisation (2.1 + 2.2)	120 537 000 [] NA [] NAP	138 738 000 [] NA [] NAP

2.1 Investments in computerisation	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2 Maintenance of the IT equipment of courts	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)	3 181 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 743 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	100 934 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP	81 961 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Annual public budget allocated to investments in new (court) buildings	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
6. Annual public budget allocated to training	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
7. Other (please specify)	19 586 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP	20 218 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main reasons for the differences: The approved budget for 2020 was different than other years. When the budget was drafted for 2020, price agreements had just been reached, and there was a different payment system for the Judiciary. Those factors had not been included yet in the approved budget, and that specific data did not give a full image of the budget at that time (it was not corrected afterwards, because it would have been an artificial correction). The implemented budget of that year shows much higher actual costs and does show a realistic image of the budget.

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

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to all courts and the public prosecution services together	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Total annual public budget allocated to all courts and legal aid together	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Total annual public budget allocated to all courts, public prosecution services and legal aid together	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

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

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



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

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

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

- Civil cases: There are fixed court fee rates based on the underlying value of the claim. There is a flat rate in cases where the value of the claims is undetermined. There are different rates for individuals and legal entities.

Administrative cases: The rate depends on the type of case and whether the case is initiated by an individual or legal entity. There is a fixed rate for people with low income. Since 1 January 2011 court fees must be paid in advance by individuals initiating a case in the first instance.

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

[244]

[] NA

[] NAP

Comments The fee is 487 euro for legal entities, for individuals it is 244 euro, and for individuals with low income the fee is 86 euro.

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

[146 203 000]

[] NA

[] NAP

Comments

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

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)	621 200 000 [] NA [] NAP	191 200 000 [] NA [] NAP	430 000 000 [] NA [] NAP
12.1 for cases brought to court (court fees and/or legal representation)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

12.2 for cases not brought to court (legal advice, ADR and other legal services)	<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
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Comments In 2022, the government reserved 154 million extra to improve the rewards for legal aid providers in the legal aid system.

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)	553 291 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP	174 459 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP	378 832 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP
12-1.1 for cases brought to court (court fees and/or legal representation)	<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
12-1.2 for cases not brought to court (legal advice, ADR and other legal services)	<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

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: The increase could be due to either more cases (so more legal aid provided), and the money invested to improve rewards for legal aid providers.

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

	Amount calculated/estimated included
Coverage of court fees	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP (Legal aid does not include coverage of court fees)
Exemption from court fees	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP (Legal aid does not include exemption from court fees)

Comments

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)	582 473 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP	671 324 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP
13.1. Annual public budget allocated to training of public prosecution services	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> 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:

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

Sources: <https://wetten.overheid.nl/BWBR0028899/2023-01-01#Bijlage>
www.rijksfinancien.nl

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 €	15 273 901 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP	18 228 641 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: The large discrepancy between the approved and implemented budget is caused mostly by a high influx of refugees - both Ukrainian and asylum seekers. Over 2,3 bln were spent.

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

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

Comments

015-3. Other budgetary elements

	Included
Prison system	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

Probation services	(X) Yes () No <input type="checkbox"/> NAP
High Judicial Council	(X) Yes () No <input type="checkbox"/> NAP
High Prosecutorial Council	(X) Yes () No <input type="checkbox"/> NAP
Constitutional court	() Yes () No <input checked="" type="checkbox"/> NAP
Judicial management body	(X) Yes () No <input type="checkbox"/> NAP
Service for legal representation of the State	(X) Yes () No <input type="checkbox"/> NAP
Enforcement services	(X) Yes () No <input type="checkbox"/> NAP
Notariat	() Yes (X) No <input type="checkbox"/> NAP
Forensic services	(X) Yes () No <input type="checkbox"/> NAP
Judicial protection of juveniles	(X) Yes () No <input type="checkbox"/> NAP
Functioning of the Ministry of Justice	(X) Yes () No <input type="checkbox"/> NAP
Refugees and asylum seekers services	(X) Yes () No <input type="checkbox"/> NAP
Immigration Service	(X) Yes () No <input type="checkbox"/> NAP
Some police services (e.g. : transfer, investigation, prisoners' security)	(X) Yes () No <input type="checkbox"/> NAP
Other	(X) Yes () No <input type="checkbox"/> NAP

If "Other", please specify: Other topics include the Privacy Protection Authority, the National Antisemitism Coordinator, and, most importantly, the contraterrorism coordinator. Also, under enforcement services we do include the police, but we do not include a type of civilian police, whose budgets are controlled by the Ministry of Domestic Affairs. Also not included is the highest judge on administrative law, the Raad van State.

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

Sources: www.rijksfinancien.nl

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.

- See general comment.

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)?

(X) Yes

() No

[] NAP

If yes, please specify: Article 12, Criminal law on prosecution (Wetboek van Strafvordering)

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

Criminal cases	Other than criminal cases

Legal aid granted for other costs	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
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Comments - If yes, please specify:

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	298 100 [] NA [] NAP	256 296 [] NA [] NAP	41 804 [] NA [] NAP
In criminal cases	99 281 [] NA [] NAP	99 281 [] NA [] NAP	[X] NA [] NAP
In other than criminal cases	198 819 [] NA [] NAP	157 015 [] NA [] NAP	41 804 [] NA [] NAP

Comments - Please specify when appropriate: As a rule, prosecution (and thus a procedure/case brought to court) is a requirement for obtaining a legal aid certificate in criminal cases. This means that, in general, legal aid can only be granted for cases brought to court. However, there are two exceptions whereby it would be possible to receive legal aid for cases not brought to court in some cases. The first is a certificate for 'light advice' (lichte adviestoevoeging, LAT), wherewith three hours of advice can be given to a person. If more time is needed, it can be requested that the LAT-certificate is changed to a regular certificate. However, prosecution (procedure/case brought to court) is then still a requirement for a regular certificate.

Another exception is when a 'lighter' certificate is granted for cases that were ended before the case comes before the judge. This is determined afterwards, the certificate is adjusted afterwards when the case is ended before it comes before a judge. That means that the certificate was granted under the regular requirements. In civil and administrative cases, legal aid can be granted for advice.

The number of stand-by duty lawyers assigned was over the years 110 000 (2010); 127 000 (2012), 126 000 (2014), 108 500 (2020), 96 500 (2021), and 103 000 (2022).

020-0. Please indicate the number of recipients of legal aid:

	Total	Cases brought to court	Cases not brought to court
TOTAL	210 722 [] NA [] NAP	179 850 [] NA [] NAP	38 553 [] NA [] NAP
In criminal cases	67 303 [] NA [] NAP	67 303 [] NA [] NAP	0 [] NA [] NAP
In other than criminal cases	149 606 [] NA [] NAP	117 504 [] NA [] NAP	38 553 [] NA [] NAP

Comments - Please specify when appropriate: Due to the fact that recipients can receive legal aid more than once, the total numbers and the numbers per category do not add up evenly.

020-0-1. Are there statistical data disaggregated by gender in respect of recipients of legal aid?

Yes

(X) No

Comments

020-0-2. If yes, please provide details on distribution by gender of recipients of legal aid:

	Total	Males	Females
Number of recipients of legal aid	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments

020-0-3. Is it possible to divide the number of recipients of legal aid per different categories of cases?

(X) Yes

() No

Comment: If yes, please specify for which categories of cases: We can differentiate between the following civil categories: family, contract/consumer, labour/employment, housing, debt restructuring, Psychiatric Hospitals Act (compulsory admissions), other civil cases. Furthermore, we can differentiate between the following administrative categories: social benefits, social (security) insurance, asylum, immigration, pre-deportation detention, other administrative.

In criminal cases, we cannot differentiate between suspects and non-suspects.

020-0-4. Are there situations where legal aid is automatically granted depending on categories of cases?

(X) Yes

() No

Comment: If yes, please specify: Each criminal suspect, immigrant, or psychiatric patient who has been lawfully deprived of his/her liberty against his/her will, receives a certificate by order of the judge.

020-0-5. How many of the recipients of legal aid are alleged victims of domestic violence?

	Total	Males	Females
Number of recipients of legal aid who are alleged victims of domestic violence	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments There is only a category for all cases with victims, which includes victims of domestic violence.

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

	Time in days
Maximum duration prescribed in law/regulation	40 [] NA [] NAP

Actual average duration	11 [] NA [] NAP
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Comments - Please specify if the envisaged timeframe is set in a statutory law, or in other regulation. Furthermore, if different timeframes are envisaged for criminal and other than criminal cases, please provide more information: The maximum duration is based on statutory law (Awb: General Administrative Law Act). However, this maximum only applies to approx. 20% of applications. Around 80% of the applications fall under the High Trust regime, in which the application is granted automatically within 11 days (after the income and assets check with the tax authorities).Mean duration for High Trust certificates was 3.4 days, for regular certificates 11 days.

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

	Assisted by a free of charge lawyer
Accused individuals	(X) Yes () No
Victims	(X) Yes () No

Comments - If yes, please specify:

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

	free selection of lawyer
Accused individuals	(X) Yes () No [] NAP
Victims	(X) Yes () No [] NAP

Comments

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

(X) 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: For married, cohabiting, and single parent households, the threshold is higher, namely 41.600 euro in 2022.

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	29 400 [] NA [] NAP	30 846 [] NA [] NAP

Full legal aid to the applicant for other than criminal cases	29 400 [] NA [] NAP	30 846 [] NA [] NAP
Partial legal aid to the applicant for criminal cases	29 400 [] NA [] NAP	30 846 [] NA [] NAP
Partial legal aid to the applicant for other than criminal cases	29 400 [] NA [] NAP	30 846 [] NA [] 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 specify the exact criteria for denying legal aid:

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

- the judge(s) dealing with the main case
 another judge or official
 an authority external to the court
 several authorities (court and external bodies)

Comments

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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No
in other than criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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

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

Sources: <https://www.rvr.org/zoeken/@7797/inkomen-vermogen-eigen-bijdrage-2022/>

2.2.Court users and victims

2.2.1Rights of the users and victims

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

	Yes, internet adresse(es)	No
Legal texts (e.g. codes, laws, regulations, etc.)	(X) https://wetten.overheid.nl/	()
Case-law of the higher court/s	(X) https://uitspraken.rechtspraak.nl/	()
Information about the judicial system (organisation of courts, court proceedings, etc)	(X) www.rechtspraak.nl	()
Other documents (e.g. forms, downloadable forms, online registration forms)	(X) https://mijn.rechtspraak.nl/start/burger	()

Comment - Please specify what documents and information are included in “Other documents” Information, documents and forms on custody and guardianship, appealing verdicts, receivership (curatele), mentorship (mentorschap) and conservatorship (bewind).
 Legal texts: www.rijksoverheid.nl/wetten-en-regelingen, <https://www.overheid.nl/beleid-en-regelgeving>
www.rechtspraak.nl Information about the judicial system: <https://www.rijksoverheid.nl/onderwerpen/rechtspraak-en-geschiloplossing>
 Other documents: www.rechtspraak.nl

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

- () Yes, always
 (X) No
 () Yes, only in some specific situations

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

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

	Information system
General for citizens	[X] Online information [X] Telephone [] Interactive chat [X] In-person (physical access on site) [] Other [] No
Specific for victims of offences	[X] Online information [X] Telephone [] Interactive chat [X] In-person (physical access on site) [] Other [] No

Specific for minors (child-friendly systems)	<input checked="" type="checkbox"/> Online information <input type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No
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Comments - Please provide more information on these systems and specify how this assistance is provided:

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

	Information mechanism	Special arrangements in hearings	Other specific arrangements
Victims of sexual violence/rape	(X) Yes () No	(X) Yes () No	(X) Yes () No
Victims of terrorism	(X) Yes () No	(X) Yes () No	(X) Yes () No
Minors (witnesses or victims)	(X) Yes () No	(X) Yes () No	(X) Yes () No
Victims of domestic violence	(X) Yes () No	(X) Yes () No	(X) Yes () No
Ethnic minorities	() Yes (X) No	() Yes (X) No	() Yes (X) No
Persons with disabilities	() Yes (X) No	() Yes (X) No	() Yes (X) No
Juvenile offenders	(X) Yes () No	(X) Yes () No	(X) Yes () No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	(X) Yes () No	() Yes (X) No	() Yes (X) No

Comments - If “Other vulnerable person” and/or “Other specific arrangements”, please specify: As it is not possible to put NA for this table, the answer regarding ethnic minorities and persons with disabilities are marked ‘no’ but should be read as ‘NA’.

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

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

Comment

031-1. What are the main criteria for a person under 18 years of age to act in court proceedings or to be a witness?

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

Comments - Please specify if you selected "Other".

031-2. If a person under 18 years of age cannot act in court proceedings in his/her own name, who can represent him/her in judicial proceedings?

	Civil proceedings	Criminal proceedings
Parent/legal guardian	<input checked="" type="checkbox"/> Yes, always <input type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes, always <input type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No
Another representative (instead of parent/legal guardian)	<input type="checkbox"/> Social care services or other public institution <input checked="" type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input type="checkbox"/> Other	<input type="checkbox"/> Social care services or other public institution <input checked="" type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input type="checkbox"/> Other

Comment

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

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

Comment

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

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

- 12]
- NA
- NAP

Criminal liability resulting in sentence of privation of liberty

[18]

[] NA

[] NAP

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

-

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

- Yes, but only if the offender is unknown
- Yes, but only if compensation could not be obtained from the offender
- Yes, in both situations
- No

Comment

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

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

[] NAP

Comment - Please specify:

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

- Yes
- No

Comments

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

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

[] NAP

Comment - Please specify:

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

- Yes
- No

Comments

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

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

[] NAP

Comment - Please specify:

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

Yes

No

Comments

034. Is there a regular monitoring (official studies, reports etc.) allowing the evaluation of 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: Data collection on recovery rates by CBS has ended as of 2018.

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

Yes

No

Comments - If yes, please specify:

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

Yes

No

Comment - 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 answers in this question and question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge".

Yes

No

NAP

Comment - If necessary, please specify:

037. Is there a system of compensation in the following circumstances:

	Number of requests for compensation	Number of compensations granted	Total amount of compensations granted (in €)
Total	<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 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

Non-execution of court decisions	<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 arrest/detention	<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): There are compensation regulations for certain situations (see 4th Book, Title VIa of the Penal Code). If an offender is acquitted, he/she may request compensation for travel- and accommodation costs, the costs of a lawyer, or because of being held in temporary custody.

037-1. Please specify which authorities are responsible for dealing with the requests and whether a legal time limit exists to deal with these requests:

	Responsible authorities	Legal time limit
Court concerned	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other court	<input type="checkbox"/>	<input type="checkbox"/>
Ministry of Justice	<input type="checkbox"/>	<input type="checkbox"/>
High Judicial Council	<input type="checkbox"/>	<input type="checkbox"/>
Other external bodies (e.g. Ombudsman)	<input type="checkbox"/>	<input type="checkbox"/>

Comments The suspect's request for compensation is handled by the court. There is no legal term for handling these requests.

037-2. Are there statistical data disaggregated by gender concerning the number of:

	Existence of statistical data disaggregated by gender
Persons who initiate a case in other than criminal matters	<input type="checkbox"/> Yes - If yes, please specify for which categories of cases: [Comment] <input type="checkbox"/> No <input checked="" type="checkbox"/> NA
Victims recognised as such by the court	<input type="checkbox"/> Yes - If yes, please specify for which types of offences: [Comment] <input type="checkbox"/> No <input checked="" type="checkbox"/> NA
Perpetrators of criminal offences	<input type="checkbox"/> Yes - If yes, please specify for which types of offences: [Comment] <input type="checkbox"/> No <input checked="" type="checkbox"/> NA

Comments

037-3. Are there statistical data on the relation between the perpetrator of the criminal offence and the victim recognised by the court?

() Yes

(X) No

If yes, please specify:

2.2.2 Confidence and satisfaction of citizens with their justice system

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

	National level	Court level
Surveys for judges	[] Annual [X] Other regular [] Ad hoc	[] Annual [X] Other regular [] Ad hoc
Surveys for court staff	[] Annual [X] Other regular [] Ad hoc	[] Annual [X] Other regular [] Ad hoc
Surveys for public prosecutors	[X] Annual [] Other regular [] Ad hoc	[X] Annual [] Other regular [] Ad hoc
Surveys for lawyers	[] Annual [X] Other regular [] Ad hoc	[] Annual [X] Other regular [] Ad hoc
Surveys for other professionals	[] Annual [X] Other regular [] Ad hoc	[] Annual [X] Other regular [] Ad hoc
Surveys for the parties	[] Annual [X] Other regular [] Ad hoc	[] Annual [X] Other regular [] Ad hoc
Surveys for other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs)	[] Annual [X] Other regular [] Ad hoc	[] Annual [] Other regular [] Ad hoc
Surveys for victims	[] Annual [X] Other regular [] Ad hoc	[] Annual [X] Other regular [] Ad hoc
Surveys for minors	[] Annual [] Other regular [] Ad hoc	[] Annual [] Other regular [] Ad hoc
Surveys for the general public	[] Annual [X] Other regular [] Ad hoc	[] Annual [X] Other regular [] Ad hoc
Other not mentioned	[] Annual [X] Other regular [] Ad hoc	[] Annual [] Other regular [X] Ad hoc

[] NA

3. Organisation of the court system

3.1. Courts

3.1.1 Number of courts



042. Number of courts - legal entities.

	Number of courts
Total number of all courts - legal entities (1 + 2)	19 [] NA [] NAP
1 Total number of courts of general jurisdiction - legal entities (1.1 + 1.2 + 1.3)	16 [] NA [] NAP
1.1 First instance courts of general jurisdiction - legal entities	11 [] NA [] NAP
1.2 Second instance courts of general jurisdiction - legal entities	4 [] NA [] NAP
1.3 Highest instance courts of general jurisdiction - legal entities	1 [] NA [] NAP
2 Total number of specialised courts - legal entities	3 [] NA [] NAP

Comments

043. Number of specialised courts – legal entities.

	First instance	Higher instances
Total number of specialised courts - legal entities	2 [] NA [] NAP	1 [] NA [] NAP
Commercial courts (excluded insolvency courts)	[] NA [X] NAP	[] NA [X] NAP
Insolvency courts	[] NA [X] NAP	[] NA [X] NAP
Labour courts	[] NA [X] NAP	[] NA [X] NAP
Family courts	[] NA [X] NAP	[] NA [X] NAP

Rent and tenancies courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Enforcement of criminal sanctions courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<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	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Internet related disputes	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Administrative courts	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Insurance and / or social welfare courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Military courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Juvenile courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other specialised courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

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

044. Number of courts - geographic locations.

	Number of courts (geographic locations)
First instance courts geographic locations (this includes 1st instance courts of general jurisdiction and first instance specialised courts)	34 <input type="checkbox"/> NA <input type="checkbox"/> NAP
All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all Supreme Courts)	43 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

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

Sources: www.rechtspraak.nl

3.2. Court staff

3.2.1 Judges and non-judge staff

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

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	2 671 [] NA [] NAP	1 047 [] NA [] NAP	1 624 [] NA [] NAP
1. Number of first instance professional judges	1 931 [] NA [] NAP	717 [] NA [] NAP	1 214 [] NA [] NAP
2. Number of second instance (court of appeal) professional judges	705 [] NA [] NAP	309 [] NA [] NAP	369 [] NA [] NAP
3. Number of Supreme Court professional judges	35 [] NA [] NAP	21 [] NA [] NAP	14 [] NA [] NAP

Comment - Please provide any useful comment for interpreting the data above: Numbers for first and second instance are on posts filled, not fte. Total fte for first and second instance together is 2 451. We cannot provide more detailed information. For the Supreme Court, fte and posts filled are the same.

=

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

Yes

No

Comments

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

Child-care

Elderly care or other dependant persons' care

Training

For the purposes of early retirement

No specific reason required

Other reason, please specify:

Comments

046-1-3. If yes, what is the number of professional judges working part-time with reduced remuneration?

Total	Males	Females

Total (1 + 2 + 3)	954 [] NA [] NAP	195 [] NA [] NAP	765 [] NA [] NAP
1. At first instance level	714 [] NA [] NAP	136 [] NA [] NAP	583 [] NA [] NAP
2. At second instance (court of appeal) level	240 [] NA [] NAP	59 [] NA [] NAP	182 [] NA [] NAP
3. At Supreme Court level	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP

Comments

046-1-4. Are there other possibilities (apart from part-time) for regular adjustment of working time or conditions with or without reduced remuneration?

	Adjustment of working time or conditions with or without reduced remuneration
Temporary reduction of the workload	(X) Yes () No
Temporary reduction of the working time / special leave	(X) Yes () No
Other measures	(X) Yes () No

Comment: If such possibilities for regular adjustment exist, please specify if they imply or not a reduction of the remuneration? There is always the possibility for adjustment of working times without reduced remuneration. Other measures like care leave (zorgverlof) come without reduced remuneration depending on length. At this moment there is also the PAS possibility for older employees to reduce working time with partial reduced remuneration, see: <https://www.p-direkt.nl/informatie-rijksperoneel-2020/mijn-werk/wijziging-in-werk/pas-regeling>

046-1-5. If yes, please specify in which situation(s) these possibilities can be used?

- Child-care
- Elderly care or other dependant persons' care
- Training
- For the purposes of early retirement
- As part of induction process for new judges
- No specific reason required
- Other reason, please specify:
- NAP

Comments

=

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

	Total	Civil and/or commercial	Criminal	Administrative	Other
Total number of judges	2 671 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
First instance	1 931 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Second instance	705 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Supreme Court	35 [] NA [] NAP	13 [] NA [] NAP	11 [] NA [] NAP	11 [] NA [] NAP	[] NA [X] NAP

If "Other", please explain which types of cases: Numbers are on posts filled, not fte. Fte for first and second instance is 2 451.



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047. Number of court presidents .

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	18 [] NA [] NAP	8 [] NA [] NAP	10 [] NA [] NAP
1. Number of first instance court presidents	11 [] NA [] NAP	5 [] NA [] NAP	6 [] NA [] NAP
2. Number of second instance (court of appeal) court presidents	6 [] NA [] NAP	3 [] NA [] NAP	3 [] NA [] NAP
3. Number of Supreme Court presidents	1 [] NA [] NAP	0 [] NA [] NAP	1 [] NA [] NAP

Comments

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

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

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

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

Yes If yes, please give specifications on the types of cases and an estimate in percentage.

No

NAP

Comments

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

	Figure
Gross figure	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
In full time equivalent	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Cases handled by replacement-judges (rechter-plaatsvervangers) are taken independently, are binding, and can be appealed.

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

	Yes	No	Echevinage / mixed bench
Criminal cases (severe)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Criminal cases (misdemeanour and/or minor)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Family law cases	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Labour law cases	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Social law cases	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commercial law cases	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Insolvency cases	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other civil cases	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

NAP

Comments - If “Other civil cases”, 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(s) of case(s)?

- Criminal cases
- Other than criminal cases

Comments

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

- []
- NA
- NAP

Comments

=

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

	Total	Males	Females
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	7 736 <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. Rechtspfleger (or similar bodies) (see Explanatory Note)	<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. Non-judge (judicial) staff whose task is to assist the judges such as registrars (case preparation, assistance during the hearing, helping to draft the decisions)	<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. 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)	<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
4. Technical staff	<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
5. Other non-judge staff	<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 - If “Other non-judge staff”, please specify: The Council of the Judiciary is not able to make a distinction between different types of non-judge staff working in courts, and thus, the entry is NA (total fte = 7 477). The Supreme Court can make the distinction between the number of non-judge staff whose task it is to assist judges (fte= 101) and staff in charge of different administrative tasks (fte= 158).

052-1. Number of non-judge staff by instance (if possible, on 31 December of the reference year)

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

	Total	Males	Females
Total non-judge staff working in courts (1+2+3)	7 736 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Total non-judge staff working in courts at first instance level	6 474 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Total non-judge staff working in courts at second instance (court of appeal) level	1 003 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Total non-judge staff working in courts at Supreme Court level	259 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments

=

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

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

Comments - Please briefly describe their status and exact 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 - If “Other types of services”, please specify: The Dutch SC has outsourced various tasks to external providers, such as building maintenance, technical services, facility management, reception, security, cleaning and catering.

NA

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

Sources: Annual report Council for the Judiciary
 Website Supreme Court
 Personnel registration system P-Direkt

3.3. Public prosecution

3.3.1 Public prosecutors and staff

055. Number of public prosecutors (on 31 December of the reference year). (Please give the information in full-time equivalent and for posts actually filled.)

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	1 026 <input type="checkbox"/> NA <input type="checkbox"/> NAP	405 <input type="checkbox"/> NA <input type="checkbox"/> NAP	621 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of prosecutors at first instance level	918 <input type="checkbox"/> NA <input type="checkbox"/> NAP	354 <input type="checkbox"/> NA <input type="checkbox"/> NAP	564 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Number of prosecutors at second instance (court of appeal) level	108 <input type="checkbox"/> NA <input type="checkbox"/> NAP	51 <input type="checkbox"/> NA <input type="checkbox"/> NAP	57 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Number of prosecutors at Supreme Court level	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

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

=

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

Yes

No

Comments

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

Child-care

- Elderly care or other dependant persons' care
- Training
- For the purposes of early retirement
- No specific reason required
- Other reason, please specify:

Comments

055-1-3. If yes, what is the number of prosecutors working part-time with reduced remuneration?

	Total	Males	Females
Total (1 + 2 + 3)	149 <input type="checkbox"/> NA <input type="checkbox"/> NAP	17 <input type="checkbox"/> NA <input type="checkbox"/> NAP	132 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. At first instance level	124 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11 <input type="checkbox"/> NA <input type="checkbox"/> NAP	113 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. At second instance (court of appeal) level	25 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP	19 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. At Supreme Court level	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

055-1-4. Are there other possibilities (apart of part-time work) for regular adjustment of working time or conditions with or without reduced remuneration?

	Adjustment of working time or conditions with or without reduced remuneration
Temporary reduction of the workload	(X) Yes () No
Temporary reduction of the working time / special leave	(X) Yes () No
Other measures	(X) Yes () No

Comment: If such possibilities for regular adjustment exist, please specify if they imply or not a reduction of the remuneration? Under various circumstances (see 55-1-5), it is possible to request short-term or longer-term special leave. Short-term special leave (in case of calamities) will usually not imply reduced remuneration, while longer-term special leave will usually imply (partially) reduced remuneration (e.g. special arrangements exist for child care and early retirement).

055-1-5 . If yes, please specify in which situation(s) these possibilities can be used?

- Child-care
- Elderly care or other dependant persons' care
- Training

For the purposes of early retirement

As part of induction process for new prosecutors

No specific reason required

Other reason, please specify: child birth (partner), weddings/funerals (attending, as well as making arrangements for), political office

NAP

Comments Furthermore, one can request long term leave, according to art. 33p Brra. This may be for personal reasons (e.g. sabbatical), secondment, etc. These arrangement may be with or without remuneration. The Law Labour and Care (Wet Arbeid en zorg, Ch.3-6) contains arrangements for this. Labour agreements can provide additional arrangements.

056. Number of heads of prosecution offices.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	15 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of heads of prosecution offices at first instance level	14 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Number of heads of prosecution offices at Supreme Court level	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Please provide any useful comment for interpreting the data above:

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

Yes

No

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

057-1. If yes, please provide the number (in full-time equivalent):

[242]

NA

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

Yes

No

NAP

Comments

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

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

Comments - If yes, please specify

=

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

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	4 594 <input type="checkbox"/> NA	1 444 <input type="checkbox"/> NA	3 150 <input type="checkbox"/> NA

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

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

<p>Sources: Annual report public prosecution</p> <p>Other sources</p>

3.4. Gender equality

3.4.1 Specific provisions for facilitating gender equality

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

	Yes, please specify	No
judges	()	(X)
prosecutors	()	(X)
non-judge staff	()	(X)

lawyers	()	(X)
notaries	()	(X)
enforcement agents	()	(X)

[] NA

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

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

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

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

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

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

Comments

3.4.2 At national level

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

() Yes

(X) No

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

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

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

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

3.4.3 At court/public prosecution services level

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

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

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

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

have been already implemented (please specify) :

are planned (please specify) :

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

NAP

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

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

NAP

Comments - Please specify also the reference documents.

3.5. Use of information technologies in courts

3.5.1 Governance

ICT STRATEGY

062-01. Do you have an overall Information and Communication Technology (ICT) strategy in the judicial system?

- Yes
- No

Comments There is not one policy or strategy that binds all organisations in the judicial field (or nationwide). There are projects that involve various partners, but these may still operate alone in other projects.

062-02. If there is an overall ICT strategy in the judicial system, who was involved in the process of its definition?

- Judges (Judicial council)
- Prosecutors (Prosecutorial or judicial council)
- Ministry of justice
- Lawyers (bar association)
- Notaries (association of notaries)
- Enforcement agents (association of enforcement agents)
- Other (please specify)

NA

NAP

Comments NAP

LEGISLATION

062-03. Does a national legislation/regulation of ICT in the judicial system exist?

Yes

No

Comments

062-04. If yes, how is this legislation/regulation of ICT in the judicial system structured?

Relevant norms are included in the general e-government legislation/regulation

Relevant norms are included in specific legislation/regulation only for the judicial system

Relevant texts are included in dedicated technical documents/specifications

Other, please specify

NA

Comment - If more than one of the proposed models exist in your country, please select them all and explain the details

NA

IMPACT OF IMPLEMENTATION OF ICT SYSTEMS

062-05. Have you already organised audits/evaluations/assessments of the impact of the implementation of the ICT system?

Yes

No

Comments

062-06. If these audits/evaluations/assessments were already organised, please specify their modalities:

	Format	Last conducted audit
ICT Governance	<input checked="" type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input checked="" type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
Security and risk management	<input checked="" type="checkbox"/> Internal <input checked="" type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input checked="" type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA

Impact on efficiency and quality of the business processes and workflow	<input checked="" type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input checked="" type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
Impact on human resources (number, workload, wellbeing)	<input checked="" type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input checked="" type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
Other, please specify in comments	<input type="checkbox"/> Internal <input type="checkbox"/> External <input checked="" type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input checked="" type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA

Comment - If you have selected other area, please provide details. Please also add details on the content of the last organised evaluation.

062-07. If these audits/evaluations/assessments were organised in the last 5 years, how did you apply their recommendations/results?

- Update applications
- Define new ICT projects/modules
- Adjust legislation
- Adjust working processes
- Withdraw/stop use of a module/application
- Reporting purpose only
- Other, please specify
- NA
- NAP

Comments

3.5.2 Electronic case processing
ELECTRONIC SUBMISSION OF CASES

062-08. If it is possible to submit a case to a court electronically, what are the deployment and usage rates?

Deployment rate	Usage rate
-----------------	------------

Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA

Comments Usage rate: please note that this is an overall average, the level of digitization differs from subdiscipline to subdiscipline withing civil and administrative law.

062-09. If it is possible to submit a case to a court electronically, please specify the modalities:

	Electronic or paper	Possible to be submitted electronically by:	Data integration
Civil	<input checked="" type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input checked="" type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input checked="" type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Paper submission is still possible <input checked="" type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA

Comments Criminal - Possible to be submitted electronically by: other, public prosecutor

SENDING ELECTRONIC DOCUMENTS TO COURT

062-10. If it is possible to send case-related documents to the courts electronically, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA

Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA

Comments Usage rate: Please note: this is an overall average, the level of digitization differs from subdiscipline to subdiscipline within civil and administrative law.

062-11. If it is possible to send electronically case related documents to the courts, please specify the modalities:

	Electronic or paper	Possible to be submitted electronically by:	Data integration
Civil	<input checked="" type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Documents sent by a lawyer <input checked="" type="checkbox"/> Documents sent by a party not represented by a lawyer <input type="checkbox"/> Documents sent by another person/institution <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the CMS <input checked="" type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Documents sent by a lawyer <input type="checkbox"/> Documents sent by a party not represented by a lawyer <input type="checkbox"/> Documents sent by another person/institution <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the CMS <input checked="" type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Paper delivery is still possible <input checked="" type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Documents sent by a lawyer <input type="checkbox"/> Documents sent by a party not represented by a lawyer <input type="checkbox"/> Documents sent by another person/institution <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the CMS <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA

Comment - If you have selected the option “Documents sent by another person/institution”, please specify details.

ELECTRONIC NOTIFICATIONS

062-12. If it is possible for courts to send electronic notifications, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA

Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA

Comments Please note: this is an overall average, the level of digitization differs from subdiscipline to subdiscipline within civil and administrative law.

062-13. If it is possible for courts to send electronic notifications, please specify the modalities:

	Electronic or paper	Type of notification	Data integration
Civil	<input checked="" type="checkbox"/> Paper notification is still possible <input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way) <input type="checkbox"/> Double notification (paper notification must accompany the electronic one) <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Notifications sent by the court to the lawyer <input checked="" type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer <input type="checkbox"/> Notifications with attached official documents sent by the courts <input type="checkbox"/> Notifications sent to other persons/institutions <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The electronic notification is generated from the CMS <input checked="" type="checkbox"/> The electronic notification is manually generated <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> Paper notification is still possible <input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way) <input type="checkbox"/> Double notification (paper notification must accompany the electronic one) <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Notifications sent by the court to the lawyer <input checked="" type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer <input type="checkbox"/> Notifications with attached official documents sent by the courts <input type="checkbox"/> Notifications sent to other persons/institutions <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The electronic notification is generated from the CMS <input checked="" type="checkbox"/> The electronic notification is manually generated <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Paper notification is still possible <input checked="" type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way) <input type="checkbox"/> Double notification (paper notification must accompany the electronic one) <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Notifications sent by the court to the lawyer <input type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer <input type="checkbox"/> Notifications with attached official documents sent by the courts <input type="checkbox"/> Notifications sent to other persons/institutions <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The electronic notification is generated from the CMS <input type="checkbox"/> The electronic notification is manually generated <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA

Comment - If you have selected the option “Notifications sent to other persons/institutions”, please specify details.

CONSULTATION OF A CASE ONLINE

062-14. If it is possible for external users to consult a case online, what are the deployment and usage rates?

Deployment rate	Usage rate
-----------------	------------

Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA

Comments Please note: this is an overall average, the level of digitization differs from subdiscipline to subdiscipline within civil and administrative law.

062-15. If it is possible for external users to consult a case online, please specify the modalities:

	Content	Access	Consultation format
Civil	<input checked="" type="checkbox"/> Case status <input checked="" type="checkbox"/> Documents <input checked="" type="checkbox"/> Notifications <input checked="" type="checkbox"/> Events/calendar <input checked="" type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Electronic access at the court premises <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> Case status <input checked="" type="checkbox"/> Documents <input checked="" type="checkbox"/> Notifications <input checked="" type="checkbox"/> Events/calendar <input checked="" type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Electronic access at the court premises <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Case status <input checked="" type="checkbox"/> Documents <input checked="" type="checkbox"/> Notifications <input checked="" type="checkbox"/> Events/calendar <input checked="" type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Electronic access at the court premises <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA

Comment - If you have selected the option “Other”, please specify details. Other: public prosecutor office

REMOTE HEARINGS

062-16. If it is possible to organise remote hearings what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA

Criminal	<input checked="" type="checkbox"/> 95-100 %	<input type="checkbox"/> 95-100 %
	<input type="checkbox"/> 75-95 %	<input type="checkbox"/> 75-95 %
	<input type="checkbox"/> 50-75 %	<input type="checkbox"/> 50-75 %
	<input type="checkbox"/> 25-50 %	<input type="checkbox"/> 25-50 %
	<input type="checkbox"/> 1-25 %	<input checked="" type="checkbox"/> 1-25 %
	<input type="checkbox"/> 0 %	<input type="checkbox"/> 0 %
	<input type="checkbox"/> NAP - remote hearings are not possible	<input type="checkbox"/> NAP - remote hearings are not possible
	<input type="checkbox"/> NA	<input type="checkbox"/> NA

Comments

062-17. If it is possible to organise remote hearings, please specify the functionalities and modalities:

	Functionalities	Modalities
Civil	<input type="checkbox"/> Dedicated tool specially designed for the use by courts <input type="checkbox"/> Publicly available tools used by courts <input checked="" type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers <input type="checkbox"/> Tools for witness protection (voice distortion, picture distortion) <input type="checkbox"/> Tools for simultaneous interpretation <input type="checkbox"/> Tools for automatic subtitling (speech-to-text) <input type="checkbox"/> NAP – remote hearings are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Agreement of the parties is needed <input type="checkbox"/> The judge can impose a remote hearing <input type="checkbox"/> NAP – remote hearings are not possible <input type="checkbox"/> NA

<p>Administrative</p>	<p><input type="checkbox"/> Dedicated tool specially designed for the use by courts</p> <p><input type="checkbox"/> Publicly available tools used by courts</p> <p><input checked="" type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers</p> <p><input type="checkbox"/> Tools for witness protection (voice distortion, picture distortion)</p> <p><input type="checkbox"/> Tools for simultaneous interpretation</p> <p><input type="checkbox"/> Tools for automatic subtitling (speech-to-text)</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input checked="" type="checkbox"/> Agreement of the parties is needed</p> <p><input type="checkbox"/> The judge can impose a remote hearing</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>
<p>Criminal</p>	<p><input type="checkbox"/> Dedicated tool specially designed for the use by courts</p> <p><input type="checkbox"/> Publicly available tools used by courts</p> <p><input checked="" type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers</p> <p><input type="checkbox"/> Tools for witness protection (voice distortion, picture distortion)</p> <p><input type="checkbox"/> Tools for simultaneous interpretation</p> <p><input type="checkbox"/> Tools for automatic subtitling (speech-to-text)</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input checked="" type="checkbox"/> Agreement of the parties is needed</p> <p><input type="checkbox"/> The judge can impose a remote hearing</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>

Comments

ELECTRONIC ARCHIVES



062-18. If electronic archives of cases exist, what are the deployment and usage rates?

<p>Deployment rate</p>	<p>Usage rate</p>
-------------------------------	--------------------------

Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input checked="" type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input checked="" type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input checked="" type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input checked="" type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA

Comments

062-19. If an electronic archive of cases exists, please specify the modalities:

	Electronic or paper
Civil	<input type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input type="checkbox"/> NAP – electronic archives do not exist <input checked="" type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA

Criminal	<input type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input checked="" type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA
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Comments Only cases regarding aliens are archived completely digitally.

3.5.3 Tools

CASE MANAGEMENT SYSTEMS (CMS)

062-20. If one or more case management system(s) (CMS) exist, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA

Comments Please note: this is an overall average, the level of digitization differs from subdiscipline to subdiscipline within civil and administrative law.

062-21. If one or more case management system(s) (CMS) exist, please specify the functionalities

of these system(s):

	Functionalities
Civil	<p><input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases</p> <p><input type="checkbox"/> Active case management dashboard</p> <p><input type="checkbox"/> Random allocation of cases</p> <p><input type="checkbox"/> Case weighting</p> <p><input checked="" type="checkbox"/> Identification of a case between instances (unique or linked id number)</p> <p><input type="checkbox"/> Electronic transfer of a case to another instance/court</p> <p><input type="checkbox"/> Anonymisation of decisions to be published</p> <p><input checked="" type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register)</p> <p><input checked="" type="checkbox"/> Access to closed/resolved cases</p> <p><input checked="" type="checkbox"/> Advanced search engine</p> <p><input checked="" type="checkbox"/> Protected log files</p> <p><input type="checkbox"/> Electronic signature</p> <p><input type="checkbox"/> Other special functionality, please specify</p> <p><input type="checkbox"/> NAP – CMS does not exist</p> <p><input type="checkbox"/> NA</p>
Administrative	<p><input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases</p> <p><input type="checkbox"/> Active case management dashboard</p> <p><input type="checkbox"/> Random allocation of cases</p> <p><input type="checkbox"/> Case weighting</p> <p><input checked="" type="checkbox"/> Identification of a case between instances (unique or linked id number)</p> <p><input type="checkbox"/> Electronic transfer of a case to another instance/court</p> <p><input type="checkbox"/> Anonymisation of decisions to be published</p> <p><input checked="" type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register)</p> <p><input checked="" type="checkbox"/> Access to closed/resolved cases</p> <p><input checked="" type="checkbox"/> Advanced search engine</p> <p><input checked="" type="checkbox"/> Protected log files</p> <p><input type="checkbox"/> Electronic signature</p> <p><input type="checkbox"/> Other special functionality, please specify</p> <p><input type="checkbox"/> NAP – CMS does not exist</p> <p><input type="checkbox"/> NA</p>

Comment - If you have selected the option “Other special functionality”, because of its importance please specify details.

062-22. If one or more case management system(s) (CMS) exist, please specify the functionalities of these system(s):

	Functionalities
Criminal	<input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases <input checked="" type="checkbox"/> Active case management dashboard <input type="checkbox"/> Random allocation of cases <input type="checkbox"/> Case weighting <input checked="" type="checkbox"/> Identification of a case between instances (unique or linked id number) <input checked="" type="checkbox"/> Electronic transfer of a case to another instance/court <input type="checkbox"/> Anonymisation of decisions to be published <input checked="" type="checkbox"/> Interoperability with prosecution system <input checked="" type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register) <input checked="" type="checkbox"/> Access to closed/resolved cases <input checked="" type="checkbox"/> Advanced search engine <input checked="" type="checkbox"/> Protected log files <input checked="" type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – CMS does not exist <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details.

WRITING ASSISTANCE TOOLS

062-23. If writing assistance tools exist in courts, what are their deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input checked="" type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input checked="" type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input checked="" type="checkbox"/> NA

Comments In principle, there is some type of support for every case type.

062-24. If writing assistance tools exist in courts, please describe their functionalities:

	Functionalities
Civil	<input checked="" type="checkbox"/> Templates <input checked="" type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input type="checkbox"/> Speech-to-text <input type="checkbox"/> Electronic signature <input checked="" type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> Templates <input checked="" type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input type="checkbox"/> Speech-to-text <input type="checkbox"/> Electronic signature <input checked="" type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA

Criminal	<input checked="" type="checkbox"/> Templates <input checked="" type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input type="checkbox"/> Speech-to-text <input type="checkbox"/> Electronic signature <input checked="" type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA
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Comment - If you have selected the option “Other special functionality”, please specify the details. Automatically fill in data from CMS, like names, dates, and type of case.

RECORDING OF COURT HEARINGS

062-25. If a tool to record court hearings exists, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA

Comments

062-26. If a tool to record court hearings exist, please specify its functionalities:

	Functionalities
Civil	<input type="checkbox"/> Audio recording <input type="checkbox"/> Video recording <input type="checkbox"/> Systematic recording for all hearings <input type="checkbox"/> Automatically indexed recording <input type="checkbox"/> Automatic transcript from recording <input type="checkbox"/> Possibility to request a copy of the recording <input type="checkbox"/> Other special functionality, please specify <input checked="" type="checkbox"/> NAP – there is no tool for recording hearings <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> Audio recording <input type="checkbox"/> Video recording <input type="checkbox"/> Systematic recording for all hearings <input type="checkbox"/> Automatically indexed recording <input type="checkbox"/> Automatic transcript from recording <input type="checkbox"/> Possibility to request a copy of the recording <input type="checkbox"/> Other special functionality, please specify <input checked="" type="checkbox"/> NAP – there is no tool for recording hearings <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> Audio recording <input type="checkbox"/> Video recording <input type="checkbox"/> Systematic recording for all hearings <input type="checkbox"/> Automatically indexed recording <input type="checkbox"/> Automatic transcript from recording <input type="checkbox"/> Possibility to request a copy of the recording <input type="checkbox"/> Other special functionality, please specify <input checked="" type="checkbox"/> NAP – there is no tool for recording hearings <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details.

DATABASE OF COURT DECISIONS

062-27. If there is a national database of court decisions, please provide the percentage of the decisions published at each instance.

	Percentage of 1st instance decisions published	Percentage of 2nd instance decisions published	Percentage of Supreme court decisions published
Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input checked="" type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA

Comments

062-28. If there is a national database of court decisions, please specify the modalities in publishing these decisions:

	1st instance	2nd instance	Supreme court
Civil	<input checked="" type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP- There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP- There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP- There is no database for these decisions <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA

- If you have selected the option “Other” because the court decisions are published online in some other way than the presented modalities, please describe.

062-29. If there is a database of court decisions at national level, what are the functionalities of this database?

	Functionalities
Civil	<input checked="" type="checkbox"/> Automatic anonymisation <input checked="" type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input checked="" type="checkbox"/> Open data <input checked="" type="checkbox"/> Advanced search engine <input checked="" type="checkbox"/> Machine-readable content <input checked="" type="checkbox"/> Structured content <input checked="" type="checkbox"/> Metadata <input checked="" type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> Automatic anonymisation <input checked="" type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input checked="" type="checkbox"/> Open data <input checked="" type="checkbox"/> Advanced search engine <input checked="" type="checkbox"/> Machine-readable content <input checked="" type="checkbox"/> Structured content <input checked="" type="checkbox"/> Metadata <input checked="" type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Automatic anonymisation <input checked="" type="checkbox"/> Manual anonymisation <input type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input checked="" type="checkbox"/> Open data <input checked="" type="checkbox"/> Advanced search engine <input checked="" type="checkbox"/> Machine-readable content <input checked="" type="checkbox"/> Structured content <input checked="" type="checkbox"/> Metadata <input checked="" type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details. Anonymization is in fact pseudonymization.

STATISTICAL TOOLS

062-30. If there are statistical tools for analysing court case data, what is their deployment rate?

	Deployment rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input type="checkbox"/> NA

Comments

062-31. If there are statistical tools for analysing court case data, please describe their functionalities and the data available for statistical analysis:

	Functionalities	Data available for statistical analysis
Civil	<input checked="" type="checkbox"/> Integration/connection with the CMS <input checked="" type="checkbox"/> Business intelligence software <input type="checkbox"/> Generation of predefined statistical reports <input type="checkbox"/> Generation of customised statistical reports <input checked="" type="checkbox"/> Internal page and/or dashboard <input type="checkbox"/> External page with statistics (public website) <input type="checkbox"/> Real-time data availability <input checked="" type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input checked="" type="checkbox"/> Age of a pending case <input checked="" type="checkbox"/> Length of proceedings <input checked="" type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input type="checkbox"/> Case weights <input checked="" type="checkbox"/> Number of parties in a case <input type="checkbox"/> Indicator of appeal <input type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> Integration/connection with the CMS <input checked="" type="checkbox"/> Business intelligence software <input type="checkbox"/> Generation of predefined statistical reports <input type="checkbox"/> Generation of customised statistical reports <input checked="" type="checkbox"/> Internal page and/or dashboard <input type="checkbox"/> External page with statistics (public website) <input type="checkbox"/> Real-time data availability <input checked="" type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input checked="" type="checkbox"/> Age of a pending case <input checked="" type="checkbox"/> Length of proceedings <input checked="" type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input type="checkbox"/> Case weights <input checked="" type="checkbox"/> Number of parties in a case <input checked="" type="checkbox"/> Indicator of appeal <input type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Integration/connection with the CMS <input checked="" type="checkbox"/> Business intelligence software <input type="checkbox"/> Generation of predefined statistical reports <input type="checkbox"/> Generation of customised statistical reports <input checked="" type="checkbox"/> Internal page and/or dashboard <input type="checkbox"/> External page with statistics (public website) <input type="checkbox"/> Real-time data availability <input checked="" type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input checked="" type="checkbox"/> Age of a pending case <input checked="" type="checkbox"/> Length of proceedings <input checked="" type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input type="checkbox"/> Case weights <input checked="" type="checkbox"/> Number of parties in a case <input checked="" type="checkbox"/> Indicator of appeal <input type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details

OTHER TOOLS

062-32. Is there any application for online court-related dispute resolution?

Yes

No

Comments

062-33. If yes, is there a maximum value over which online court-related dispute resolution cannot be organised?

- Yes, please specify the maximum value
- No

Comments

062-34. If yes, can the online court-related dispute resolution be used in the following areas?

- Small claim litigation
- Undisputed claim
- Payment order
- Misdemeanour criminal cases
- Enforcement of civil cases
- Other, please specify

Comment: Please describe the existing online procedures:

062-35. Is there a computerised national record centralising all criminal convictions?

- Yes
- No

Comments

062-36. If yes, please specify the following information:

- The computerised record includes biometric data (ex. fingerprint data, picture)
- The computerised record is linked to other European records of the same nature (ex. ECRIS)
- The content is directly available through computerised means for judges and/or prosecutors (ex. interoperability with the CMS)
- The content is directly available for purposes other than criminal (ex. civil and administrative matters)
- The record contains conviction information on third-country nationals and stateless persons

Comments

062-37. Is there a Document Management System (DMS) in the registry of courts?

- Yes
- No

Comment: If yes, please provide details on the purposes and usage of this system. DMS might be a narrow description of the system. A case contains more than only documents, so a case management system is used for providing digital proceedings. Central purpose is to have a central digital location for a complete case, used by parties and the courts.

062-38. In addition to the tools listed in the ICT section of this questionnaire does your judicial system use other innovative ICT tools?

- Yes

No

Comment: If yes, please list and describe these ICT tools.

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

Comments

3.6.2 Measuring court/public prosecution services

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

number of incoming cases

length of proceedings (timeframes)

number of resolved cases

number of pending cases

backlogs

productivity of judges and court staff

satisfaction of court staff

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

costs of the judicial procedures

number of appeals

appeal ratio

clearance rate

disposition time

other (please specify):

Comments

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

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

Comments

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

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

Comments

072. Do you monitor waiting time during judicial proceedings?

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

Comments

073. Do you have a system to evaluate regularly court performance based on the monitored indicators of question 70?

- 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:

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 (multiple replies possible)?

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

Comments There is a strong and direct relaties between de outcomes of the annual evaluation (e.g. the number of cases dissolved) and the budget, but this already takes place in the pending year (balancing).

073-3. Do you have a system to evaluate regularly the performance of the public prosecution services based on the monitored indicators of question 70-1?

- 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:

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

- Yes
- No

Comments

073-6. If yes, which courses of action are taken (multiple replies possible)?

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

Other (please specify): Every year, the internal budget allocation is reviewed and adjusted. The budget for the ten local divisions of the public prosecution service ('arrondissementsparketten') and the specialized national divisions (such as the division for higher appeals, the 'ressortsparket') is comprised of a fixed amount of resources and an amount of resources based on the number of cases processed (taking into account complexity).

Comments

=

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

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

Comments

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

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

Comments

3.6.3 Information regarding courts /public prosecution services activity

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

- Yes (please indicate the name and the address of this institution): Council of the Judiciary
- No

Comments

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

- Yes, on the internet (please provide the link) There is no open data, but data can be made available online when requested.
- No, only internally (on an intranet website)
- No

Comments There is no open data, but data can be made available online when requested.

=

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

Yes (please indicate the name and the address of this institution):Public Prosecutors Office

No

Comments

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

Yes, on the internet (please provide the link)

No, only internally (on an intranet website)

No

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 primarily 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

=

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. for whom the report is primarily intended):

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

- Internet
- Intranet (internal) website
- Paper distribution

Comments

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

- Annual
- Less frequent
- More frequent

Comments

3.6.4 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 these targets for each judge?

- Executive power (for example the Ministry of Justice)
- Legislative power
- Judicial power (for example the High Judicial Council, Supreme Court)
- President of the court
- Other (please specify):
- NAP

Comments

083-1-1. What are the consequences for a judge if these targets are not met?

	Consequences:
Without disciplinary procedure	<input type="checkbox"/> Warning by court's president <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment]
With disciplinary procedure	<input type="checkbox"/> Warning by court's president <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment]

-	<input type="checkbox"/> No consequences
-	<input checked="" type="checkbox"/> NAP (no targets defined)

Comments

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

	Existence of a system of individual evaluation of the judges' work
Quantitative	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Qualitative	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comment: Please specify the criteria on which the assessment is based, the authority competent for carrying out the assessment, the purposes for which the results of the assessment are used:

114-1. Please specify the frequency of this evaluation:

- Annual
- Less frequent
- More frequent
- Different frequencies used, please specify:
- NAP

=

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 these targets for each public prosecutor?

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

Comments

083-3-1. What are the consequences for a prosecutor if these targets are not met?

Consequences:

Without disciplinary procedure	<input type="checkbox"/> Warning by head of prosecution <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment] <input type="checkbox"/> NAP
With disciplinary procedure	<input type="checkbox"/> Warning by head of prosecution <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment] <input type="checkbox"/> NAP
No consequences	<input type="checkbox"/> No consequences <input checked="" type="checkbox"/> NAP

Comments

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

	Existence of a system of individual evaluation of the public prosecutors' work
Quantitative	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Qualitative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comment: Please specify the criteria on which the assessment is based, the authority competent for carrying out the assessment, the purposes for which the results of the assessment are used:

120-1. Please specify the frequency of this evaluation:

- Annual
- Less frequent
- More frequent
- Different frequencies used, please specify:
- NAP

Comments

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

Sources: no specific sources

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)?

[]

[X] NA

[] NAP

Comments - Please add methodology for calculation used.

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

(X) Yes

() No

Comments - Please could you briefly specify:

085-1. If yes, what are:

	-
The total number of the initiated procedures in the reference year	725 [] NA [] NAP
The total number of recusals pronounced in the reference year	17 [] NA [] NAP

Comment - Please, could you briefly specify: Initiated procedures at first and second instance courts: 721, 17 rewarded recusals. Initiated procedures at the Dutch Supreme Court: 4, 0 rewarded recusals

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): An overview is kept of all Dutch cases at the ECHR, with a focus on timeframes. There is no specific monitoring system.

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

[] For civil cases

[X] For criminal cases

[] For administrative cases

[] NAP

Comments

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

Sources: <https://www.rechtspraak.nl/SiteCollectionDocuments/Jaarverslag%20Rechtspraak%202022.pdf>
<https://www.hogeraad.nl/jaarverslag/hoge-raad/vierde-kamer/>
https://wetten.overheid.nl/BWBR0001903/2023-03-01/#BoekDerde_HoofdstukB_TiteldeelVIII_AfdelingEerste
<https://wetten.overheid.nl/jci1.3:c:BWBR0001827&boek=Eerste&titeldeel=Tiende&afdeling=Eerste&artikel=382&z=2023-07-01&g=2023-07-01> <https://wetten.overheid.nl/jci1.3:c:BWBR0005537&hoofdstuk=8&titeldeel=8.6>

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:

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: In small civil disputes, there are less rules and costs (compared to 'bigger' cases). Since >95% of the civil commercial cases is considered a small case, we do not view this procedure as a 'simplified' procedure.

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 etc.)?

Yes	No
-----	----

Agreement on general arrangements	(X)	()
Agreement in specific cases	(X)	()

Comments



4.2.2 Case flow management – first instance

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of other than criminal law cases (1+2+3+4)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	1 088 809 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 072 219 <input type="checkbox"/> NA <input type="checkbox"/> NAP	239 632 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<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)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	123 994 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Non litigious cases (2.1+2.2+2.3)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	856 256 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	856 256 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.1. Non litigious land registry cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.2 Non-litigious business registry cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.3. Other registry cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.3. Other non-litigious cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

3. Administrative law cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	92 752 <input type="checkbox"/> NA <input type="checkbox"/> NAP	91 969 <input type="checkbox"/> NA <input type="checkbox"/> NAP	64 877 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. 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 In previous years, we were able to produce the number of incoming and pending cases for categories 1, 2, and 2.1, but not this year. The Judiciary has decided on a different norm for one of the components needed for this number, so these numbers are no longer available as of 2022.

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

. Non-litigious cases include default judgments (undefended cases), unconqusted requests (e.g. a married couple asking for a divorce together).

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

. NAP

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)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	260 380 <input type="checkbox"/> NA <input type="checkbox"/> NAP	250 241 <input type="checkbox"/> NA <input type="checkbox"/> NAP	60 750 <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	153 465 <input type="checkbox"/> NA <input type="checkbox"/> NAP	153 012 <input type="checkbox"/> NA <input type="checkbox"/> NAP	33 594 <input 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	106 915 <input type="checkbox"/> NA <input type="checkbox"/> NAP	97 229 <input type="checkbox"/> NA <input type="checkbox"/> NAP	27 156 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Other 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	<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 specify what cases are reported in those categories. If “Other criminal cases”, please specify Increase in Category 1 - This is due to a technical change in registration, where it was found that some 14.500 cases were effectively resolved (from a legal standpoint) but had remained ‘open’ in the administration. This has lead to a decrease of the number of pending cases. Increase in Category 2 - These cases are both minor criminal offences and also traffic fine cases (so-called WAHV- or Mulder-cases). The latter

group shows the main increase. Possibly the increase is due to numbers being low in 2020 and 2021 as a result of Corona, and increased mobility since then



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)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	23 897 <input type="checkbox"/> NA <input type="checkbox"/> NAP	22 832 <input type="checkbox"/> NA <input type="checkbox"/> NAP	27 122 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<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)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Non litigious cases (2.1+2.2+2.3)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.1. Non litigious land registry cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.2 Non-litigious business registry cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.3. Other registry cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.3. Other non-litigious cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative law cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	13 271 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11 306 <input type="checkbox"/> NA <input type="checkbox"/> NAP	15 126 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

4. Other cases	<input type="checkbox"/> NA	<input type="checkbox"/> 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 "Other cases" please specify

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)	26 371 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	26 367 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	21 315 <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. Severe 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	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<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. Other 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	<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 specify what cases are reported in those categories. If "Other criminal cases", please specify:

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)	1 407 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	1 346 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	1 175 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	1 193 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	459 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	376 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	403 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	410 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" 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	948 <input type="checkbox"/> NA <input type="checkbox"/> NAP	970 <input type="checkbox"/> NA <input type="checkbox"/> NAP	772 <input type="checkbox"/> NA <input type="checkbox"/> NAP	783 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. 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 "Other cases", please specify

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

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

() No

Comments

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of criminal law cases (1+2+3)	2 015 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 174 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 849 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 183 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

1. Severe criminal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Other criminal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

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

4.2.5 Case flow management and timeframes – specific cases

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Litigious divorce cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	3 967 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Employment dismissal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	1 480 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Insolvency	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Robbery case	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Intentional homicide	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

=

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

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

Comments

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

. All requests for a residence permit (including those for asylum/refugee status) are assessed by the Immigration and Naturalization Service (IND). Asylum-seekers are provided with free legal assistance by a lawyer during the asylum procedure. During the procedure the applicants have lawful residence according to article 8 f of the Aliens Act 2000 and in accordance with article 9 of Directive 2013/32 EU. Exceptions can be made in certain cases of subsequent applications or (criminal) extradition.

In the event of a negative decision, applicants are provided with procedural information and legal representation (free of charge), both in procedures for the court in first instance (Rechtbank Den Haag, with ancillary seats in the capitals of the other arrondissements) and in final instance (Raad van State/ Council of State).

The appeal in asylum cases has suspensive effect by default. This implies that the alien's stay during the period of pending his appeal is as a regular lawful within the meaning of Article 8 of the Vw 2000. Exceptions are provided for in the second to fifth paragraphs of Article 82 of the Vw 2000. In the event that an exception occurs, the applicant can ask District Court of The Hague for a provisional measure of the to obtain suspensive effect.

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

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

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

102. Percentage of decisions subject to appeal, average length of proceedings and percentage of cases pending for more than 3 years for all instances for specific litigious cases. The average length of proceedings has to be calculated from the date the application for judicial review is lodged to the date the judgment is made, without taking into account the investigation phase in criminal cases as well as enforcement procedure.

% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average length of the entire procedure (in days)	% of cases pending for more than 3 years for all instances

Civil and commercial litigious cases	_____ Allow decimals : 2 <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	422 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Litigious divorce cases	_____ Allow decimals : 2 <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	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Employment dismissal cases	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	91 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	_____ Allow decimals : 2 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Insolvency cases	_____ Allow decimals : 2 <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	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Robbery cases	_____ Allow decimals : 2 <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	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Intentional homicide cases	_____ Allow decimals : 2 <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	_____ Allow decimals : 2 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Average length is no longer an official number at the Council of the Judiciary, as they have transferred to a different system (they also were not presented last year). For this year, we tried reconstructing the numbers, but the changes seemed quite large. Therefore, I decided to omit them for now, and we will have to see if we can deliver the numbers in the coming years.

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

. The length within one instance is from the formally defined start of the case until the termination of the case at that instance. The average length is calculated over all cases terminated at that instance during the year we report on.

The length of proceedings in civil cases (first instance) is calculated from the date of the administrative proceeding/appointment till the date of the case is closed (by a final judgment in 1st instance, or a friendly settlement).

4.2.6 Case flow management – public prosecution

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

- to conduct or supervise investigation
- when necessary, to request investigation measures from the judge
- to charge

[X] to present the case in court

[X] 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!)

[X] to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision

[] other significant powers (please specify):

Comments

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

[] civil cases

[] administrative cases

[] insolvency cases

Comments - If yes, please specify:

=

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

	Number of cases
1.Pending cases on 1 Jan. ref. year	64 506 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP
2.Incoming/received cases	187 600 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP
3.Processed cases (3.1+3.2+3.3+3.4)	186 800 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP
3.1.Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.)	58 400 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP
3.1.1 Discontinued by the public prosecutor because the offender could not be identified	<input type="checkbox"/> [] NA <input checked="" type="checkbox"/> [X] NAP
3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	39 100 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP
3.1.3 Discontinued by the public prosecutor for reasons of opportunity	15 400 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP
3.1.4 Discontinued for other reasons	3 900 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP
3.2.Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	48 600 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP

3.3.Cases brought to court	79 800 [] NA [] NAP
4.Pending cases on 31 Dec. ref. year	55 760 [] NA [] NAP

Comments There are a few numbers available, but NL does not register whether cases are litigious or not in the manner asked here.

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

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

Comments In 2021, there were experiments with judgement agreements (vonnisafspraken) and trial agreements (procesafspraken), see eg. https://www.bjutijdschriften.nl/tijdschrift/NTS/2022/2/NTS_2666-6553_2022_003_002_003. These experiments were evaluated, and further specified in directives and instructions in 2022. The numbers are not yet available.

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

Yes

No

Comments These include traffic offences, but NOT traffic violations. Only serious traffic issues are prosecuted as traffic offence, the less serious as violation of even administrative justice (wet Mulder).

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

Sources: no specific sources

5.Career of judges and public prosecutors

5.1.Recruitment and promotion

5.1.1Recruitment and promotion of judges

110. How are judges recruited?

through a competitive exam (open competition)

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

other (please specify):



110-1. Please briefly describe the recruitment procedure(s) for judges in your country:

. To become a judge, one must apply for the Judges Education (Rechtsoopleiding). To be eligible for this education, one needs a law degree with a so-called civil effect (civiel effect, a combination of specific courses taken during university education, to be allowed to practice in certain fields of law), at least two years of legal working experience outside of judicial organizations or public prosecution after obtaining their law degree, and have the Dutch nationality.

110-2. What are the recruitment requirements for judges (multiple replies possible)?

- Age
- Nationality
- Physical/Psychological capacity
- General studies in law
- Advanced studies in law (Master, PhD)
- Number of years of relevant experience
- Traineeship/judicial functions in courts
- Validation of a general state examination in law
- Validation of a specific examination for judges
- Clean criminal record
- Foreign languages
- Personal requirements (related to integrity)
- Other
- NAP

Comments - If “other”, please specify: During the selection procedure, the selection committee requests a candidate’s judicial antecedents (at Dienst Justis). The selection committee decides if potential facts on the summary are an obstacle for becoming a judge. Additionally, candidates from the public prosecution, or that are lawyers or notaries, are asked for references in light of disciplinary antecedents. If a candidate passes the selection, the court requests a VOG (declaration of behavior) before the labor conditions meeting.

110-3. In the frame of these recruitments, please indicate the number of applicants for the position of judge and the number of recruitments actually made during the reference year:

	Total	Males	Females
Number of applicants	240 <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
Number of recruited persons	128 <input type="checkbox"/> NA	52 <input type="checkbox"/> NA	76 <input type="checkbox"/> NA

110-4. If the number of applicants decreased in the last years did you take any remedial measures?

() Yes

(X) No

Comments

110-5. If yes, please specify what remedies you implemented:

- Increase of salary
- Other financial incentives
- Improving working conditions
- Workload reduction at the beginning of career
- Other adjustments in the frame of the induction of new judges
- Other

Comments: If "other", please, specify:

=

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/authorities made up of judges and non-judges
- Other

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

111-1. How many members compose this authority?

	Total	Males	Females
Members	27 <input type="checkbox"/> NA <input type="checkbox"/> NAP	10 <input type="checkbox"/> NA <input type="checkbox"/> NAP	17 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments – Please specify what is the status of this authority and who is proposing/appointing its members:

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

() Yes

(X) No

Comments – Please specify the procedure to be followed, the competent authority, the moment for exercising the right of appeal:

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

() Yes

(X) No

Comments - No, please specify which authority is competent for promoting judges

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

- Competitive test / Exam
- Previous individual evaluations
- Other procedure(s) (interview or other)
- No special procedure

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

113-0. In the frame of the promotion procedures, please indicate the number of applicants and the number of promotions actually made during the reference year:

	Total	Males	Females
Number of applicants	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
Number of promoted persons	88 <input type="checkbox"/> NA	31 <input type="checkbox"/> NA	57 <input type="checkbox"/> NA

Comments

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

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

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

5.1.2 Status, recruitment and promotion of prosecutors

115. What is the status of public prosecution services?

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

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

115-1. Are specific instructions addressed to a public prosecutor to prosecute or not prohibited by

law or other regulation?

Yes

No

Comments - If yes, please specify:

115-2. If they are prohibited by law or other regulation, are there exceptions?

Yes

No

NAP

Comments - Please describe these exceptions:

115-3. Which authority can issue such specific instructions?

General Prosecutor

Higher prosecutor/Head of prosecution office

Executive power

Other

NAP

Comments - If "Other", please specify: This answer has changed a little compared to last year, as internal instructions are given by the head of the prosecution. Furthermore, not the entire executive power has the power to issue instructions, see for specifics the explanations on who can issue instructions in the other questions.

115-4. What form these instructions may take?

Oral instruction

Oral instruction with written confirmation

Written instruction

Other

NAP

Comments - If "Other", please specify:

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

Issued seeking prior advice from the competent public prosecutor

Mandatory

Reasoned

Recorded in the case file

Other

NAP

Comments - If "Other", please specify: If an instruction is given, it is mandatory to execute it.

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

Exceptional

Occasional

- Frequent
- Systematic
- NAP

Comments

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

- Yes
- No
- NAP

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

=

116. How are public prosecutors recruited?

- through a competitive exam (open competition)
- through a recruitment procedure for experienced legal professionals (for example experienced lawyers)
- other (please specify):

Comments

116-1. Please briefly describe the recruitment procedure(s) for prosecutors in your country:

. see general comment.

116-2. What are the recruitment requirements for prosecutors (multiple replies possible)?

- Age
- Nationality
- Physical/Psychological capacity
- General studies in law
- Advanced studies in law (Master, PhD)
- Number of years of relevant experience
- Traineeship/judicial functions in courts
- Validation of a general state examination in law
- Validation of a specific examination for prosecutors
- Clean criminal record
- Foreign languages
- Personal requirements (related to integrity)
- Other
- NAP

Comments - If "other", please specify:

116-3. In the frame of these recruitments, please indicate the number of applicants for the position of prosecutor and the number of recruitments actually made during the reference year:

	Total	Males	Females
Number of applicants	242 [] NA	121 [] NA	121 [] NA
Number of recruited persons	69 [] NA	31 [] NA	38 [] NA

Comments For number of applicants, the average percentages of the last period are used, as information on applicants is saved for a only a short period of time.

116-4. If the number of applicants decreased in the last years did you take any remedial measures?

Yes

No

Comments

116-5. If yes, please specify what remedies you implemented:

Increase of salary

Other financial incentives

Improving working conditions

Workload reduction at the beginning of career

Other adjustments in the frame of the induction of new prosecutors

Other

Comments: If "other", please, specify: Adjustments in recruitment marketing

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

An authority composed of public prosecutors only

An authority composed of non-public prosecutors only

An authority composed of public prosecutors and non-public prosecutors

Other

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

117-1. How many members compose this authority?

	Total	Male	Female
Members	3 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments – Please specify what is the status of this authority and who is proposing/appointing its members:

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

Yes

No

Comments – Please specify the procedure to be followed, the competent authority, the moment for exercising the right of appeal:

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

Yes

No, please specify which authority is competent for promoting public prosecutorssee general comment

Comments

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

Competitive test / exam

Previous individual evaluations

Other procedure(s) (interview or other)

No special procedure

Comments - Please specify how the promotion procedure for prosecutors is organised (especially if there is no competition or examination) and how the publicity of promotion processes is ensured:

119-1. In the frame of the promotion procedures, please indicate the number of applicants and the number of promotions actually made during the reference year:

	Total	Males	Females
Number of applicants	38 <input type="checkbox"/> NA	16 <input type="checkbox"/> NA	22 <input type="checkbox"/> NA
Number of promoted persons	38 <input type="checkbox"/> NA	16 <input type="checkbox"/> NA	22 <input type="checkbox"/> NA

Comments

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

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

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

5.1.3Mandate and retirement of judges and prosecutors

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

Yes, please indicate the compulsory retirement age:70

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:70

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 fixed duration

No

Comments

125. If the mandate of 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 of public prosecutors is not for an undetermined period (see question 123),

what is the length of the mandate (in years)?

[]

[] NA

[X] NAP

Comments

126-1. Is it renewable?

() Yes

() No

[X] NAP

Comments

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

Sources: No specific sources.

5.2. Training

5.2.1 Training of judges

127. Types of different trainings offered to judges:

	Compulsory	Optional	No training proposed
Initial training (e.g. attend a judicial school, traineeship in a court)	(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)	(X) Yes () No	(X) Yes () No	() Yes (X) No
In-service training for management functions of the court (e.g. court president)	(X) Yes () No	(X) Yes () No	() Yes (X) No
In-service training for the use of computer facilities in courts	(X) Yes () No	(X) Yes () No	() Yes (X) No
In-service training on ethics	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training on child-friendly justice	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training on gender equality	() Yes (X) No	(X) Yes () No	() Yes (X) No
Other in- service training	() Yes (X) No	(X) Yes () No	() Yes (X) No

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

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

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

128-1. Do you have a minimum number of compulsory trainings per judge:

	Per judge
Initial compulsory training – minimum number of trainings	<hr/> Min numeric value allowed : 0 18 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Initial compulsory training – minimum number of days	_____ Min numeric value allowed : 0 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
In-service compulsory trainings – minimum number of trainings per year	_____ Min numeric value allowed : 0 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
In-service compulsory trainings – minimum number of days per year	_____ Min numeric value allowed : 0 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The complete initial training consists of 252 hours of (compulsory) courses in two years (126 hours = 18 courses per year). The standard for judges and prosecutors is to follow 30 hours on average per year over a period of three years. Within the judiciary and public prosecution serious work is being done on professional development and thus on achieving the minimum number of hours. The SSR (the training institute) offers trainings as often as needed.

5.2.2 Training of prosecutors

129. Types of different trainings offered to public prosecutors:

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

Comments There is not specific training on gender equality. Diversity in general is a part of some trainings. These trainings are optional for general trainings and compulsory for initial training. At this moment the public prosecution is expanding their training on diversity and inclusivity.

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

	Frequency of the in-service training
General in-service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for specialised functions (e.g. public prosecutor specialised in organised crime)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for management functions (e.g. Head of prosecution office, manager)	<input 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 checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on ethics	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on child-friendly justice	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on gender equality	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
Other in- service training	<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: Judges and prosecutors are expected to complete 30 hours of training every year. SSR (the training institute) offers trainings as often as needed.

The Public Prosecution Service (Openbaar Ministerie) has various obligatory training modules for public prosecutors. Compliance is seen in terms of whether or not these are completed (in full), not in terms of how many hours of training are completed. The Public Prosecution Service is in the process of implementing the monitoring of compliance with this obligation (more closely).

130-1. Do you have a minimum number of compulsory trainings per prosecutor:

	Per prosecutor
Initial compulsory training – minimum number of trainings	<hr/> Min numeric value allowed : 0 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Initial compulsory training – minimum number of days	_____ Min numeric value allowed : 0 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
In-service compulsory trainings – minimum number of trainings per year	_____ Min numeric value allowed : 0 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
In-service compulsory trainings – minimum number of days per year	_____ Min numeric value allowed : 0 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Initial training takes 20% of the total time in service of a starting public prosecutor. After the initial training, there can be compulsory training, but there not a fixed minimum for those trainings. It depends on the tasks of the prosecutor.

The Public Prosecution Service (Openbaar Ministerie) has various obligatory training modules for public prosecutors. Compliance is seen in terms of whether or not these are completed (in full), not in terms of how many hours of training are completed. The Public Prosecution Service is in the process of implementing the monitoring of compliance with this obligation (more closely).

5.2.3 Training institutions

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

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

Comments

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

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

Comments

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

5.2.4 Number of trainings

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

	Number of different live (in person, hybrid, videoconference) trainings available	Number of live (in person, hybrid, videoconference) trainings delivered	Number of days of delivered live (in person, hybrid, videoconference) trainings	Number of internet-based trainings available on the e-learning platform of the training institution (not live)
Total	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
For judges	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
For prosecutors	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
For non-judge staff	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
For non-prosecutor staff	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments It is not possible the split up the numbers in this manner. We can provide the following information:
 Total learning activities (including multi-day trainings, part-day trainings): 2123 with 870 initial trainings, and 942 permanent education.
 For the question below (I cannot enter a comment there): Like Q131-2 is it not possible to split up numbers in this manner. We can provide the following information:
 Total number of registrations: 28.331 (13.896 initial training, 12.692 permanent education)
 Total number of individual participants: 8.613 (2.829 public prosecution, 5.451 Judicial System).

131-3. Number of participants in the trainings during the reference year.

	Number of participants in live (in-person, hybrid, videoconference) trainings	Number of participants in internet-based trainings provided on the e-learning platform of the training institution (not live)
Total	[X] NA [] NAP	[X] NA [] NAP
Judges	[X] NA [] NAP	[X] NA [] NAP

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

Comments

E2. Please indicate the sources for answering the questions in this part

Sources: information from the SSR, the learning institute.

5.3.Practice of the profession

5.3.1Salaries and benefits of judges and prosecutors



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

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
First instance professional judge at the beginning of his/her career	89 236 <input type="checkbox"/> NA <input type="checkbox"/> NAP	51 501 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the highest salary of a judge at this level, excluding the salary of the Court President)	160 741 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Public prosecutor at the beginning of his/her career	87 637 <input type="checkbox"/> NA <input type="checkbox"/> NAP	51 555 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the highest salary of a public prosecutor at this level, excluding the salary of the Attorney General).	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comment – Please describe briefly how the salaries are determined during the career of a judge/prosecutor: Discrepancy comment: In 2021 we needed to look for a different methodology to calculate the net annual salary for a public prosecutor. This year, we believe we have found a reliable simulation method, and using this, we came to this answer. Using this methodology, answers for previous years would be:

2020: 84.058 (B) en 49.185 (N)

2021: 85.195 (B) en 50.175 (N)

2022: 87.637 (B) en 51.555 (N)

133. Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
Reduced taxation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Special pension	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Housing	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other financial benefit	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

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

. Other financial benefits: an annual tax free allowance for expenses. For judges (at first instance courts, appeal courts, and the supreme court) this allowance was 1 541 euros, for public prosecutors the allowance ranged from 620 to 1709 euros in 2022. Please refer to the legislation (https://wetten.overheid.nl/BWBR0006530/2023-07-01/0#Hoofdstuk2b_Artikel7) and regulation (<https://wetten.overheid.nl/BWBR0031765/2021-01-23>) on this subject.

[] NAP

=

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

	With remuneration	Without remuneration
Teaching	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Research and publication	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Arbitrator	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Consultant	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Cultural function	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Political function	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Mediator	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other function	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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

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

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

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 if possible the amounts:

5.3.2 Body/institution of ethics

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

() Yes

(X) No

Comment - Please specify:

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

() Only judges

() Judges and other legal professionals

Other, please specify:

Comments

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

Yes

No

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

138-2-1. How many guidelines and/or opinions were given during the reference year?

[]

[] NA

Comments – Please specify what were the topics addressed in these guidelines and/or opinions

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

Yes

No

Comment: Please specify

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

Only prosecutors

Prosecutors and other legal professionals

Other, please specify: Integrity Bureau

Comments

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

Yes

No

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

138-5-1. How many guidelines and/or opinions were given during the reference year?

[]

[X] NA

Comments – Please specify what were the topics addressed in these guidelines and/or opinions

5.4. Disciplinary procedures

5.4.1 Authorities responsible for disciplinary procedures and sanctions

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

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

Comments

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

- Citizens
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High Judicial Council)
- Disciplinary court
- Disciplinary body
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):
- This is not possible

Comments

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

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

Comments

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

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

Comments

5.4.2 Number of disciplinary procedures and sanctions

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

	Judges	Prosecutors
Total number (1+2+3+4)	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify:

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

	Judges	Prosecutors
Total number (total 1 to 10)	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7 <input type="checkbox"/> NA <input type="checkbox"/> NAP

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

Comments - If "other", please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons. Other: 3 warnings, 1 talk with the employee

Dismissal is dismissal from a temporary contract

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

Sources: Annual report Council of the Judiciary, internal numbers from the prosecution

6.Lawyers

6.1.Profession of lawyer

6.1.1Status of the profession of lawyers

146. Total number of lawyers practising in your country:

Total	Males	Females

Number of lawyers	18 218 <input type="checkbox"/> NA	9 822 <input type="checkbox"/> NA	8 396 <input type="checkbox"/> NA
-------------------	---------------------------------------	--------------------------------------	--------------------------------------

Comments

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

Yes ()

No ()

Comments

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

[]

[] NA

[] NAP

Comments

=

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

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	(<input type="checkbox"/>) Yes always (<input checked="" type="checkbox"/>) Yes in some cases (<input type="checkbox"/>) No <input type="checkbox"/> NAP	(<input checked="" type="checkbox"/>) Yes always (<input type="checkbox"/>) Yes in some cases (<input type="checkbox"/>) No <input type="checkbox"/> NAP	(<input checked="" type="checkbox"/>) Yes always (<input type="checkbox"/>) Yes in some cases (<input type="checkbox"/>) No <input type="checkbox"/> NAP
Dismissal cases	(<input type="checkbox"/>) Yes always (<input type="checkbox"/>) Yes in some cases (<input checked="" type="checkbox"/>) No <input type="checkbox"/> NAP	(<input checked="" type="checkbox"/>) Yes always (<input type="checkbox"/>) Yes in some cases (<input type="checkbox"/>) No <input type="checkbox"/> NAP	(<input checked="" type="checkbox"/>) Yes always (<input type="checkbox"/>) Yes in some cases (<input type="checkbox"/>) No <input type="checkbox"/> NAP
Criminal cases – Defendant	(<input type="checkbox"/>) Yes always (<input type="checkbox"/>) Yes in some cases (<input checked="" type="checkbox"/>) No <input type="checkbox"/> NAP	(<input type="checkbox"/>) Yes always (<input type="checkbox"/>) Yes in some cases (<input checked="" type="checkbox"/>) No <input type="checkbox"/> NAP	(<input checked="" type="checkbox"/>) Yes always (<input type="checkbox"/>) Yes in some cases (<input type="checkbox"/>) No <input type="checkbox"/> NAP
Criminal cases – Victim	(<input type="checkbox"/>) Yes always (<input type="checkbox"/>) Yes in some cases (<input checked="" type="checkbox"/>) No <input type="checkbox"/> NAP	(<input type="checkbox"/>) Yes always (<input type="checkbox"/>) Yes in some cases (<input checked="" type="checkbox"/>) No <input type="checkbox"/> NAP	(<input type="checkbox"/>) Yes always (<input checked="" type="checkbox"/>) Yes in some cases (<input type="checkbox"/>) No <input type="checkbox"/> NAP
Administrative cases	(<input type="checkbox"/>) Yes always (<input checked="" type="checkbox"/>) Yes in some cases (<input type="checkbox"/>) No <input type="checkbox"/> NAP	(<input type="checkbox"/>) Yes always (<input checked="" type="checkbox"/>) Yes in some cases (<input type="checkbox"/>) No <input type="checkbox"/> NAP	(<input type="checkbox"/>) Yes always (<input type="checkbox"/>) Yes in some cases (<input checked="" type="checkbox"/>) No <input type="checkbox"/> NAP

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

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

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

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

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

- Notarial activity
- Arbitration / mediation
- Proxy / representation
- Property manager
- Real estate agent
- Other (please specify): In general much of the work of lawyers is drafting contracts

Comments

149-2. Professional lawyers may have the status of:

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

Comments

150. Is the lawyer profession organised through:

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

Comments

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

- Yes
- No

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

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

Yes

No

Comments

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

Yes

No

Comments - If yes, please specify:

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

Sources: Annual report Nederlandse Orde van Advocaten 2022

<https://www.rechtspraak.nl/Naar-de-rechter/Paginas/Advocaat-wel-of-niet-verplicht.aspx>

6.1.2 Practicing the profession of lawyer

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

155. Are lawyers' fees freely negotiated?

Yes

No

Comments

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

Yes, laws provide rules

Yes, standards of the bar association provide rules

No, neither laws nor bar association standards provide rules

Comments

6.1.3 Quality standards and disciplinary procedures for lawyers

157. Have quality standards been determined for lawyers?

Yes

() No

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

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

the bar association

the Parliament

other (please specify):

Comments

159. Is it possible to file a complaint about:

the performance of lawyers

the amount of fees

Comments - Please specify:

160. Which authority is responsible for disciplinary procedures?

a judge

Ministry of Justice

a professional authority

other (please specify): A special chamber of the court, namely the Council of discipline (Raad van discipline).

Comments

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)	965 <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 checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify:

162. Sanctions pronounced against lawyers.

Number of sanctions

Total number of sanctions (1 + 2 + 3 + 4 + 5)	267 [] NA [] NAP
1. Reprimand	79 [] NA [] NAP
2. Suspension	17 [] NA [] NAP
3. Withdrawal from cases	[] NA [X] NAP
4. Fine	1 [] NA [] NAP
5. Other	170 [] 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. In 2022, 965 complaints were filed. 905 cases were handled, and of these, 614 cases were deemed unfounded. Furthermore, 291 cases were founded. Of these, 24 cases were founded, but handled without sanction.

Thus, in 267 cases, a sanction was given.

Other sanctions: 170 in total. 123 warnings, 5 conditional fines, 32 conditional suspensions, and 10 decisions to disbar a lawyer (8 people were disbarred).

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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Family cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Administrative cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Labour cases including employment dismissals	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Consumer cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] 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:

=

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

	Total	Males	Females
Number of mediators	768 [] NA [] NAP	<input checked="" type="checkbox"/> NA [] NAP	<input checked="" type="checkbox"/> NA [] NAP

Comments

166-1. Could you please describe what are the requirements and what is the procedure to become an accredited or registered mediator in your country (educational requirements, working experiences, accrediting procedure etc.)?

. There is a quality register for mediators, the MfN-register, where mediators for both judicial matters and other matters are registered. Since the Legal Aid Board and the Council for the Judiciary exclusively work with registered mediators, only the MfN-

requirements are described here.

To become a registered mediator, a basic training mediation must be completed at a MfN-recognized institution. Next, the person must pass a theoretical exam and an assessment at an independent exam institution. After this, a declaration of behavior (VOG) must be obtained before one can register as mediator at the MfN-register.

If a mediator is not registered at the MfN-register, the quality of their work cannot be guaranteed.

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 + 7)	2 264 [] NA [] NAP	2 052 [] NA [] NAP	1 335 [] NA [] NAP
1. Civil and commercial cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Family cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Administrative cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
4. Labour cases including employment dismissal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
5. Criminal cases	853 [] NA [] NAP	830 [] NA [] NAP	708 [] NA [] NAP
6. Consumer cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
7. Other cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - Please indicate the source: During the covid pandemic, court houses were closed for a while, and face-to-face mediations were not possible. The number of referrals has increased, but is not yet at the same level as before the pandemic.

Settlements or agreements can be full agreements or partial agreements.

Source: Annual Report Council of the Judiciary

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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):

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

Source: Annual reports Council for the Judiciary, Legal Aid Council
<https://mfregister.nl/mediators/hoeword-ik-mediator-in-het-mfn-register/>

8. Enforcement of court decisions**8.1. Execution of decisions in civil matters****8.1.1 Number of enforcement agents, status and mandate****169. Number and type of enforcement agents in your country.**

	Total	Male	Female
Total (1+2+3+4)	604 <input type="checkbox"/> NA	435 <input type="checkbox"/> NA	169 <input type="checkbox"/> NA
1. Private professionals under the authority (control) of public authorities	604 <input type="checkbox"/> NA <input type="checkbox"/> NAP	435 <input type="checkbox"/> NA <input type="checkbox"/> NAP	169 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Enforcement agents working in a public institution (civil servants paid by 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. Judges	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
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 their status and competences: These are the numbers on Jan. 2, 2023. Number of enforcements agents on Jan. 2, 2022 was 631 (455 male, 176 female). These numbers only include those enforcement agents that are member of the Royal Professional Organization of Judicial Officers in the Netherlands.

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

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

Comments - If "other", please specify:

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

(X) Yes, please indicate the age of retirement: 70

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

- Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: -At his/her request
 -Dismissal as a disciplinary sanction
 -When he/she no longer has the Dutch nationality, or the nationality of another EU-member state, EEA or Switzerland.
 -Legal restraint
 -Prison sentence for a criminal offence
 -Civil imprisonment due to debts after an irrevocable court sentence
 -Bankruptcy, moratorium, or debt restructuring
 -Permanent unfitness for the job due to illness or infirmity.

8.1.2 Activities/scope of competence

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

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

Comments - If "other", please specify:

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

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

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

Comments

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

Service of judicial and extrajudicial documents

Debt recovery

Voluntary or public auctions of moveable or immovable property

- Custody of goods
- Recording and reporting of evidence
- Court hearings service
- Provision of legal advice
- Bankruptcy procedures
- Performing tasks assigned by judges
- Representing parties in courts
- Drawing up private deeds and documents
- Building manager
- Other

Comments

8.1.3 Training and ICT

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

- Yes
- No

Comments

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

- Yes
- No

Comments - If yes, please specify:

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

- Yes
- No

Comments - If yes, please specify:

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

- Yes
- No

Comments

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

- Yes
- No

Comments - Please explain:

8.1.4 Fees

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

Yes

No

Comments

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

Yes

No

Comments Yes, and no: the fees between a creditor and the bailiff are subject to a free market process, while the fees the debtor pays for the acts of the bailiff are fixed in a Resolution.

The Law on Judicial Officers was introduced in 2001, and since then free market forces influence the fees between creditors and bailiffs. This can – and was supposed to – positively influence the quality of service, but in practice, the independence of the bailiff may be influenced as well. The Commission on Boundaries Tariff models (Commissie Grenzen Tariefmodellen) has researched different models, which resulted in the Regulation Boundaries Tariff models (Verordening Grenzen Tariefmodellen). The Regulation was enacted on Jan 1, 2021. Due to the Regulation, creditors cannot earn anything due to acts of bailiffs, and financial risks are not put on bailiffs.

In the last few years, more attention has been given to individuals with problems in paying claims at once. An effort is made by the government, public and private sectors, and bailiffs, to collect debts in a way that is socially acceptable, and to improve the quality of service, and the revision of seizure and enforcement law. The sector aims to reduce the number of public acts and the costs for debtors.

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

The debtor

The creditor

Other – please specify

Comments

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

Yes

No

Comments

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

Source: <https://www.kbvg.nl/wetten-en-regels/tarievenstelsel>

8.1.5 Organisation of profession and efficiency of enforcement services

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

Yes

No

Comments

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

- professional body
- judge
- Ministry of Justice
- public prosecutor
- other (please specify):

Comments

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

- Yes
- No

Comments - If yes, please specify:

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

- Yes
- No

Comments - If yes, please specify:

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

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

Comments

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

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

for administrative cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--------------------------	------------------------------------------------------------------------

Comments

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

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

Comments

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

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	477 [] NA [] NAP
1. For breach of professional ethics	[X] NA [] NAP
2. For professional inadequacy	[X] NA [] NAP
3. For criminal offence	[X] NA [] NAP
4. Other	[X] NA [] NAP

Comments - If "other", please specify: This number represents complaints that were lodged against enforcement agents.

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	55 [] NA [] NAP
1. Reprimand	24 [] NA [] NAP
2. Suspension	5 [] NA [] NAP

3. Withdrawal from cases	0 [] NA [] NAP
4. Fine	9 [] NA [] NAP
5. Other	17 [] 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 sanctions: 16 warnings, and 1 removal from office.

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

Source: Annual report, <https://www.rechtspraak.nl/SiteCollectionDocuments/Jaarverslag-2022-gerechtsdeurwaarders.pdf>

8.2. Execution of decisions in criminal matters

8.2.1 Functioning of execution in criminal matters

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

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

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions). The CJIB acts in name of the minister of Justice and Safety since 2020 (see law USB).

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

- Yes
- No

Comments

191. If yes, what is the recovery rate?

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

Comments - Please indicate the source for answering this question:

9. Notaries

9.1. Profession of notary

9.1.1 Number, status and mandate of notaries

192. Number and status of notaries in your country.

	Total	Males	Females
TOTAL (1+2+3+4)	3 414 [] NA [] NAP	1 518 [] NA [] NAP	1 896 [] NA [] NAP
1. Private professionals (without control from public authorities)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Holders of public offices appointed by the State	3 414 [] NA [] NAP	1 518 [] NA [] NAP	1 896 [] NA [] NAP
3. Civil servants (paid by the State)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
4. Other	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If "Other", please specify the status, or if "holder of a public office appointed by the State", please indicate which ministry is mainly engaged in the appointment procedure: These are numbers on January 1st 2022.

Notaries (or notary-entrepreneurs) are formally appointed by the King. A notary is also an entrepreneur, running his/her own business. The notary may hire 'assigned notaries'. An assigned notary is formally appointed by the Minister, and is employed by a notary. Both notaries and assigned notaries are entitled to sign notarial acts.

Additionally, there are deputy (civil law) notaries, who are either a person in training to become a notary, or people who choose to continue working under a notary (they are not entitled to sign notarial acts (in their own name). One can remain a deputy notary forever.

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

- diploma
- professional experience
- specific exam
- appointment procedure by the State
- initial training
- other (please specify): business plan (art. 7 Wna, Law on the office of the notary)

Comments Specific exam: according to art. 33 Wna, Law on the office of the notary.

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: 70
- no, please specify the duration of the appointment:

Comments - are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: Yes, dismissal as a disciplinary sanction is possible, so is voluntary early retirement from office.

9.1.2 Activities/scope of competences

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

	Please select one option
Authentication	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Certification of signatures	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Mediation	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Taking of oaths	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Non-contentious judicial procedures (e.g. acting as court commissioner in a successions file, performing divorce, division of estate, please specify)	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Act as civil servant (for example performing marriage, please specify)	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
Other judicial functions (for example, payment orders)	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP

Public auctions	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Other (for example collect taxes, run registers etc.)	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

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

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

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

Comments

9.1.3 ICT, organisation of the profession and training

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

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

Comments

194-4. Which computerised registries can notaries consult?

- Land registry
- Business registry
- Civil status / Population registry
- Succession / Family law registry
- Any other registry (please specify) Central Guardianship and Administration Register
- None

Comments The register of last wills (Centraal testamentenregister, CTR) is managed by the KNB (Royal Dutch Association of Civil-law Notaries), as well as the register for living wills (CLTR). There is furthermore a digital registry of acts (Centraal Digitaal Repertorium - CDR).

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

Yes

No

Comments - If yes, please specify:

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

	Directly modifying	Indirectly modifying by submitting an online request
Land registry	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP
Business registry	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP
Civil status/ Population registry	<input type="checkbox"/> Yes <input type="checkbox"/> No [X] NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No [X] NAP
Succession / Family law registry	<input type="checkbox"/> Yes <input type="checkbox"/> No [X] NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No [X] NAP
Any other registry (please specify)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP
None	<input type="checkbox"/> Yes <input type="checkbox"/> No [X] NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No [X] NAP

Comments

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

Videoconferencing (e.g. digital advice)

Digital act

Digital identification

Digital archiving

Other, please specify

None

Comments

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

Notariat / Professional body

Other public authority

Another entity (please specify)

Comments

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

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): Supervision and monitoring of the profession is done in part by the profession itself (e.g. through the KNB), and in part by an independent administrative body (BFT, Bureau of Financial Supervision). The Ministry of Justice is responsible for observing the availability of notaries, but does not monitor the numbers. In the case of a complaint about a notary's actions, a disciplinary law court is available.

Comments

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

Yes

No

Comments

196-2. Do notaries have training on:

	Yes	No
European law	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Law of another Member State (cross-border training programmes)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

I1. Please indicate the sources for answering the questions in this part

Sources: www.knb.nl
Annual Report KNB
Law on the notarial profession (Wet op het notarisambt)
KNB Fact Sheets 2022-1
www.pe-academy.nl/notaris

10. Judicial experts

10.1. Profession of judicial expert

10.1.1 Status of judicial experts

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

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

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

Other system of judicial expertise, please specify

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

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

Yes

No

Comments

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

national

administrative district or federal entity

judicial district

other

Comments - Please, indicate any other comment regarding these lists or databases of experts, if they do exist (e.g. does the expert take an oath? How are his/her skills evaluated? By whom?): The NRGD (Netherlands Register of Court Experts) is responsible for the register. Experts who want to register with the NRGD, are validated with established norms from the field, and this validation is repeated every five years using the norms of that moment, or by recognition of education.

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

Yes, available on the internet

Yes

No

Comments Netherlands Register of Court Experts: www.nrgd.nl

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

Ministry of justice

Courts

Administrative body

Independent body (association of judicial experts)

Other

Comments - Please also specify the registration criteria: There are various standards, but specific requirements depend on the Standards

per field.

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

Yes, for how long 5 years

No

Comments

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

Yes

No

Comment - If yes, please specify in which cases: Registry is not mandatory

203. Is the title of judicial experts protected?

Yes

No

Comments - If appropriate, please explain the meaning of this protection: In some way: in criminal law cases – only NRGD-registered experts are allowed to call themselves ‘registered experts’ in criminal law cases.

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

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

Comments

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

judicial proceedings

the profession of expert

other

Comments

=

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

Yes

No

Comments

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

Yes

() No

Comments - If yes, please specify:

205. Number of accredited or registered judicial experts:

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

Comments

206-1. Number of cases where an 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

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

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

Freely agreed between expert and the parties	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Other	() Yes (X) No [] NAP	() Yes (X) No [] NAP

Comments - If other, please specify:

206. Are there binding provisions for judicial experts regarding:

	Yes	No
Deadlines to provide expertise	()	(X)
Quality of expertise	(X)	()
Other	()	(X)

[] NAP

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

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

(X) Yes

() No

If yes, please specify:

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

[] Selection processes

[] Initial or continuous training

[] Disciplinary procedures

[X] NAP

Comments

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

Sources: <https://english.nrgd.nl/about-the-nrgd>
<https://www.nrgd.nl/registreren/documenten/publicaties/2021/11/11/stroomschema-registreren>
<https://www.rechtspraak.nl/Naar-de-rechter/rol-in-rechtszaak/Paginas/Deskundige.aspx>

11.Reforms in judiciary

11.1.Foreseen reforms

11.1.1Reforms



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

208-1. (Comprehensive) reform plans

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

Comments - If yes, please specify:

208-2. Budget

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

Comments - If yes, please specify:

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

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

Comments - If yes, please specify: In 2019, the courts started with the program 'Justice on Time', and as a part of this, a 'firefighters brigade' has been introduced in recent years. This brigade is a partnership consisting of five teams (family law, civil law first instance, civil law appeal, administrative law, criminal law), that help reduce backlogs in the courts. Generally, the oldest cases at the courts that have not been handled yet are turned over to the brigade. The brigade then renders a judgement in the name of the original court. In 2021 the teams rendered approximately 3.000 judgements, and another 16.554 in 2022.

<https://www.rechtspraak.nl/Organisatie-en-contact/Organisatie/Raad-voor-de-rechtspraak/Kwaliteit-van-de-rechtspraak/Paginas/landelijke-inloopkamer-jaarcijfers-2021-2022.aspx>

The Judiciary has focused on enhancing the social effectivity and accessibility of the judiciary from a people-centred perspective. Innovative ideas are tested through pilots at courts throughout the country. Among others, these have focused on complex divorces, (problematic) debts, simplifying civil procedure and community judges. Where proven successful, the innovations are implemented country-wide. An example of this is the pilot with debt officers who act as a link between the judiciary and municipal debt assistance. They will be widely deployed within the judiciary in the coming years to better approach parties who are faced with problematic debts. A new phase has commenced with the entry into force of a new law on experiments in civil procedure law in 2023. This law enables experiments to be conducted within a mandatory framework which is expected to result in an increase of the number of cases tried in the

context of the experiment, thereby strengthening the conclusions that can be drawn from the pilots and thereby better support decisions on country-wide implementation of innovative ideas.

<https://www.rechtspraak.nl/Organisatie-en-contact/Organisatie/Raad-voor-de-rechtspraak/Kwaliteit-van-de-rechtspraak/innovatie-binnen-de-rechtspraak>

208-4. Access to justice and legal aid

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Studies on the Dutch justice system show that individuals and SMEs do not always find satisfactory, lasting solutions to resolve their legal disputes. Failure to resolve legal conflicts can lead to dissatisfaction, injustice and legal uncertainty and a broader sense of distrust of the government. These situations can hinder people in their daily lives, hamper trade and ultimately lead to harm and/or disrupt society. Therefore, access to justice is one of the key priorities of the government. Ensuring and improving access to justice not only strengthens the justice system as a whole, but it also builds trust between the people and the government. A national plan on strengthening access to justice was presented to parliament on 27 June 2023. The national plan focuses on strengthening access to justice across three pillars, namely access to information, access to advice and support, and access to a decision from a neutral body. On top of a significant number of concrete measures to strengthen access to justice, including several new measures such as the reduction of court fees in civil proceedings, the continuation of the legal aid renewal program and the allocation of funds to encourage restorative justice and mediation, the letter of 27 June further announced the development of a long term approach and vision to access to justice as well as the setting up of a consultation mechanism with partners. These efforts will contribute to ensuring citizens can find accessible and affordable resolution of legal problems and conflicts.

Also worth mentioning is a specific program within the ministry of Justice and Security comprising several efforts and specific measures aimed to renew or modernize the system of state funded legal aid. This program itself is set to be completed in 2025, followed by the legislative process required to set in place an amended Legal Aid Act. The total expenditure for the system of legal aid is estimated to be EUR 591,7 for the year 2022 and EUR 598,8 million for the year 2023. Furthermore, EUR 154 million was made available for improvements in legal representation in the social sector, pursuant to the 2021-2022 coalition agreement. Next steps of the reform include an evaluation of more than thirty pilots that were carried out between 2019 and 2022 aimed at identifying successful citizen-oriented innovations providing the building blocks for the design of the renewed system, as well as the implementation of those working methods within the relevant government bodies and other organizations.

208-5. High Judicial Council (competent for judges and/or prosecutors)

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

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

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

208-7. Gender equality

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

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

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: The Dutch government is working on a modernization of the Dutch Code of Criminal Procedure. In 2022, the Supreme Court advised on the content of the Code, and in 2023 the proposal was presented to the Second Chamber. The Code aims to improve the position of victims in legal proceedings, introduces new powers so that investigators are better equipped to fight new forms of (digital) criminal behavior, introduces instructions that may shorten the duration of proceedings, and the option for the lawyer of the suspect to fulfill a more active role earlier in the process.

<https://www.rijksoverheid.nl/onderwerpen/nieuw-wetboek-van-strafvordering/nieuws/2023/03/17/wetboek-van-strafvordering-klaar-voor-de-toekomst>

The new law Punishment and Protection was enacted in 2022.

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

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

208-10. Mediation and other Alternative Dispute Resolution

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: In the new Dutch Code of Criminal Procedure, mediation in criminal cases will be included and have a legal base. A new development is that a judge can choose to end a case (either conditional or not) after mediation has been done. A pilot for mediation in criminal cases will show how this works in practice.

<https://mfregister.nl/nieuwsbrief/een-blik-in-de-praktijk-van-mediation-in-het-strafrecht/#:~:text=%27In%20het%20nieuwe%20Wetboek%20van,dit%20in%20de%20praktijk%20uitwerkt>

208-11. Fight against crime

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

Comments - If yes, please specify:

208-12. Prison system

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

Comments - If yes, please specify:

208-13. Child friendly justice

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

Comments - If yes, please specify:

208-14. Domestic violence

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

Comments - If yes, please specify:

208-15. New information and communication technologies

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

No

NA

Comments - If yes, please specify: To implement the new Dutch Code of Criminal Procedure, and shortening the duration of legal proceedings, digitalization and further development of the administrative information services important. Two digitalization goals from 2018-2022 are still important in 2023: the digital proceedings file (DPD) and multimedia (realizing multimedia services with police, prosecution and judiciary).

<https://www.strafrechterketen.nl/samenwerken-in-de-strafrechterketen/prioriteiten-2022-2027>

208-16. Other

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: