



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)

[40 997 698]

Comments The population for 2022 for Ukraine is not possible to provide nor estimate given the situation in connection with the military aggression of the Russian Federation against Ukraine. For enabling the use of the other data provided to CEPEJ the population data of 2021 is used therein.

In accordance with the provisions of paragraph 1 of the Law of Ukraine "On Protection of the Interests of Subjects of Submission of Reports and Other Documents during Martial Law or a State of War" and Resolution of the Cabinet of Ministers of Ukraine No. 263 of 12.03.2022 "Some Issues of Ensuring the Functioning of Information and Communication Systems, Electronic Communication Systems, Public Electronic Registers under Martial Law", the receipt of administrative data by the territorial bodies of the State Statistics Service is not allowed.



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

[3 234]

Comments

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

[4 572]

[] NA

Comments

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

[39]

Allow decimals : 5

[] NAP

Comments

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

Sources: State Statistics Service of Ukraine
 Law of Ukraine "On the State Budget of Ukraine for 2022"
 Official website of the National Bank of Ukraine

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)	497 843 885 [] NA [] NAP	480 261 301 [] NA [] NAP

1. Annual public budget allocated to (gross) salaries	449 395 612 [] NA [] NAP	443 119 176 [] NA [] NAP
2. Annual public budget allocated to computerisation (2.1 + 2.2)	7 807 840 [] NA [] NAP	6 559 903 [] NA [] NAP
2.1 Investments in computerisation	0 [] NA [] NAP	204 800 [] NA [] NAP
2.2 Maintenance of the IT equipment of courts	7 807 840 [] NA [] NAP	6 355 103 [] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)	100 315 [] NA [] NAP	50 206 [] NA [] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	18 042 207 [] NA [] NAP	15 695 771 [] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	0 [] NA [] NAP	7 775 [] NA [] NAP
6. Annual public budget allocated to training	22 028 [] NA [] NAP	2 993 [] NA [] NAP
7. Other (please specify)	22 475 883 [] NA [] NAP	14 825 477 [] NA [] NAP

Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main reasons for the differences: Due to the significant fluctuations in the euro exchange rate in 2022, the average exchange rate for 2022 published by the National Bank of Ukraine, namely UAH 33.98 to EUR 1, was used for calculation.

Approved annual budget in accordance with the Law of Ukraine "On the State Budget of Ukraine for 2022", taking into account the reduction of expenditures in accordance with the resolutions of the Cabinet of Ministers of Ukraine dated 10.03.2022 No. 245 "On allocation of funds to the reserve fund of the state budget" and 01.04.2022 No. 401 "On allocation of funds to the reserve fund of the state budget".

The Law of Ukraine "On the State Budget of Ukraine for 2022" approved UAH 19 billion 35 million for local and appellate courts, as well as judicial institutions, which covered 71% of the financial resources required by the SJA as the main spending unit. However, due to the armed aggression that began in February, in March and April, the state budget was sequestered, which resulted in a reduction of budget allocations for the judiciary, namely salaries - UAH 1 billion 418.5 million; payroll accruals - UAH 65.3 million; current expenditures - UAH 74.5 million; utilities and energy - UAH 15.8 million; development expenses by UAH 541.6 million. In other words, financial resources have decreased by 11%, and the Law of Ukraine "On the State Budget of Ukraine for 2022" (as amended) provides the State Judicial Administration of Ukraine as the main spending unit with budget allocations in the amount of UAH 16.9 billion, which is UAH 385.7 million or 2.2% less than the corresponding figures for 2021, taking into account the over planned allocations from the payment of court fees. Since development expenditures are not provided for in the State Budget, the critical issue was the purchase of server equipment, computer equipment, equipment for the arrangement of courtrooms, office equipment, active network and communication equipment to ensure the implementation of legal proceedings, namely Personal computers; Office equipment (multifunctional devices, printers, scanners); Network and communication equipment (routers, network communication equipment for audio and video recording of court proceedings and videoconferencing equipment, etc.), Other equipment (server cabinet, server rack, uninterruptible power supply to the server, etc.). This issue was partially resolved by the courts at the expense of their own revenues. Own revenues of budgetary institutions are revenues received in accordance with the established procedure by budgetary institutions as payment for the provision of services, performance of works and targeted activities, grants, gifts and charitable contributions, as well as revenues from the sale of products or property in accordance with the established procedure and other activities. In particular, notable

increases in the allocated budget (+1000% compared to 2020) and implemented budget (+1300% compared to 2020) for the maintenance of the IT equipment in courts. This is due to the need to make expenditures for: Software support; access to electronic legal databases; lease of information technology equipment; modernization of the local computer network; payment for services of operators and providers; Centralized administration of local computer networks; maintenance of an automated document management system; Software and hardware protection, a complex of ensuring a specified level of protection of information assets of the justice system; Services for the operation of the Unified State Register of Court Decisions; Support, maintenance and administration of the software of the official web portal "Judiciary of Ukraine"; Support and administration of the video conferencing subsystem; Support and administration of the subsystems "Electronic Cabinet" and "Electronic Court"; Services related to the support and administration of the software "Contact Center of the Judiciary of Ukraine and Technical Support Services for Users of the Unified Judicial Information and Telecommunication System; Services to ensure the operation of a secure telecommunications network; Purchase of licensed software. In 2022, the market prices for the above-mentioned services have also increased. While the allocated budget for new buildings was 0 in 2022, 7700 Euro were reported as implemented on this line, with the following explanation: The existing court premises do not meet the requirements for the administration of justice, in particular due to insufficient space as defined by the State Building Standards of Ukraine B.2.2-26:2010 "Buildings and structures. Courts". The issue of providing courts with adequate premises for the administration of justice, in particular, increasing the area and number of cells for accused (defendants), convicts, arranging a room for confidential communication with a lawyer, convoy rooms, ensuring isolation of convoy routes, accessibility of court premises for persons with disabilities and other low-mobility groups, is possible only if the reconstruction, restoration, and overhaul of existing court premises is carried out, which requires significant capital investments. Given the critical situation with the financial support of the judiciary, which is caused by the lack of adequate financial support for consumption and development expenditures in 2022, the SJA of Ukraine is unable to start the construction work. Therefore, in order to partially resolve the issue of preparing design and estimate documentation, the courts decided to raise funds from the special fund from their own revenues for this purpose.

Section 7 "Other" of the table includes the following areas of use of funds: purchase of stamps, paper, envelopes, stationery, forms of summons, furniture and other low-value items, special clothing, fuel, spare parts and other components for vehicles, medicines and bandages, equipment and durable goods, payment for the services of a marking machine, other postal services, purchase or subscription to periodicals, reference and information publications, expenses for judicial self-government, production of In most areas of spending, the budget was not fully executed compared to the approved budget. This situation arose due to the fact that, as a result of the armed aggression against Ukraine, revenues to the special fund of the state budget from the payment of court fees, which is a source of funding for the judicial system, and the application of the provisions of Resolution of the Cabinet of Ministers of Ukraine No. 590 dated 09.06.2021 "On Approval of the Procedure for Exercising Powers by the State Treasury Service in a Special Regime under Martial Law". Investments in computerization and the budget allocated for investments in new (judicial) buildings were made through the use of a special fund for own revenues of budgetary institutions and funds received from other budgets.

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? The court fee exemptions are set forth in Article 5 of the Law of Ukraine No. 3674-VI dated 08.07.2011 "On Court Fee".

Thus, the following persons are exempt from paying court fees during the consideration of a case in all courts

- 1) plaintiffs - in cases of wage recovery and reinstatement;
- 2) plaintiffs - in cases of compensation for damage caused by injury or other damage to health, as well as death of an individual;
- 3) plaintiffs - in cases of recovery of alimony, increase of alimony, payment of additional child expenses, recovery of penalties (fines) for late payment of alimony, indexation of alimony or change of the method of its recovery, as well as applicants in case of filing an application for a court order for the recovery of alimony;
- 4) plaintiffs - in cases of disputes related to the payment of compensation, return of property, or in cases of disputes related to the reimbursement of its value to citizens rehabilitated in accordance with the Law of Ukraine "On Rehabilitation of Victims of Political Repression in Ukraine";
- 5) persons suffering from mental disorders and their representatives - in cases of disputes related to the consideration of issues concerning the protection of the rights and legitimate interests of a person in the course of providing psychiatric care;
- 6) plaintiffs - in cases of compensation for material damage caused as a result of a criminal offense;
- 7) citizens who, in cases stipulated by law, have filed applications with the court to protect the rights and interests of other persons;
- 8) persons with disabilities as a result of the Second World War and families of soldiers (partisans) who died or went missing, and persons equated to them in accordance with the established procedure;
- 9) persons with disabilities of groups I and II, legal representatives of children with disabilities and incapacitated persons with disabilities;
- 10) plaintiffs - citizens classified as victims of the Chernobyl disaster in categories 1 and 2;
- 11) voters - in cases of clarification of the voter list;
- 12) servicemen, persons liable for military service and reservists called up for training (or check-up) and special training - in cases related to the performance of military duty, as well as in the course of performing official duties;
- 13) combatants, injured participants of the Revolution of Dignity, Heroes of Ukraine - in cases related to violation of their rights;
- 14) plaintiffs - in cases in accordance with the procedure set forth in Article 12 of the Law of Ukraine "On Refugees and Persons in Need of Additional or Temporary Protection";
- 15) individuals (except for business entities) - creditors who file monetary claims against the debtor for payment of wage arrears, liabilities resulting from damage to life and health of citizens, payment of royalties and alimony - after the announcement of the opening of bankruptcy (insolvency) proceedings, as well as after the notification of the debtor's declaration of bankruptcy;
- 15-1) local self-government bodies - for filing an application for recognition of inheritance as escheated;
- 16) plaintiffs - for filing claims on disputes related to the granting of combatant status in accordance with paragraphs 19-21 of part one of Article 6 of the Law of Ukraine "On the Status of War Veterans, Guarantees of Their Social Protection";
- 17) persons sentenced to life imprisonment, imprisonment for a fixed term and non-custodial sentences, as well as persons taken into custody - in cases related to issues resolved by the court during the execution of the sentence in accordance with Article 537 of the Criminal Procedure Code of Ukraine, if their personal accounts do not have sufficient funds to pay the court fee;
- 18) the central executive body that implements the state policy on supervision and control over compliance with labor legislation, its territorial bodies;
- 19) applicants - in cases of applications for establishing facts of legal significance filed in connection with armed aggression, armed

conflict, temporary occupation of the territory of Ukraine, natural or man-made emergencies that led to forced relocation from the temporarily occupied territories of Ukraine, death, injury, captivity, unlawful imprisonment or abduction, loss of documents required to obtain compensation for damaged and destroyed real estate as a result of hostilities, terrorist acts, sabotage caused by the armed aggression of the Russian Federation against Ukraine, as well as violation of the right of ownership of movable and/or immovable property;

20) plaintiffs - in cases involving claims against the aggressor state, the Russian Federation, for compensation for property and/or non-pecuniary damage caused by the temporary occupation of the territory of Ukraine, armed aggression, armed conflict, which led to forced relocation from the temporarily occupied territories of Ukraine, death, injury, captivity, illegal imprisonment or abduction, as well as violation of the right to ownership of movable and/or immovable property;

21) plaintiffs - for filing claims to appeal against decisions of the National Rehabilitation Commission in legal relations arising under the Law of Ukraine "On Rehabilitation of Victims of Repressions of the Communist Totalitarian Regime of 1917 - 1991";

22) the Deposit Guarantee Fund - for filing claims for compensation for damage (losses) in accordance with the procedure established by Article 52 of the Law of Ukraine "On the Individual Deposit Guarantee System";

23) the central executive body that ensures the implementation of the state policy in the field of recovery of assets of persons subject to sanctions - in cases of application of the sanction provided for in paragraph 11 of part one of Article 4 of the Law of Ukraine "On Sanctions";

24) the National Council of Ukraine on Television and Radio Broadcasting for the period of martial law - for filing claims for the recovery of a fine;

25) the central executive body that implements the state tax policy and its territorial bodies - in terms of collection of tax debt, arrears of payment of the unified social tax;

26) plaintiffs - for filing claims for the recovery of fines for offenses in the field of civil aviation committed by aviation entities in the temporarily occupied territory.

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

- Article 4 of the Law of Ukraine dated 08.07.2011 No. 3674-VI "On Court Fees" stipulates that court fees are levied in the appropriate amount of the subsistence minimum for able-bodied persons established by law as of January 1 of the calendar year in which the relevant application or complaint is filed with the court - as a percentage of the amount of the claim and in a fixed amount. The rates of court fees, taking into account the jurisdiction and instance of the court, are set forth in part two of Article 4 of the Law of Ukraine No. 3674-VI dated 08.07.2011 "On Court Fees".

The procedure for payment of the court fee is set forth in Article 6 of the Law of Ukraine dated 08.07.2011 No. 3674-VI "On Court Fee".

The court fee shall be paid in non-cash or cash form, including by electronic means of payment or by means of payment devices, including payment systems via the Internet in real time at <https://court.gov.ua/affairs/sudytax/>.

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

[30]

[] NA

[] NAP

Comments for legal entities - EUR 73.01, for individuals - EUR 30.

In order to determine the amount of the court fee when filing a claim for debt recovery in the amount of EUR 3,000, the following should be taken into account.

In accordance with the provisions of Article 6 of the Law of Ukraine No. 3674-VI dated 08.07.2011 "On Court Fees", for filing claims whose price is determined in foreign currency, the court fee shall be paid in hryvnias, taking into account the official exchange rate of hryvnia to foreign currency set by the National Bank of Ukraine on the day of payment.

For filing claims by non-residents whose price is determined in a foreign currency, the court fee may be paid by non-residents in a foreign

currency based on the official hryvnia to foreign currency exchange rate set by the National Bank of Ukraine on the day of payment. Thus, due to the significant fluctuations in the euro exchange rate in 2022, the average exchange rate for 2022 published by the National Bank of Ukraine, namely UAH 33.98 to EUR 1, was used for calculation.

2. In accordance with part two of Article 4 of the Law of Ukraine No. 3674-VI dated 08.07.2011 "On Court Fees", the following court fee rates are set, taking into account the jurisdiction of the court.

For filing a claim of a property nature to the court, which is filed:

- by a legal entity 1.5 percent of the amount of the claim, but not less than 1 minimum subsistence level for able-bodied persons and not more than 350 minimum subsistence levels for able-bodied persons
- by an individual or an individual entrepreneur 1 percent of the amount of the claim, but not less than 0.4 times the minimum subsistence level for able-bodied persons and not more than 5 times the minimum subsistence level for able-bodied persons.

For filing a property-related claim to a commercial court - 1.5 percent of the claim price, but not less than 1 minimum subsistence level for able-bodied persons and not more than 350 minimum subsistence levels for able-bodied persons.

For filing an administrative claim of a property nature to an administrative court, which is filed:

- by a public authority, a legal entity 1.5 percent of the price of the claim, but not less than 1 size of the subsistence minimum for able-bodied persons and not more than 10 sizes of the subsistence minimum for able-bodied persons
- by an individual or an individual entrepreneur 1 percent of the price of the claim, but not less than 0.4 times the minimum subsistence level for able-bodied persons and not more than 5 times the minimum subsistence level for able-bodied persons.

Article 7 of the Law of Ukraine "On the State Budget of Ukraine for 2022" establishes that in 2022 the subsistence minimum for able-bodied persons shall be UAH 2,481 starting from January 1, 2022.

In view of the above, when filing a claim for recovery of a debt in the amount of EUR 3,000 with a civil court, the amount of the court fee will be EUR 73.01. (Calculation: the amount of the claim is $3000 \times 33.98 = \text{UAH } 101,940$; 1.5% of the amount of the claim is UAH 1,529.1. Since 1.5% of the amount of the claim is less than the subsistence minimum for able-bodied persons established by law of UAH 2,481, the court fee must be paid in the amount equal to the subsistence minimum for able-bodied persons, namely, $2,481/33.98 = \text{EUR } 73.01$).

If the claim is filed by an individual or an individual entrepreneur, the court fee will be EUR 30.

(Calculation: the amount of the claim is $\text{UAH } 3,000 \times 33.98 = \text{UAH } 101,940$; 1% of the amount of the claim is UAH 1,019.4. Since 1% of the amount in controversy is more than 0.4 times the minimum subsistence level for able-bodied persons, which is UAH 992.4, the court fee must be paid in the amount equal to 1% of the amount in controversy, namely, $\text{UAH } 1,019.4/33.98 = \text{EUR } 30$.)

For filing a claim for debt recovery in the amount of EUR 3,000 with a commercial court, the court fee will be EUR 73.01.

(Calculation: the amount of the claim is $3000 \times 33.98 = \text{UAH } 101,940$; 1.5% of the amount of the claim is UAH 1,529.1. Since 1.5% of the amount of the claim is less than the subsistence minimum for able-bodied persons established by law of UAH 2,481, the court fee must be paid in the amount equal to the subsistence minimum for able-bodied persons, namely, $2,481/33.98 = \text{EUR } 73.01$).

For filing an administrative claim for debt collection in the amount of EUR 3,000 with an administrative court by a public authority or a legal entity, the court fee will be EUR 73.01.

(Calculation: the price of the claim is $3000 \times 33.98 = \text{UAH } 101,940$; 1.5% of the price of the claim is UAH 1,529.1. Since 1.5% of the amount of the claim is less than the subsistence minimum for able-bodied persons established by law of UAH 2,481, the court fee must be paid in the amount equal to the subsistence minimum for able-bodied persons, namely, $2,481/33.98 = \text{EUR } 73.01$).

If the claim is filed by an individual or an individual entrepreneur, the court fee will be EUR 30.

(Calculation: the amount of the claim is $\text{UAH } 3,000 \times 33.98 = \text{UAH } 101,940$; 1% of the amount of the claim is UAH 1,019.4. Since 1% of the amount in controversy is more than 0.4 times the subsistence minimum for able-bodied persons, which is UAH 992.4, the court fee must be paid in the amount equal to 1% of the amount in controversy, namely, $\text{EUR } 1,019.4/33.98 = \text{EUR } 30$).

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

[73 249 598]

[] 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)	19 717 410 [] NA [] NAP	8 871 923 [] NA [] NAP	10 845 487 [] NA [] NAP
12.1 for cases brought to court (court fees and/or legal representation)	13 835 615 [] NA [] NAP	8 871 923 [] NA [] NAP	4 963 692 [] NA [] NAP
12.2 for cases not brought to court (legal advice, ADR and other legal services)	5 881 794 [] NA [] NAP	[] NA [X] NAP	5 881 794 [] NA [] NAP

Comments

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)	19 301 281 [] NA [] NAP	8 413 974 [] NA [] NAP	10 887 307 [] NA [] NAP
12-1.1 for cases brought to court (court fees and/or legal representation)	12 632 358 [] NA [] NAP	8 413 974 [] NA [] NAP	4 218 384 [] NA [] NAP
12-1.2 for cases not brought to court (legal advice, ADR and other legal services)	6 668 923 [] NA [] NAP	[] NA [X] NAP	6 668 923 [] NA [] NAP

If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main reasons for the differences: The deviation of the annual executed budget from the annual approved state budget allocated for free legal aid is explained by the reduction in funding costs due to the adoption of the Resolution of the Cabinet of Ministers of Ukraine No. 401 "On Allocation of Funds to the Reserve Fund of the State Budget" dated 01.04.2022 and the corresponding amendments to the state budget schedule in accordance with the certificates of the Ministry of Finance of Ukraine on changes to the annual and monthly state budget schedule for 2022 dated 07.04.2022 No. 1136, 1137.



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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	() Yes (X) No () NAP (Legal aid does not include coverage of court fees)
Exemption from court fees	() Yes (X) No () 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)	408 226 900 [] NA [] NAP	401 244 100 [] NA [] NAP
13.1. Annual public budget allocated to training of public prosecution services	[X] NA [] NAP	[X] NA [] 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: The State Budget of Ukraine for 2022 envisaged expenditures of the general fund of the Prosecutor General's Office in the amount of UAH 12,623,438.0 thousand (in Euros as of 01.01.2022 - EUR 408,226.9 thousand).

Cash expenditures for 2022 amounted to UAH 12,407,511.3 thousand (in Euros as of 01.01.2022 - 401,244.1 thousand euros).

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

Sources: Law of Ukraine On The State Budget of Ukraine for 2022

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 €	[X] NA [] NAP	[X] NA [] 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:

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

	Included
Courts	(X) Yes () No [] NAP
Legal aid	(X) Yes () No [] NAP
Public prosecution services	(X) Yes () No [] NAP

Comments 2. budget program CPEL 3603020 "Ensuring the formation and functioning of the free legal aid system";
 budget program CPEL 3603030 "Payment for services and reimbursement of expenses of lawyers for the provision of free secondary legal aid"

015-3. Other budgetary elements

	Included
Prison system	(X) Yes () No <input type="checkbox"/> NAP
Probation services	(X) Yes () No <input type="checkbox"/> NAP
High Judicial Council	() Yes (X) No <input type="checkbox"/> NAP
High Prosecutorial Council	() Yes (X) No <input type="checkbox"/> NAP
Constitutional court	() Yes (X) No <input type="checkbox"/> NAP
Judicial management body	() Yes (X) No <input type="checkbox"/> NAP
Service for legal representation of the State	() Yes (X) No <input type="checkbox"/> NAP
Enforcement services	() Yes (X) No <input type="checkbox"/> NAP
Notariat	() Yes (X) No <input type="checkbox"/> NAP
Forensic services	() Yes (X) No <input type="checkbox"/> NAP
Judicial protection of juveniles	() Yes (X) No <input type="checkbox"/> NAP
Functioning of the Ministry of Justice	(X) Yes () No <input type="checkbox"/> NAP
Refugees and asylum seekers services	() Yes (X) No <input type="checkbox"/> NAP
Immigration Service	() Yes (X) No <input type="checkbox"/> NAP

Some police services (e.g. : transfer, investigation, prisoners' security)	() Yes (X) No [] NAP
Other	(X) Yes () No [] NAP

If "Other", please specify: The detention of prisoners of war is carried out under the budget program CPCEL 3601700 "Implementation of measures for the detention of prisoners of war in camps and detention centers" and forensic examinations under the budget program CPCEL 3601070 "Conducting forensic examinations and developing methods for conducting forensic examinations".

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

Sources: the Ministry of Justice of Ukraine

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.

- The content of the right to free legal aid, the procedure for exercising this right, the grounds and procedure for providing free legal aid, and state guarantees for the provision of free legal aid are determined by

The Law of Ukraine "On Free Legal Aid".

The system of free legal aid is financed from the state budget and other sources not prohibited by law.

The system of free legal aid includes: The Coordination Center for Legal Aid Provision, centers for the provision of free secondary legal aid, lawyers included in the Register of Lawyers Providing Free Secondary Legal Aid.

The system of free legal aid is an extensive network of 106 centers - 22 regional and 84 local centers - which provide 521 permanent access points to free legal aid.

According to Article 3 of the Law of Ukraine "On Free Legal Aid", the right to free legal aid is the opportunity guaranteed by the Constitution of Ukraine for a citizen of Ukraine, a foreigner, a stateless person, including a refugee or a person in need of additional protection, to receive free primary legal aid in full, as well as the opportunity for a certain category of persons to receive free secondary legal aid in cases provided for by this Law

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

- Yes
 No
 NAP

If yes, please specify:

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

	Criminal cases	Other than criminal cases
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

Comments - If yes, please specify: In accordance with the Procedure for Payment for Services and Reimbursement of Expenses of Attorneys Providing Secondary Legal Aid, approved by the Resolution of the Cabinet of Ministers of Ukraine No. 465 "Issues of Payment for Services and Reimbursement of Expenses of Attorneys Providing Secondary Legal Aid" dated September 17, 2014, attorneys are reimbursed for expenses related to the provision of legal aid for

- 1) travel by public transport (except for air, railroad in soft carriages of trains, sea and river transport). The documents confirming the use of public transport are the relevant travel tickets and/or receipts (checks) for payment of the fare;
- 2) purchase of fuel and lubricants in accordance with the standards established for budgetary institutions, in case of using the personal vehicle at night or in rural areas or in the absence of public transport, taking into account the distance from the advocate's place of residence or his or her workplace to the place of provision of legal aid and back;
- 3) business trips outside the region (per diem, expenses related to the rent of residential premises) for the purpose of meeting with a client, familiarization with the case file, interviewing persons, participation in a court hearing, as well as in case of change of jurisdiction of criminal proceedings or jurisdiction of a criminal offense, change of the place of detention of a suspect, accused or serving of the sentence of a convicted person to whom the advocate provides legal aid - in accordance with the norms established by the legislation for employees of budgetary institutions;
- 4) sending registered letters and/or other postal items with declared value (with a description of the attachment) to appeal against verdicts or rulings of the court of appeal regarding the verdicts of the court of first instance, which are sent by the national postal operator (postage);
- 5) purchase of medical masks, protective gloves in case of providing legal aid during quarantine or providing such aid to persons who have been diagnosed with an infectious disease

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	642 187 <input type="checkbox"/> NA <input type="checkbox"/> NAP	135 273 <input type="checkbox"/> NA <input type="checkbox"/> NAP	506 914 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In criminal cases	85 639 <input type="checkbox"/> NA <input type="checkbox"/> NAP	85 639 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

In other than criminal cases	556 548 [] NA [] NAP	49 634 [] NA [] NAP	506 914 [] NA [] NAP
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Comments - Please specify when appropriate:

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

	Total	Cases brought to court	Cases not brought to court
TOTAL	464 356 [] NA [] NAP	126 206 [] NA [] NAP	338 150 [] NA [] NAP
In criminal cases	85 184 [] NA [] NAP	85 184 [] NA [] NAP	[] NA [X] NAP
In other than criminal cases	379 172 [] NA [] NAP	41 022 [] NA [] NAP	338 150 [] NA [] NAP

Comments - Please specify when appropriate:

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

(X) Yes

() 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	464 356 [] NA [] NAP	230 889 [] NA [] NAP	233 467 [] NA [] NAP

Comments

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

() Yes

(X) No

Comment: If yes, please specify for which categories of cases:

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: In case of receipt of a decision of the investigator, coroner, prosecutor, decision of the investigating judge, court on the engagement of a defense counsel for the purpose of defense by appointment or conducting a separate procedural action of the persons referred to in paragraphs 7, 8 of part one of Article 14 of this Law, the center for providing free legal aid shall immediately

make a decision on the provision of free secondary legal aid

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	1 430 <input type="checkbox"/> NA <input type="checkbox"/> NAP	98 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 332 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

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	10 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Actual average duration	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please specify if the envisaged timeframe is set in a statutory law, or in other regulation. Furthermore, if different timeframes are envisaged for criminal and other than criminal cases, please provide more information: In accordance with Article 19 of the Law of Ukraine "On Free Legal Aid", if a person applies for free secondary legal aid who belongs to one of the categories of individuals defined in paragraphs 1, 2, 9-29 of part one of Article 14 of this Law, or his/her legal representative, foster caregiver/representative, the free legal aid center shall, within 10 working days from the date of receipt of the application and documents confirming that such person belongs to the relevant category, decide on the provision of free secondary legal aid.

In case of receipt of a decision of the investigator, coroner, prosecutor, decision of the investigating judge, court on engagement of a defense counsel for the purpose of defense by appointment or conducting a separate procedural action of the persons referred to in paragraphs 7, 8 of part one of Article 14 of this Law, the center for providing free legal aid shall immediately decide on the provision of free secondary legal aid.

In case of receipt of a court decision to engage a lawyer for the persons referred to in clauses 9, 24, 25 of part one of Article 14 of this Law, the center for provision of free legal aid shall immediately make a decision on the appointment of a lawyer and on the provision of free secondary legal aid.

If the persons referred to in clauses 3-6 of part one of Article 14 of this Law apply for free secondary legal aid or receive information about detained persons from close relatives and members of their families, the list of which is determined by the Criminal Procedure Code of Ukraine, the center for providing free legal aid shall decide to provide free secondary legal aid from the moment of detention.

=

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

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

Comments - If yes, please specify: The right to free secondary legal aid is granted to the categories of individuals specified in Article 14

of the Law of Ukraine "On Free Legal Aid", if the person belongs to the specified categories of individuals, after making a decision to provide free secondary legal aid, the free legal aid center appoints a lawyer who is included in the Register of lawyers providing free secondary legal aid and has concluded an agreement on the provision of free secondary legal aid with the free legal aid center

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

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

Comments

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

Yes

No

Comments - Please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the data provided above: In accordance with paragraph 1 of part one of Article 14 of the Law of Ukraine "On Free Legal Assistance", the subjects of the right to free secondary legal assistance are adults who are under the jurisdiction of Ukraine if their average monthly income, calculated in accordance with the methodology approved by the Ministry of Justice of Ukraine, does not exceed two sizes of the subsistence minimum, calculated and approved in accordance with the law for persons belonging to the main social and demographic groups of the population, as well as persons with disabilities receiving a pension or state social assistance in accordance with the laws of Ukraine "On state social assistance to persons with disabilities" disability since childhood and children with disabilities" and "On state social assistance to persons not entitled to a pension and persons with disabilities", in an amount not exceeding two subsistence minimums for an able-bodied person. Due to numerous changes of the subsistence minimum in 2022 the data on the Annual income value (for one person) (in €) is not available for 2022. Thus, in 2022, the subsistence minimum for able-bodied persons amounted to UAH 2481 from 01.01.2022, UAH 2600 from 01.07.2022, and UAH 22684 from 01.12.2022; for disabled persons from 01.01.2022 - UAH 1934, UAH 2027 from 01.07.2022, and UAH 2093 from 01.12.2022.

The subjects of the right to free secondary legal aid, as defined in clause 1 of part one of Article 14 of the Law, together with the application for free secondary legal aid, must submit documents confirming the appropriate level of their income (this requirement does not apply to other categories of persons entitled to free secondary legal aid).

Financing of free secondary legal aid is carried out at the expense of the State Budget of Ukraine, mechanisms of partial payment for free secondary legal aid services by the subject of the right to such assistance are not provided for by the legislation in the field of free legal aid.

023. If yes, please specify in the table:

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

Partial legal aid to the applicant for criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Partial legal aid to the applicant for other than criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

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

Yes

No

Comments - If yes, please specify the exact criteria for denying legal aid: The grounds for refusal to provide free secondary legal aid are defined in Article 20 of the Law of Ukraine "On Free Legal Aid". The denial of legal aid due to insufficient substantiation of the case is not directly defined in the said provision of the Law. At the same time, based on the provisions of paragraph 1 of part one of Article 21 of the Law of Ukraine "On the Bar and Practice of Law", parts three to five of Article 18, Article 19 of the Rules of Professional Conduct, and in accordance with the Quality Standards for the provision of secondary legal aid, if the lawyer concludes that there are no factual and legal grounds for the execution of the assignment, he or she shall immediately and in accordance with the procedural deadlines draw up a written legal opinion on the impossibility of providing legal aid to a person.

On the basis of the legal opinion drawn up by the lawyer, in accordance with the provisions of Article 23 of the Law of Ukraine "On Free Legal Aid", the decision of the center for providing free legal aid to terminate the provision of free secondary legal aid to a person is made.

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 According to the Law of Ukraine "On Free Legal Aid", the decision to provide free secondary legal aid or to refuse to provide free secondary legal aid is made by the centers for the provision of free legal aid.

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

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

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

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

Sources: Civil Procedure Code of Ukraine dated March 18, 2004 No. 1618-IV;
The Law of Ukraine "On Free Legal Aid" of June 2, 2011 No. 3460-VI

2.2. Court users and victims

2.2.1 Rights of the users and victims

028. Are there official internet sites/portals (e.g. Ministry of Justice, 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.)	<input checked="" type="checkbox"/> https://www.rada.gov.ua/	<input type="checkbox"/>
Case-law of the higher court/s	<input checked="" type="checkbox"/> https://reyestr.court.gov.ua/	<input type="checkbox"/>
Information about the judicial system (organisation of courts, court proceedings, etc)	<input checked="" type="checkbox"/> https://court.gov.ua/	<input type="checkbox"/>
Other documents (e.g. forms, downloadable forms, online registration forms)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comment - Please specify what documents and information are included in "Other documents"

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

Yes, always

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	<input checked="" type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No
Specific for victims of offences	<input 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 checked="" type="checkbox"/> No

Specific for minors (child-friendly systems)	<input 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 checked="" 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	(X) Yes () No	(X) Yes () No	(X) Yes () No
Persons with disabilities	(X) Yes () No	(X) Yes () No	(X) Yes () 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	(X) Yes () No	(X) Yes () No

Comments - If “Other vulnerable person” and/or “Other specific arrangements”, please specify:

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
- NAP

Comment Regarding access to a special room, the special team is informed that the Interagency Coordination Council on Juvenile Justice, with the support of the United Nations Children's Fund (UNICEF), is implementing a pilot project in certain regions to implement the Barnahus model to protect children's rights and prevent their re-traumatization during investigations and court proceedings. The main goal of this pilot project is to create a safe environment for children (a cross-sectoral protection center) that brings together relevant agencies to ensure coordinated and effective action in coordinating criminal investigations and investigating cases related to child welfare and

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 type="checkbox"/> Other <input checked="" 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 type="checkbox"/> Other <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input checked="" 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 type="checkbox"/> Yes, always <input checked="" type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No	<input type="checkbox"/> Yes, always <input checked="" type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No
Another representative (instead of parent/legal guardian)	<input checked="" 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 checked="" 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)

[14]

[] NA

[] NAP

Criminal liability resulting in sentence of privation of liberty

[14]

[] 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? 1. Persons who have reached the age of sixteen before committing a criminal offense shall be subject to criminal liability.

2. Persons who have committed criminal offenses between the ages of fourteen and sixteen shall be criminally liable only for premeditated murder (Articles 115-117), attempts on the life of a state or public figure, law enforcement officer, member of a public formation for the protection of public order and the state border or a military servant, judge people's assessor or juror in connection with their activities related to the administration of justice, a defense counsel or representative of a person in connection with activities related to the provision of legal aid, a representative of a foreign state (Articles 112, 348, 379, 400, 443), intentional grievous bodily harm (Article 121, part three of Articles 345, 346, 350, 377, 398), cruelty to animals (Article 299), intentional bodily injury of moderate gravity (Article 122, part two of Articles 345, 346, 350, 377, 398), sabotage (Article 113), banditry (Article 257), terrorist act (Article 258), hostage-taking (Articles 147 and 349), rape (Article 152), sexual violence (Article 153), theft (Article 185, part one of Articles 262, 308), robbery (Articles 186, 262, 308), plunder (Article 187, part three of Articles 262, 308), extortion (Articles 189, 262, 308), intentional destruction or damage to property (part two of Articles 194, 347, 352, 378, parts two and three of Article 399), damage to transportation routes and vehicles (Article 277), hijacking or seizure of railway rolling stock, aircraft, sea or river vessels (Article 278), illegal seizure of a vehicle (parts two and three of Article 289), and hooliganism (Article 296).

-
-

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:

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

Yes

No

Comments - If yes, please specify: Pursuant to Article 2(b) of the Law of Ukraine "On Ensuring Security of Persons Participating in Criminal Proceedings", the victim and his/her representative in criminal proceedings have the right to security through the application of measures if there are appropriate grounds.

The decision to apply security measures is made by the investigator, prosecutor, or court in charge of the criminal proceedings.

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

Yes

No

Comment - If yes, please specify: Within the structure of prosecutor's offices at all levels, specialized units have been established whose prosecutors provide procedural guidance in criminal proceedings involving children and in the field of child protection (juvenile prosecutors). These prosecutors also perform other functions related to the protection of children's interests in criminal proceedings. In turn, the protection of victims in criminal proceedings, including minors, is ensured in accordance with the procedure established by the

Law of Ukraine "On Ensuring the Safety of Persons Participating in Criminal Proceedings", according to which the prosecutor is authorized to make decisions on the protection of the victim.

Assistance to juvenile victims in criminal proceedings may be provided by a lawyer, psychologist, specialist of the children's service, etc. At the same time, prosecutors play a coordinating role in ensuring that the victim receives such assistance. In certain cases, defined by law, prosecutors directly decide on the involvement of the necessary specialist in criminal proceedings to assist the victim.

In addition, the Office of the Prosecutor General, together with the executive authorities and the National Police of Ukraine, is implementing a pilot project to implement international standards of child-friendly justice in criminal proceedings, which aims, among other things, to provide comprehensive assistance to children at all stages of the criminal process

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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 type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Non-execution of court decisions	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Wrongful arrest/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):

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	[X]	[X]
Other court	[X]	[X]
Ministry of Justice	[]	[]
High Judicial Council	[]	[]
Other external bodies (e.g. Ombudsman)	[]	[]

Comments

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	<p>(X) Yes - If yes, please specify for which categories of cases: [Comment]Official statistical reports of the SJA, as well as statistical reports of the Supreme Court, are based on the General Classification of Judges' Specializations (administrative proceedings, civil proceedings, commercial proceedings, criminal proceedings, administrative offenses) and categories of cases approved by Order of the SJA No. 622 "On Approval of the General Classification of Judges' Specializations and Categories of Cases" dated December 21, 2018 (as amended). Everyone has the right to apply to the court for protection of their violated, unrecognized or disputed rights, freedoms or legitimate interests in accordance with the procedure established by the procedural law. No one may be deprived of the right to have his or her case considered by a court within the jurisdiction of which it is referred by law.</p> <p>() No [] NA</p>

<p>Victims recognised as such by the court</p>	<p>(X) Yes - If yes, please specify for which types of offences: [Comment]Section 2 of the SJA statistical report form No. 1-k "Report of the courts of first instance on consideration of criminal proceedings". The report reflects the number of victims by type of criminal offense (all articles of the Special Part of the Criminal Code of Ukraine. The report includes data on the gender of victims, age, damage caused (life/health/material or moral), legal entities, and the amount of damage (UAH). () No <input type="checkbox"/> NA</p>
<p>Perpetrators of criminal offences</p>	<p>(X) Yes - If yes, please specify for which types of offences: [Comment]Statistical report of the SJA form No. 7 "Report on the composition of convicts". The report reflects the number of convicted women and men by type of criminal offense (under all articles of the Special Part of the Criminal Code of Ukraine). () No <input type="checkbox"/> NA</p>

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
<p>Surveys for judges</p>	<p><input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc</p>	<p><input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc</p>
<p>Surveys for court staff</p>	<p><input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc</p>	<p><input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc</p>

Surveys for public prosecutors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for lawyers	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for other professionals	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for the parties	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs)	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for victims	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for minors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for the general public	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Other not mentioned	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc

NA

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

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)	911 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1 Total number of courts of general jurisdiction - legal entities (1.1 + 1.2 + 1.3)	802 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1.1 First instance courts of general jurisdiction - legal entities	764 <input type="checkbox"/> NA <input type="checkbox"/> NAP

1.2 Second instance courts of general jurisdiction - legal entities	37 [] NA [] NAP
1.3 Highest instance courts of general jurisdiction - legal entities	1 [] NA [] NAP
2 Total number of specialised courts - legal entities	109 [] NA [] NAP

Comments The full-scale military aggression by the Russian Federation, which began on February 24, 2022, and the significant damage to critical infrastructure caused by it, significantly affected the functioning of the judiciary in Ukraine in general and, in particular, the administration of justice by local and appellate courts. During 2022, the territorial jurisdiction of 135 local and appellate courts was changed (transferred) by orders of the Chief Justice of the Supreme Court due to the inability to administer justice during martial law, and the territorial jurisdiction of 50 local and appellate courts was restored. As of the end of 2022, the territorial jurisdiction of 169 local and appellate courts was changed (transferred) (including courts whose jurisdiction was transferred during the war, in the period from 2014 to 2022 – 84 local and appellate courts of the Autonomous Republic of Crimea, Donetsk and Luhansk oblasts), which was more than 22 percent or more than a fifth of the total number of local and appellate courts, as estimated by authorities.

In respect of the Supreme Court: In 2016, after the Verkhovna Rada of Ukraine adopted amendments to the Constitution and the new Law of Ukraine "On the Judicial System and Status of Judges," a new Supreme Court was established as the highest court in the Ukrainian judicial system. The "Supreme Court" began its operations in 2017. At the same time, the process of liquidating the former "Supreme Court of Ukraine" is still underway. Acting President of the Supreme Court of Ukraine V. Humeniuk published a letter on behalf of the judges of the Supreme Court of Ukraine, in which they expressed disagreement with the liquidation of the Court, because, in their opinion, the Constitution of Ukraine only refers to the renaming of the body, not its liquidation. Later, this position was confirmed by the Constitutional Court of Ukraine, noting that only the name of the body was changed, not its liquidation. Therefore, as of 2022 (and even 2023), there are two Supreme Courts - destiny of the Supreme Court of Ukraine is still unknown. On the other hand, there is only one operating Supreme Court, and the Supreme Court of Ukraine is not reviewing cases.

043. Number of specialised courts – legal entities.

	First instance	Higher instances
Total number of specialised courts - legal entities	81 [] NA [] NAP	28 [] NA [] NAP
Commercial courts (excluded insolvency courts)	54 [] NA [] NAP	12 [] NA [] 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	[] NA [X] NAP	[] NA [X] NAP
Enforcement of criminal sanctions courts	[] NA [X] NAP	[] NA [X] 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	27 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13 <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	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If “Other specialised courts”, please specify: The full-scale military aggression by the Russian Federation, which began on February 24, 2022, and the significant damage to critical infrastructure caused by it, significantly affected the functioning of the judiciary in Ukraine in general and, in particular, the administration of justice by local and appellate courts. During 2022, the territorial jurisdiction of 135 local and appellate courts was changed (transferred) by orders of the Chief Justice of the Supreme Court due to the inability to administer justice during martial law, and the territorial jurisdiction of 50 local and appellate courts was restored. As of the end of 2022, the territorial jurisdiction of 169 local and appellate courts was changed (transferred) (including courts whose jurisdiction was transferred during the war, in the period from 2014 to 2022 - 84 local and appellate courts of the Autonomous Republic of Crimea, Donetsk and Luhansk oblasts), which was more than 22 percent or more than a fifth of the total number of local and appellate courts, in authorities' estimations.

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)	845 <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)	911 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

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

Sources: Information provided by State Judicial Administration

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)	5 142 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Number of first instance professional judges	4 144 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Number of second instance (court of appeal) professional judges	820 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Number of Supreme Court professional judges	178 [] NA [] NAP	104 [] NA [] NAP	74 [] NA [] NAP

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

=

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)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. At first instance level	<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. At second instance (court of appeal) level	<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. At Supreme Court level	<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

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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Temporary reduction of the working time / special leave	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other measures	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comment: If such possibilities for regular adjustment exist, please specify if they imply or not a reduction of the remuneration?

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	<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

First instance	<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
Second instance	<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
Supreme Court	<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

If "Other", please explain which types of cases:



=

047. Number of court presidents .

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	580 <input type="checkbox"/> NA <input type="checkbox"/> NAP	65 <input type="checkbox"/> NA <input type="checkbox"/> NAP	515 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of first instance court presidents	545 <input type="checkbox"/> NA <input type="checkbox"/> NAP	36 <input type="checkbox"/> NA <input type="checkbox"/> NAP	509 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Number of second instance (court of appeal) court presidents	34 <input type="checkbox"/> NA <input type="checkbox"/> NAP	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Number of Supreme Court presidents	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The total number of male court presidents decreased by 83% in 2022 compared to 2020 due to military mobilisation after the outbreak of war in Ukraine. This, in turn, lead to an increase by 120% in the number of women court managers in 2022 compared to 2020

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	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
In full-time equivalent	<input type="checkbox"/> NA <input checked="" type="checkbox"/> 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 type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
In full time equivalent	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

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

NAP

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

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

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

[]

[X] 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)	23 732 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Rechtspfleger (or similar bodies) (see Explanatory Note)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] 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)	5 799 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)	2 357 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
4. Technical staff	1 762 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
5. Other non-judge staff	13 814 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - If “Other non-judge staff”, please specify: Indicates actually occupied positions that are accounted for in reports and financial calculations (not persons). A position can have 1-3 people, both men and women. The requested records are not provided 2. judges' assistants

3. employees of categories B1 B2 B3 - managers.

4. blue-collar workers

5. all other employees

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)	23 732 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Total non-judge staff working in courts at first instance level	19 475 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Total non-judge staff working in courts at second instance (court of appeal) level	4 257 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Total non-judge staff working in courts at Supreme Court level	1 455 [] NA [] NAP	416 [] NA [] NAP	1 039 [] 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:

NA

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

Sources: Law of Ukraine

3.3. Public prosecution

3.3.1 Public prosecutors and staff

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

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	9 445 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 085 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 360 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of prosecutors at first instance 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
2. Number of prosecutors at second instance (court of appeal) 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
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 In 2022, based on Article 56 of the Labor Code of Ukraine, part-time work and part-time work were not established for prosecutors.

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: a child with a disability

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

	Total	Males	Females
Total (1 + 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
1. At first instance 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
2. At second instance (court of appeal) 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
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 In 2022, based on Article 56 of the Labor Code of Ukraine, part-time work and part-time work were not established for prosecutors.

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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Temporary reduction of the working time / special leave	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other measures	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comment: If such possibilities for regular adjustment exist, please specify if they imply or not a reduction of the remuneration? Article 81(3) of the Law of Ukraine " On the Public Prosecutor's Office " provides that the prosecutor is entitled to additional and other leaves provided for by law.

Article 25 of the Law of Ukraine "On Vacations" defines cases when unpaid leave is mandatory at the request of an employee. In particular, such leave is granted to: a mother or a father raising children without a mother (including in case of a mother's prolonged stay in a medical institution) with two or more children under the age of 15 or a child with a disability - for up to 14 calendar days annually; a husband or wife on post-partum leave - for up to 14 calendar days, etc.

Pursuant to Article 26 of the Law of Ukraine "On Vacations", an employee may be granted unpaid leave for family reasons and other reasons for a period specified in an agreement between the employee and the owner or his/her authorized body, but not more than 15 calendar days per year.

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:in general comments
- NAP

Comments Cases of unpaid leave granted to employees on a mandatory basis are set out in Article 25 of the Law of Ukraine "On Vacations".

Thus, such leave is granted to:

- 1) a mother or a father raising children without a mother (including in case of a mother's prolonged stay in a medical institution) with two or more children under the age of 15 or a child with a disability - for up to 14 calendar days annually
- 2) a husband whose wife is on post-partum leave - for up to 14 calendar days;
- 3) to a mother or other persons referred to in part three of Article 18 and part one of Article 19 of this Law, if the child needs home care, for the duration specified in a medical report, but not more than until the child reaches the age of six, and if the child has type I diabetes mellitus (insulin-dependent) or if the child, who has not been diagnosed with a disability, has a severe perinatal nervous system disorder, severe congenital malformation, or a rare orphan disease, oncological, onco-hematological disease, cerebral palsy, severe mental disorder, acute or chronic kidney disease of the IV degree - no more than until the child reaches the age of sixteen, and if the child is classified as a "child with a disability of subgroup A" or a child who has not been diagnosed with a disability, has suffered a serious injury, needs an organ transplant, or needs palliative care - until the child reaches the age of eighteen.

The list of serious illnesses, disorders, injuries, conditions, etc. that entitle an employee to unpaid leave for a child who has not been diagnosed with a disability is approved by the Cabinet of Ministers of Ukraine;

- 3-1) a mother or other person referred to in part three of Article 18 of this Law to care for a child under the age of 14 for the period of quarantine in the relevant territory;
 - 4) war veterans, family members of deceased war veterans, family members of deceased defenders of Ukraine - for up to 14 calendar days annually.
- Persons who have special services to the Motherland, whose status is established in accordance with the Law of Ukraine "On the Status of War Veterans, Guarantees of Their Social Protection" - for up to 21 calendar days annually;
- 5) persons who have special labor merits before the Motherland - for up to 21 calendar days annually;
 - 6) old-age pensioners and persons with disabilities of group III - for up to 30 calendar days annually;
 - 7) persons with disabilities of groups I and II - for up to 60 calendar days annually;
 - 8) persons getting married - for up to 10 calendar days;
 - 9) employees in case of death of relatives by blood or marriage: husband (wife), parents (stepfather, stepmother), child (stepson, stepdaughter), brothers, sisters - for up to 7 calendar days excluding the time required to travel to the place of burial and back; other relatives - for up to 3 calendar days excluding the time required to travel to the place of burial and back;
 - 10) for employees to care for a sick relative by blood or marriage who, according to a medical institution, needs constant outside care, for the duration specified in a medical report, but not more than 30 calendar days;
 - 11) employees for completion of sanatorium treatment - for the duration specified in the medical report;
 - 12) for employees admitted to entrance examinations to higher education institutions - for a period of 15 calendar days, excluding the time required to travel to and from the location of the educational institution;
 - 13) employees admitted taking entrance examinations to postgraduate studies with or without interruption of work, as well as employees who are studying in postgraduate studies without interruption of work and successfully fulfill their individual training plan - for the duration necessary to travel to the location of a higher education or research institution and back;
 - 14) part-time employees - for the period until the end of the vacation at the main place of work;
 - 15) labor veterans - for up to 14 calendar days annually;
 - 16) employees who have not used all or part of their annual basic and additional leave at their previous place of employment and have received monetary compensation for it - for up to 24 calendar days in the first year of employment at the company before the six-month period of continuous employment;
 - 17) for employees whose children under the age of 18 are enrolled in educational institutions located in another locality - for a period of 12 calendar days, excluding the time required to travel to and from the location of the educational institution.
- If there are two or more children of the specified age, such leave is granted separately to accompany each child;
- 19) employees who are members of fire and rescue units to provide voluntary fire protection for at least a year - for up to 5 calendar days

annually, and members of voluntary civil defense units - for up to 5 calendar days in the year of their involvement in the tasks of preventing and eliminating the consequences of emergencies as part of voluntary civil defense units.

Employees studying on-the-job in a postgraduate program during the fourth year of study are granted, at their request, one day off from work per week without pay.

Article 26 of the Law of Ukraine "On Vacations" provides that an employee may be granted unpaid leave for family reasons and other reasons for a period specified in an agreement between the employee and the owner or his/her authorized body, but not more than 15 calendar days per year.

In case the Cabinet of Ministers of Ukraine establishes quarantine in accordance with the Law of Ukraine "On Protection of the Population from Infectious Diseases", the period of unpaid leave for the quarantine period shall not be included in the general period established by part one of this Article.

056. Number of heads of prosecution offices.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	237 [] NA [] NAP	227 [] NA [] NAP	10 [] NA [] NAP
1. Number of heads of prosecution offices at first instance level	209 [] NA [] NAP	199 [] NA [] NAP	10 [] NA [] NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	27 [] NA [] NAP	27 [] NA [] NAP	0 [] NA [] NAP
3. Number of heads of prosecution offices at Supreme Court level	1 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] 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
- (X) No

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

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

[]
[] NA

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

- () Yes
- () No
- [X] 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 Prosecutors who provide procedural guidance in criminal proceedings related to domestic and sexual violence, including where children are victims, regularly participate in relevant trainings and exercises conducted at the Training Center of Prosecutors of Ukraine, as well as those organized with the assistance of UNICEF and other international organizations.

In particular, the catalogs of trainings/training courses for prosecutors in 2022 provided for, among other things, the following trainings for prosecutors - "Peculiarities of procedural guidance in criminal proceedings on sexual violence in armed conflict", online and distance learning.

At the same time, the Order of the Prosecutor General of 15.02.2023 No. 2 established a department for organizing procedural guidance of pre-trial investigation and supporting public prosecution in criminal proceedings related to domestic violence within the Department for Protection of Children's Interests and Combating Domestic Violence.

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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	4 693 [] NA	1 069 [] NA	3 624 [] NA

Comment – please describe which categories of staff you have included in your reply: There was a 21.5% increase in the total number of staff compared to 2020, including due to an increase in the number of prosecutors.

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

Sources: Law of Ukraine "On the Public Prosecutor's Office"

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: See Reforms section.

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

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

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 type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input checked="" 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 type="checkbox"/> NAP - no audit has been organised <input checked="" type="checkbox"/> NA

Security and risk management	<input 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 checked="" 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 type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input checked="" 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 type="checkbox"/> NAP - no audit has been organised <input checked="" type="checkbox"/> NA
Impact on human resources (number, workload, wellbeing)	<input type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input checked="" 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 type="checkbox"/> NAP - no audit has been organised <input checked="" type="checkbox"/> NA
Other, please specify in comments	<input type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input checked="" 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 type="checkbox"/> NAP - no audit has been organised <input checked="" 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 type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" 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 type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" 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 type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" 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 type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <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 - 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 type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA

Comments

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
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Civil	<input 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 checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input 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 checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA
Administrative	<input 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 checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input 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 checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA
Criminal	<input 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 checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input 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 checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA

Comments

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 type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input checked="" 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 - electronic delivery is not possible <input checked="" 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 type="checkbox"/> NAP - electronic delivery is not possible <input checked="" 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 - electronic delivery is not possible <input checked="" 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 type="checkbox"/> NAP - electronic delivery is not possible <input checked="" 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 - electronic delivery is not possible <input checked="" type="checkbox"/> NA

Comments

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

Comments

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 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 checked="" type="checkbox"/> NA	<input 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 checked="" 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 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 checked="" type="checkbox"/> NA	<input 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 checked="" type="checkbox"/> NA
Criminal	<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 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 checked="" type="checkbox"/> NA	<input 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 checked="" 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 type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input checked="" 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 - online consultation is not possible <input checked="" 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 type="checkbox"/> NAP - online consultation is not possible <input checked="" 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 - online consultation is not possible <input checked="" 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 type="checkbox"/> NAP - online consultation is not possible <input checked="" 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 - online consultation is not possible <input checked="" type="checkbox"/> NA

Comments

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

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

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

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 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 checked="" 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 - remote hearings are not possible <input checked="" 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 type="checkbox"/> NAP - remote hearings are not possible <input checked="" 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 - remote hearings are not possible <input checked="" type="checkbox"/> NA

Criminal	() 95-100 %	() 95-100 %
	() 75-95 %	() 75-95 %
	() 50-75 %	() 50-75 %
	() 25-50 %	() 25-50 %
	() 1-25 %	() 1-25 %
	() 0 %	() 0 %
	() NAP - remote hearings are not possible	() NAP - remote hearings are not possible
	<input checked="" type="checkbox"/> NA	<input checked="" 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 checked="" type="checkbox"/> Publicly available tools used by courts <input 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 type="checkbox"/> Agreement of the parties is needed <input checked="" 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 checked="" type="checkbox"/> Publicly available tools used by courts</p> <p><input 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 type="checkbox"/> Agreement of the parties is needed</p> <p><input checked="" 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 checked="" 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 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 type="checkbox"/> Agreement of the parties is needed</p> <p><input checked="" 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>
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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 - 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 type="checkbox"/> 0 % <input checked="" 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 type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" 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 type="checkbox"/> 0 % <input checked="" 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 type="checkbox"/> 0 % <input checked="" 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 type="checkbox"/> 0 % <input checked="" 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 checked="" type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA
Administrative	<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 checked="" 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 type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input checked="" type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA
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Comments

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 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
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 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
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

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

	Functionalities
Civil	<input type="checkbox"/> Centralised and/or interoperable CMS databases <input type="checkbox"/> Active case management dashboard <input checked="" type="checkbox"/> Random allocation of cases <input checked="" type="checkbox"/> Case weighting <input checked="" type="checkbox"/> Identification of a case between instances (unique or linked id number) <input type="checkbox"/> Electronic transfer of a case to another instance/court <input checked="" type="checkbox"/> Anonymisation of decisions to be published <input checked="" type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register) <input type="checkbox"/> Access to closed/resolved cases <input type="checkbox"/> Advanced search engine <input 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
Administrative	<input type="checkbox"/> Centralised and/or interoperable CMS databases <input type="checkbox"/> Active case management dashboard <input checked="" type="checkbox"/> Random allocation of cases <input checked="" type="checkbox"/> Case weighting <input type="checkbox"/> Identification of a case between instances (unique or linked id number) <input type="checkbox"/> Electronic transfer of a case to another instance/court <input checked="" type="checkbox"/> Anonymisation of decisions to be published <input checked="" type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register) <input type="checkbox"/> Access to closed/resolved cases <input type="checkbox"/> Advanced search engine <input 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”, 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 type="checkbox"/> Centralised and/or interoperable CMS databases <input type="checkbox"/> Active case management dashboard <input checked="" type="checkbox"/> Random allocation of cases <input checked="" type="checkbox"/> Case weighting <input checked="" type="checkbox"/> Identification of a case between instances (unique or linked id number) <input type="checkbox"/> Electronic transfer of a case to another instance/court <input checked="" 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 type="checkbox"/> Access to closed/resolved cases <input type="checkbox"/> Advanced search engine <input 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 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	<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 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	<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 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	<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

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

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

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

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 type="checkbox"/> NAP - there is no tool for recording hearings <input checked="" 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 - there is no tool for recording hearings <input checked="" 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 type="checkbox"/> NAP - there is no tool for recording hearings <input checked="" 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 - there is no tool for recording hearings <input checked="" 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 type="checkbox"/> NAP - there is no tool for recording hearings <input checked="" 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 - there is no tool for recording hearings <input checked="" type="checkbox"/> NA

Comments

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

Functionalities

<p>Civil</p>	<p><input checked="" type="checkbox"/> Audio recording <input checked="" 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 checked="" type="checkbox"/> Possibility to request a copy of the recording <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there is no tool for recording hearings <input type="checkbox"/> NA</p>
<p>Administrative</p>	<p><input checked="" type="checkbox"/> Audio recording <input checked="" 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 checked="" type="checkbox"/> Possibility to request a copy of the recording <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there is no tool for recording hearings <input type="checkbox"/> NA</p>
<p>Criminal</p>	<p><input checked="" type="checkbox"/> Audio recording <input checked="" 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 checked="" type="checkbox"/> Possibility to request a copy of the recording <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there is no tool for recording hearings <input type="checkbox"/> NA</p>

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
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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 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	<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 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	<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	<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 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	<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	<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 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 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 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 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 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 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 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 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 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 type="checkbox"/> Automatic anonymisation <input 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 type="checkbox"/> Open data <input type="checkbox"/> Advanced search engine <input type="checkbox"/> Machine-readable content <input type="checkbox"/> Structured content <input type="checkbox"/> Metadata <input 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 type="checkbox"/> Automatic anonymisation <input 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 type="checkbox"/> Open data <input type="checkbox"/> Advanced search engine <input type="checkbox"/> Machine-readable content <input type="checkbox"/> Structured content <input type="checkbox"/> Metadata <input 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 type="checkbox"/> Automatic anonymisation <input 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 type="checkbox"/> Open data <input type="checkbox"/> Advanced search engine <input type="checkbox"/> Machine-readable content <input type="checkbox"/> Structured content <input type="checkbox"/> Metadata <input 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.

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 type="checkbox"/> Business intelligence software <input checked="" type="checkbox"/> Generation of predefined statistical reports <input type="checkbox"/> Generation of customised statistical reports <input type="checkbox"/> Internal page and/or dashboard <input checked="" type="checkbox"/> External page with statistics (public website) <input type="checkbox"/> Real-time data availability <input 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 checked="" type="checkbox"/> Case weights <input type="checkbox"/> Number of parties in a case <input checked="" type="checkbox"/> Indicator of appeal <input checked="" 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 type="checkbox"/> Business intelligence software <input checked="" type="checkbox"/> Generation of predefined statistical reports <input type="checkbox"/> Generation of customised statistical reports <input type="checkbox"/> Internal page and/or dashboard <input checked="" type="checkbox"/> External page with statistics (public website) <input type="checkbox"/> Real-time data availability <input 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 checked="" type="checkbox"/> Case weights <input type="checkbox"/> Number of parties in a case <input checked="" type="checkbox"/> Indicator of appeal <input checked="" 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 type="checkbox"/> Business intelligence software <input checked="" type="checkbox"/> Generation of predefined statistical reports <input type="checkbox"/> Generation of customised statistical reports <input type="checkbox"/> Internal page and/or dashboard <input checked="" type="checkbox"/> External page with statistics (public website) <input type="checkbox"/> Real-time data availability <input 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 checked="" type="checkbox"/> Case weights <input type="checkbox"/> Number of parties in a case <input checked="" type="checkbox"/> Indicator of appeal <input checked="" 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.

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 type="checkbox"/> Yes <input type="checkbox"/> No
within the public prosecution services	<input 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 According to the all-Ukrainian survey on trust in social institutions conducted by the Kyiv International Institute of Sociology (KIIS) from December 4 to 27, 2022, 25% of respondents trust the courts. The results of the surveys are published by the link:

<HTTPS://WWW.KIIS.COM.UA/?LANG=UKR&CAT=REPORTS&ID=1174&PAGE=1>

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 In accordance with the requirements of the Temporary Instruction on Record Keeping in the Prosecutor's Offices of Ukraine, in order to summarize information on the number of documents processed and the workload of each employee, prosecutor's offices at all levels keep monthly records of incoming, outgoing and internal documents.

This information is accumulated and summarized by the prosecutor's office and used to study trends in the state of workflow, make appropriate forecasts, prepare for inspections and provide practical assistance, methodological work, and timely resolve issues of staffing for workflow processes.

The results of document circulation accounting are summarized annually by the document management service and used to take measures to improve the organization of work with documents.

Accounting of the volume of electronic document circulation is carried out in the automated mode of the IS "EDMS".

In addition, the issues of organizing the activities of the prosecutor's office in maintaining the Unified Register of Pre-trial Investigations, statistics and its analysis are regulated by the Order of the Prosecutor General dated 17.03.2021 No. 69, which determines the reliability and objectivity of reporting on the work of the prosecutor's office and the state of criminal unlawfulness, preparation of information and analytical materials on these issues.

Pursuant to the Order of the Prosecutor General No. 11 dated January 20, 2021 "On Approval of Reporting in Form No. P "Report on the Work of the Prosecutor's Office" and the Instructions for its Compilation", prosecutors prepare administrative quarterly reporting in the form No. P "On the Work of the Prosecutor's Office".

In order to ensure a unified record of data on criminal offenses, their perpetrators, and the movement of criminal proceedings, according to the Order of the Prosecutor General No. 299 "On Approval of Forms of Unified Reporting on the Status of Criminal Unlawfulness" dated 30.06.2020, monthly administrative reporting was introduced in the following forms: No. 1 "Unified Report on Criminal Offenses"; No. 2 "Unified Report on Persons Who Committed Criminal Offenses"; No. 5 "Report on Criminal Offenses Committed at Enterprises, Institutions, Organizations, by Type of Economic Activity"; No. 1- "Report on the Results of Combating Organized Groups and Criminal Organizations".

This reporting is generated automatically on the basis of information entered into the URPTI regarding registered criminal offenses, persons served with notices of suspicion, and proceedings sent to court (with an indictment, a motion for exemption from criminal liability, closure under clause 3-1, part 1, Article 284 of the CPC of Ukraine, etc.)

In order to identify trends in the state and structure of crime, the results of the work of prosecutors and pre-trial investigation bodies, statistical data are periodically analyzed (clause 2.7 of the Order of the Prosecutor General of Ukraine No. 69 of 03/17/2021).

Also in 2021, a survey was conducted on internal communication and the level of satisfaction with the work of prosecutors. The survey involved 6,586 prosecutors and civil servants of prosecutor's offices from all regions of Ukraine.

The results of the survey reflected information on general practices of internal communication and the level of satisfaction and motivation of prosecutors, data on the problems of the prosecutor's office that need to be solved, and current issues of material support and working conditions.

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)	()
within the public prosecution services	()	(X)

Comments The SJA of Ukraine collects statistical information and monitors indicators on the total length of time cases and materials are pending in local and appellate courts.

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: In accordance with the Order of the SJA of Ukraine No. 454 dated 08.12.2022, all local and appellate courts administering justice submit reports every 3, 6, 9 and 12 months.

The monitoring of the courts' activities is carried out on the basis of official statistical reporting, which is compiled by the cumulative summary of data for the relevant reporting periods: the first quarter (from January 1 to March 31), the first half of the year (from January 1 to June 30), 9 months (from January 1 to September 30), and the year (from January 1 to December 31).

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

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: According to clause 2 of the Order of the Prosecutor General dated 30.09.2021 No. 309, organizational support for the exercise of powers by the Prosecutor General, heads of regional prosecutor's offices, their first deputies and deputies in criminal proceedings is carried out in accordance with the competence of independent structural units of prosecutor's offices of the relevant level, which provide

- daily monitoring of the URPTI, systematic monitoring of the Unified State Register of Court Decisions and the Information and Analytical System "Accounting and Statistics of Prosecutor's Offices";
- requesting and studying information on the course and results of pre-trial investigation and court consideration of criminal proceedings, criminal proceedings materials and certified copies of court decisions;
- drafting procedural and other documents on the activities of prosecutors in criminal proceedings, which are submitted for signature to the Prosecutor General, heads of regional prosecutor's offices, their first deputies and deputies;
- studying, if necessary, the state of compliance with the requirements of the criminal procedural legislation;
- providing information, analytical and methodological support to prosecutors, studying and summarizing the practice of application of legislation;
- preparing and holding meetings on the activities of prosecutors, involving relevant employees of lower-level prosecutor's offices in such meetings;
- fulfill other instructions of the Prosecutor General, heads of regional prosecutor's offices, their first deputies and deputies.

As a rule, prosecutors within the assigned areas of work within their competence carry out a monthly review of all available statistical information in general, including information on the activities of lower-level prosecutor's offices, as well as information from the Unified Register of Pre-trial Investigations.

On a quarterly and annual basis, the said data is studied in more depth, in particular, when planning the work of the respective prosecutor's offices, preparing materials for meetings, including final ones, with the leadership of the prosecutor's offices, preparing for visits to conduct inspections and provide practical assistance to the heads of lower-level prosecutor's offices, during methodological work, as well as for timely optimization of the structure and staffing of each prosecutor's office within the maximum number of prosecutors

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):

Comments In particular, according to subpara. 9.3, clause 9 of the Order of the Prosecutor General of Ukraine No. 309 dated 30.09.2021, heads of prosecutor's offices of all levels, their first deputies and deputies, in accordance with the distribution of responsibilities and within the powers provided for by the Criminal Procedure Code of Ukraine, when determining the prosecutor who will exercise the powers of the prosecutor in a particular criminal proceeding, take into account

- the number of investigators conducting pre-trial investigation in a particular criminal proceeding, their experience and specialization;
- the number of criminal proceedings in which the relevant prosecutor exercises the powers of the prosecutor independently and as part of a group of prosecutors, their work experience, specialization;
- number of prosecutors in a particular criminal proceeding;
- workload (complexity of criminal proceedings in which the prosecutor exercises procedural control, in particular, multi-episodic nature, publicity, gravity of the criminal offense, place of commission, need for priority, urgent investigative (detective) and covert investigative (detective) and other procedural actions, their scope and participation of the prosecutor in consideration of motions and complaints by investigating judges during pre-trial investigation, term of pre-trial investigation and preventive measure against the suspect, need for preparation of the prosecutor's report).

In addition, based on the performance assessment, issues of optimizing the structure and staffing of each prosecutor's office within the maximum number of prosecutors are resolved.

At the same time, it should be noted that according to Article 90 of the Law of Ukraine "On Prosecution", the prosecution is financed in accordance with the estimates and monthly expenditure schedules approved by the Prosecutor General within the annual amount of expenditures provided for in the State Budget of Ukraine for the current budget period. At the same time, the "assessment of the performance of the prosecution bodies" does not directly affect the distribution of financial resources within the prosecution body.

=

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): State Judicial Administration of Ukraine

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): State Judicial Administration of Ukraine

No

Comments

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

Yes, on the internet (please provide the link) <https://court.gov.ua/> and https://court.gov.ua/inshe/sudova_statystyka/

No, only internally (on an intranet website)

No

Comments

=

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

Yes (please indicate the name and the address of this institution): Prosecutor General's Office

No

Comments Prosecutor General's Office, 13/15 Riznytska St., Kyiv.

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

Yes, on the internet (please provide the link) <https://ark.gp.gov.ua/ua/statinfo.html>

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): The Prosecutor General annually submits to the Verkhovna Rada of Ukraine a report on the activities of the prosecutor's office by April 1, which should contain information on

- statistical and analytical data on the performance of the functions entrusted to the prosecutor's office
- the actual number of prosecution bodies in terms of the number of prosecutors, civil servants, other employees, their professional development, special training, and the activities of the Training Center of Prosecutors of Ukraine;
- ensuring the independence of prosecutors, including the number of reports on threats to the independence of prosecutors received by the Council of Prosecutors of Ukraine and information on decisions taken on such reports;
- ensuring the legality and integrity of the prosecution, in particular, the number of integrity checks of prosecutors, internal investigations, disciplinary complaints against prosecutors and information on the decisions taken, etc;
- other information related to the performance of the prosecutor's office.

The Prosecutor General personally reports on the activities of the prosecution bodies to the Verkhovna Rada of Ukraine at its plenary session.

The heads of regional and district prosecutor's offices at the plenary session of the respective council at least twice a year inform the population of the respective administrative-territorial unit about the results of their activities by providing generalized statistical and analytical data

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 Pursuant to Article 6 of the Law of Ukraine "On Prosecution", the prosecution authorities shall inform the public about their activities at least twice a year by means of media reports.

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 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 type="checkbox"/> No
Qualitative	<input 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:

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 checked="" 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 checked="" type="checkbox"/> NAP
No consequences	<input type="checkbox"/> No consequences <input 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	() Yes (X) No
Qualitative	(X) Yes () 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: According to clauses 7-2 of part 1 of Article 9 of the Law of Ukraine "On Prosecution", the Prosecutor General approves the regulations on the system of individual performance evaluation of prosecutors and the system of performance evaluation of prosecutors.

There is no quantitative system of individual performance evaluation of prosecutors. At the same time, the quality of prosecutors' work for the calendar year is assessed annually. Such evaluation is carried out in accordance with the Temporary Regulation on the System of Performance Evaluation of Prosecutors and Bonuses for Prosecutors, approved by the Order of the Prosecutor General No. 503 dated October 30, 2020 (hereinafter - the Temporary Regulation).

In addition, the Prosecutor General's Order No. 407 of 29.12.2021 approved the Regulation on the Performance Evaluation System for Prosecutors, which comes into force on January 1, 2024, and is currently being implemented in a test mode in certain prosecution authorities.

This Regulation defines the procedure for assessing the performance of prosecutors of the Prosecutor General's Office, the Specialized Anti-Corruption Prosecutor's Office, regional, specialized (with the rights of regional), district, and specialized (with the rights of district) prosecutor's offices, as well as the procedure and conditions for annual bonuses for prosecutors based on the results of such assessment.

The performance appraisal of prosecutors is carried out in order to determine the effectiveness of the performance of their official duties; to motivate prosecutors to improve their professional development; to ensure the effective achievement of goals in the implementation of the prosecution development strategy; and to improve the quality of personnel management in the prosecution bodies.

The performance evaluation system for prosecutors consists of assessing the quality of work and identifying areas for professional development. Currently, annual performance appraisals are conducted in a test mode in certain structural units of the Prosecutor General's Office and some regional and district prosecutor's offices.

By the Order of the Prosecutor General No. 295 dated 29.12.2022, the said evaluation was extended in a test mode for 2023. The reason for conducting the evaluation in a test mode is the need to automate the process, namely the development of an electronic human resources management system for prosecutors (e-HR), which includes the performance evaluation system for prosecutors. In addition, the working group on the development and implementation of the system of individual performance evaluation of prosecutors and the system of performance evaluation of prosecutors, which includes, inter alia, international experts/partners and representatives of the Specialized Anti-Corruption Prosecutor's Office, developed and approved the concept of the system of individual performance evaluation of prosecutors and the criteria for such evaluation for procedural supervisors. The assessment will cover the prosecutor's professional ethics and behavior, functional and managerial competencies, work results (workload), and business activity

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

- (X) 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: Law of Ukraine "On Prosecution"

4.Fair trial

4.1.Principles

4.1.1Principles 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: the procedure for recusal (self-recusal) of a judge is determined by procedural law; indicators based on statistical reports of local and appellate courts are provided.

085-1. If yes, what are:

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

Comment - Please, could you briefly specify:

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

[X] For civil procedures (non-enforcement)

[X] For civil procedures (timeframe)

[X] For criminal procedures (timeframe)

[] NAP

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

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

[X] For civil cases

For criminal cases

For administrative cases

NAP

Comments

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

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

4.2. Timeframe of proceedings

4.2.1 General information

087. Are there specific procedures for urgent matters regarding:

civil cases

criminal cases

administrative cases

There is no specific procedure for urgent matters

Comments - If yes, please specify: The procedural legislation establishes special procedures for consideration of certain categories of urgent administrative cases, applications for securing a claim (evidence) in administrative, commercial and civil proceedings, and covert investigative (detective) actions within criminal proceedings.

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:

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)	604 836 [] NA [] NAP	1 820 389 [] NA [] NAP	1 934 093 [] NA [] NAP	491 132 [] NA [] NAP	19 973 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	308 241 [] NA [] NAP	481 270 [] NA [] NAP	540 889 [] NA [] NAP	248 622 [] NA [] NAP	[] NA [X] NAP
2. Non litigious cases (2.1+2.2+2.3)	31 403 [] NA [] NAP	252 438 [] NA [] NAP	252 738 [] NA [] NAP	31 103 [] NA [] NAP	[] NA [X] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	31 403 [] NA [] NAP	252 438 [] NA [] NAP	252 738 [] NA [] NAP	31 103 [] NA [] NAP	[] NA [X] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

2.3. Other non-litigious cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Administrative law cases	186 927 [] NA [] NAP	383 337 [] NA [] NAP	440 054 [] NA [] NAP	130 210 [] NA [] NAP	3 997 [] NA [] NAP
4. Other cases	78 265 [] NA [] NAP	703 344 [] NA [] NAP	700 142 [] NA [] NAP	81 197 [] NA [] NAP	860 [] NA [] NAP

Comments There have been changes in the balances, namely the difference between December 31, 2021 and January 1, 2022 in all categories. One of the reasons is also the full-scale military aggression by the Russian Federation, which began on 24.02.2022, and the significant damage to critical infrastructure caused by it, which significantly affected the functioning of the judiciary in Ukraine in general and, in particular, the administration of justice by local and appellate courts, which was reflected in the state of their accounting and statistical work. In 2022, the territorial jurisdiction of 135 local and appellate courts was changed (transferred) by orders of the Chief Justice of the Supreme Court due to the inability to administer justice during martial law, and the territorial jurisdiction of 50 local and appellate courts was restored.

As of the end of 2022, the territorial jurisdiction of 169 local and appellate courts was changed (transferred) (including the courts whose jurisdiction was transferred during the war, 84 local and appellate courts of the Autonomous Republic of Crimea, Donetsk and Luhansk regions in the period from 2014 to 2022). In view of the above, the SJA of Ukraine entered the figures excluding the data of 169 local and appellate courts whose jurisdiction was changed as of 31.12.2022.

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

. Civil proceedings:

1. Cases of special proceedings on:

- restriction of civil capacity of an individual, recognition of an individual as incapacitated and restoration of civil capacity of an individual;
- restricting an individual from visiting gambling facilities and participating in gambling;
- granting full civil capacity to a minor;
- Recognizing an individual as missing or declaring him/her dead;
- adoption;
- establishing facts of legal significance;
- restoration of rights to lost bearer securities and promissory notes;
- transfer of ownerless real estate to municipal ownership;
- recognition of inheritance from a deceased person;
- provision of psychiatric care to a person under compulsion;
- forced hospitalization to a tuberculosis institution;
- disclosure by a bank of information containing banking secrecy regarding legal entities and individuals;
- granting the right to marry; divorce at the request of spouses with children, at the request of either spouse if one of them is sentenced to imprisonment; establishing a separate residence regime at the request of spouses and other cases in cases established by law.

2. Cases of writ proceedings on:

- recovery of accrued but unpaid wages and average earnings for the period of delay in payment;
- compensation for the costs of searching for the defendant, the debtor, the child or the debtor's vehicles;
- recovery of arrears for housing and communal services, electronic communication services, television and radio broadcasting services, taking into account the inflation index and 3 percent per annum accrued by the applicant on the amount of the debt;
- recovery of alimony in the amount of one quarter for one child, one third for two children, and half of the alimony payer's earnings (income) for three or more children, but not more than ten subsistence minimums for a child of the corresponding age for each child, unless this requirement is related to the establishment or contestation of paternity (maternity) and the need to involve other interested parties;

- recovery of child support in a fixed amount of 50 percent of the subsistence minimum for a child of the relevant age, if this requirement is not related to the establishment or contestation of paternity (maternity) and the need to involve other interested parties;
- refund of the cost of goods of inadequate quality, if there is a court decision that has entered into force establishing the fact of the sale of goods of inadequate quality, made in favor of an indefinite number of consumers;
- debt collection under an agreement (other than for the provision of housing and communal services, electronic communication services, television and radio broadcasting services) concluded in writing (including electronic), if the amount of the claim does not exceed one hundred times the minimum subsistence level for able-bodied persons.

Commercial proceedings:

Cases of writ proceedings on: - recovery of monetary debts under an agreement concluded in writing (including electronic), if the amount of the claim does not exceed one hundred minimum subsistence levels for able-bodied persons recovery of debt arises on the basis of a written agreement.

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

. Clause 4 "Other cases" includes cases of administrative offenses as a separate type of case in accordance with the procedural legislation of Ukraine. An administrative offense (misdemeanor) is an unlawful, culpable (intentional or negligent) act or omission that infringes on public order, property, rights and freedoms of citizens, the established order of governance and for which the law provides for administrative liability.

Administrative liability for offenses under the Code of Ukraine on Administrative Offenses occurs if these violations do not entail criminal liability by their nature in accordance with the law.

Examples of administrative offenses include: violations of labor laws and labor protection requirements; violations of driving rules, rules for the use of seat belts or helmets; violations of animal quarantine rules and other veterinary and sanitary requirements; violations of trade and service rules; violations of the procedure for termination of legal or business activities by an individual entrepreneur, etc.

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)	108 830 [] NA [] NAP	638 711 [] NA [] NAP	633 057 [] NA [] NAP	114 484 [] NA [] NAP	8 704 [] NA [] NAP
1. Severe criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Other criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify Other criminal cases concerning: crimes of moderate gravity (non-serious crimes) - acts (actions or omissions) provided for by the Criminal Code of Ukraine, for which the main punishment is a fine of not more than ten thousand tax-free minimum incomes or imprisonment for a term not exceeding five years; motions, complaints, statements during pre-trial investigation (investigating judges); provision of international legal assistance; procedure for the enforcement of court decisions, etc.

Pursuant to the powers of the SJA of Ukraine, defined in Article 152 of the said Law, the SJA of Ukraine, in particular, organizes the work on keeping judicial statistics. The SJA of Ukraine compiles generalized information on the movement of court cases (proceedings) in local and appellate courts. Statistical reporting on the consideration of court cases is generated by the courts of Ukraine on the basis of information on the category determined by the court in accordance with the General Classification of Judges' Specializations and Categories of Cases approved by Order of the SJA of Ukraine No. 622 dated 21.12.2018 in agreement with the Council of Judges of Ukraine (hereinafter - the Classifier).

The Classifier is an integral part of a unified system of classification and coding of information used for document management, compilation of court statistics, and systematization and generalization of court practice. The classifier contains general categories of cases. Thus, there is currently no way to distinguish misdemeanors/minor offenses from serious crimes and ensure a consistent response between different systems. To realize this possibility, it is necessary to make separate requests to each court, and then summarize the indicators. Also, one of the biggest problems is the full-scale military aggression by the Russian Federation, which began on 24.02.2022, which currently affects the development and implementation of automated information collection according to the criteria defined in accordance with the CEPEJ methodology.

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)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	31 347 [] NA [] NAP	71 689 [] NA [] NAP	70 442 [] NA [] NAP	32 594 [] NA [] NAP	720 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] 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	186 927 <input type="checkbox"/> NA <input type="checkbox"/> NAP	383 337 <input type="checkbox"/> NA <input type="checkbox"/> NAP	440 054 <input type="checkbox"/> NA <input type="checkbox"/> NAP	130 210 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 997 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	3 194 <input type="checkbox"/> NA <input type="checkbox"/> NAP	23 283 <input type="checkbox"/> NA <input type="checkbox"/> NAP	22 987 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 490 <input type="checkbox"/> NA <input type="checkbox"/> NAP	18 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "Other cases" please specify Clause 4 "Other cases" includes cases of administrative offenses as a separate type of case in accordance with the procedural legislation of Ukraine. An administrative offense (misdemeanor) is an unlawful, culpable (intentional or negligent) act or omission that infringes on public order, property, rights and freedoms of citizens, the established order of governance and for which the law provides for administrative liability.

Administrative liability for offenses under the Code of Ukraine on Administrative Offenses occurs if these violations do not entail criminal liability by their nature in accordance with the law.

Examples of administrative offenses include: violations of labor laws and labor protection requirements; violations of driving rules, rules for the use of seat belts or helmets; violations of animal quarantine rules and other veterinary and sanitary requirements; violations of trade and service rules; violations of the procedure for termination of legal or business activities by an individual entrepreneur, etc.

Staff shortage in institutions preclude the provision of data by CEPEJ categories, hence NA in some categories.

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)	10 928 <input type="checkbox"/> NA <input type="checkbox"/> NAP	137 255 <input type="checkbox"/> NA <input type="checkbox"/> NAP	135 703 <input type="checkbox"/> NA <input type="checkbox"/> NAP	12 480 <input type="checkbox"/> NA <input type="checkbox"/> NAP	476 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Severe criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Other criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

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: Currently, it is not possible to break down the data on the administration of justice by appellate courts in criminal proceedings from the generalized category "Total number of criminal cases (1+2+3)" into categories 1 "Serious criminal cases", 2 "Misdemeanors and/or minor criminal cases", 3 "Other criminal offenses" since the accounting by categories (by gravity) is carried out exclusively for appeals against verdicts (by number of persons), and appellate review of rulings and resolutions is accounted for by other criteria (not by categories by gravity). Staff shortage in institutions preclude the provision of data by CEPEJ categories, hence NA in some categories.

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)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] 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)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

3. Administrative law cases	<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
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)	<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
1. Severe criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Other 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 checked="" 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	22 234 <input type="checkbox"/> NA <input type="checkbox"/> NAP	93 635 <input type="checkbox"/> NA <input type="checkbox"/> NAP	91 869 <input type="checkbox"/> NA <input type="checkbox"/> NAP	24 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Employment dismissal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Insolvency	12 069 [] NA [] NAP	12 349 [] NA [] NAP	13 125 [] NA [] NAP	11 293 [] NA [] NAP	[X] NA [] NAP
Robbery case	29 105 [] NA [] NAP	23 755 [] NA [] NAP	23 571 [] NA [] NAP	29 289 [] NA [] NAP	[X] NA [] NAP
Intentional homicide	2 426 [] NA [] NAP	1 430 [] NA [] NAP	1 165 [] NA [] NAP	2 691 [] NA [] NAP	[X] NA [] NAP

Comments The correlation between answers in previous data might be connected to:

1. Decrease in the number of judges.
2. Outbreak of war in Ukraine.



=

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)	527 [] NA [] NAP	234 [] NA [] NAP	406 [] NA [] NAP	355 [] NA [] NAP	[X] NA [] NAP
Court cases relating to the right of entry and stay for aliens	220 [] NA [] NAP	225 [] NA [] NAP	202 [] NA [] NAP	243 [] NA [] NAP	[X] NA [] NAP

Comments The correlation between answers in previous data might be connected to:

1. Decrease in the number of judges.
2. Outbreak of war in Ukraine.

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:

. The procedure for regulating social relations in the area of recognition of a person as a refugee, a person in need of additional or temporary protection, loss and deprivation of this status, as well as establishing the legal status of refugees and persons in need of additional protection and who have been granted temporary protection in Ukraine is determined by the Law of Ukraine No. 3671-VI "On Refugees and Persons in Need of Additional or Temporary Protection" dated 08.07.2011

The conditions and procedure for immigration to Ukraine of foreigners and stateless persons are set forth in the Law of Ukraine No. 2491-III "On Immigration" dated 07.06.2001. The legal status of an immigrant in Ukraine is determined by the Constitution of Ukraine, this Law, other laws of Ukraine and regulations adopted in accordance with them.

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	129 [] NA [] NAP	111 [] NA [] NAP	97 [] NA [] NAP	143 [] NA [] NAP	[X] NA [] NAP
Child pornography	12 [] NA [] NAP	94 [] NA [] NAP	70 [] NA [] NAP	36 [] NA [] NAP	[X] NA [] NAP

Comments - Please explain what are the legal definitions of these categories of offences in your system: The category "Child sexual abuse" includes criminal proceedings under Article 155 "Committing sexual acts with a person under the age of sixteen", Article 156 "Corruption of minors", Article 156-1 "Solicitation of a child for sexual purposes" of the Criminal Code of Ukraine.

The category "Child pornography" includes criminal proceedings under Article 301-1 "Access to child pornography, its acquisition, storage, importation, transportation or other movement, production, sale and distribution" of the Criminal Code of Ukraine.

The correlation between answers in previous data might be connected to:

1. Decrease in the number of judges.
2. Outbreak of war in Ukraine.

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 [X] NA [] NAP	106 [] NA [] NAP	112 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Allow decimals : 2 [X] NA [] NAP
Litigious divorce cases	_____ Allow decimals : 2 [X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Allow decimals : 2 [X] NA [] NAP
Employment dismissal cases	_____ Allow decimals : 2 [X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Allow decimals : 2 [X] NA [] NAP
Insolvency cases	_____ Allow decimals : 2 [X] NA [] NAP	209 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Allow decimals : 2 [X] NA [] 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 The correlation between answers in previous data might be connected to:

1. Decrease in the number of judges.
2. Outbreak of war in Ukraine.

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 average duration of consideration of cases of a certain category is calculated as the arithmetic mean of the total duration of the case in the court of a certain instance from the date of its registration to the date of the decision, expressed in calendar days

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
- to present the case in court
- to propose a sentence to the judge
- to appeal
- to supervise the enforcement procedure
- to discontinue a case without needing a decision by a judge (ensure consistency with question 36!)
- to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision
- other significant powers (please specify):see comments

Comments

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

- civil cases
- administrative cases
- insolvency cases

Comments - If yes, please specify: According to the provisions of clause 3 of part 1 of Article 131-1 of the Constitution and Article 2 of the Law of Ukraine "On Prosecution", the functions of the Public Prosecutor's Office, among others, include representation of the state's

interests in court in exceptional cases and in accordance with the procedure established by law.

The grounds and procedure for the realization of this function, which consists in the prosecutor's procedural and other activities aimed at protecting the state in court, are regulated by Article 23 of the Law of Ukraine "On Prosecution".

Thus, part 3 of Article 23 of the Law of Ukraine "On Prosecution" stipulates that the prosecutor may represent the interests of the state in court in case of their violation or threat of violation and in case if the protection of these interests is not carried out or is improperly carried out by a public authority, local self-government body or other subject of power, whose competence includes the relevant powers, as well as in the absence of such a body.

The existence of grounds for representation of the state's interests in court in accordance with the provisions of . 4 of the same provision must be substantiated by the prosecutor in court, and the right to exercise them in a particular case is acquired by him/her after the court confirms the grounds for representation.

These provisions of the Law are in line with the provisions of the procedural codes of Ukraine

Art. 56 of the Civil Procedure Code of Ukraine, Art. 53 of the Commercial Procedure Code of Ukraine, Art. 53 of the Administrative Court of Ukraine.

Thus, according to the national legislation, the prosecutor's powers to represent the interests of the state and the possibility of their implementation in court do not depend on the type of proceedings and the category of the case, but are conditioned by the presence of violated interests of the state / threat of their violation in the disputed legal relations, as well as the above and legally defined grounds for their implementation.

When representing the interests of the state in court, the prosecutor is entitled to the right in accordance with the procedure provided for by the procedural law and the law governing enforcement proceedings

(part 6 of Article 23 of the Law of Ukraine "On Prosecution"):

- 1) to file a lawsuit (application, petition) with the court
- 2) intervene in a case initiated by a claim (application, petition) of another person at any stage of court proceedings;
- 3) initiate review of court decisions, including in a case initiated by a claim (application, petition) of another person;
- 4) participate in the proceedings;
- 5) to file a civil action in criminal proceedings in cases and in accordance with the procedure established by the criminal procedural law;
- 6) participate in enforcement proceedings in the course of execution of decisions in a case in which the prosecutor represented the interests of the state in court;
- 7) with the permission of the court, to familiarize themselves with the case file in court and the materials of the enforcement proceedings, to make extracts from them, to receive free copies of documents contained in the case file or enforcement proceedings.

We also note that the prosecutor may exercise the power to represent the interests of the state within and outside criminal proceedings.

In particular, pursuant to the provisions of part 2 of Article 24 of the Law of Ukraine "On Prosecution", the right to file a civil action in criminal proceedings is granted to the prosecutor who participates in them.

The right of the prosecutor to file a civil action in the interests of the state within criminal proceedings is provided for in clause 12 of part 2 of Article 36, part 3 of Article 128 of the Criminal Procedure Code of Ukraine.

=

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

	Number of cases
1.Pending cases on 1 Jan. ref. year	949 932 [] NA [] NAP
2.Incoming/received cases	666 489 [] NA [] NAP
3.Processed cases (3.1+3.2+3.3+3.4)	537 788 [] NA [] NAP
3.1.Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.)	444 381 [] NA [] NAP

3.1.1 Discontinued by the public prosecutor because the offender could not be identified	[] NA [X] NAP
3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	341 866 [] NA [] NAP
3.1.3 Discontinued by the public prosecutor for reasons of opportunity	[] NA [X] NAP
3.1.4 Discontinued for other reasons	102 515 [] NA [] NAP
3.2. Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	[] NA [X] NAP
3.3. Cases brought to court	93 407 [] NA [] NAP
4. Pending cases on 31 Dec. ref. year	1 014 646 [] NA [] NAP

Comments 3.1.4 Includes cases recorded by the Prosecution Service as 'suspended' (12 013).

4. Pending cases at the end of the year are provided according to data of the Prosecution Service. It is not possible to apply the formula: 1+2-3=4 for data included in this table as part of cases that had been initially registered into the system, at a later stage were joined/merged (76c000 merged cases in 2022).

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	7 970 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Before the main trial	7 970 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
During the main trial	[] NA [X] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments

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

(X) Yes

() No

Comments

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

Sources: Information-analytical system "Accounting and Statistics of Prosecutor's Offices", the Unified State Register of Court Decisions, information from the financial and personnel departments of the agency

5. Career of judges and public prosecutors

5.1. Recruitment and promotion

5.1.1 Recruitment and promotion of judges

110. How are judges recruited?

through a competitive exam (open competition)

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

other (please specify):

Comments

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

. The procedure for the selection and appointment of judges is established by the Law of Ukraine No. 1402-VIII "On the Judicial System and Status of Judges" dated June 2, 2016. In particular, Article 70 of this Law stipulates that the selection and appointment of a judge is carried out in accordance with the procedure established by this Law and includes the following stages

1) a decision of the High Qualification Commission of Judges of Ukraine to announce the selection of candidates for the position of a judge, taking into account the projected number of vacant judicial positions

2) the High Qualification Commission of Judges of Ukraine publishes an announcement on the selection of candidates for the position of judge on its official website.

The announcement must specify the deadline for submission of documents to the High Qualification Commission of Judges of Ukraine, which may not be less than 30 days from the date of the announcement, as well as the projected number of vacant judicial positions for the next year;

3) submission by persons who have expressed their intention to become a judge to the High Qualification Commission of Judges of Ukraine of the relevant application and documents specified in Article 71 of this Law;

4) verification by the High Qualification Commission of Judges of Ukraine of compliance of persons who have applied for participation in the selection with the requirements for a candidate for the position of a judge established by this Law on the basis of the submitted documents;

5) admission by the High Qualification Commission of Judges of Ukraine of persons who, based on the results of the verification, meet the requirements for a candidate for the position of a judge established by this Law, to participate in the selection and take the qualifying examination;

6) passing the qualifying examination by a person admitted to the selection;

7) determination by the High Qualification Commission of Judges of Ukraine of the results of the qualifying examination and their publication on the official website of the High Qualification Commission of Judges of Ukraine;

8) conducting a special inspection of persons who have successfully passed the qualifying examination in accordance with the procedure established by the legislation on prevention of corruption, taking into account the peculiarities specified in Article 74 of this Law;

9) candidates who have successfully passed the qualifying examination and passed the special inspection shall undergo special training; obtain a certificate of completion of special training;

10) passing the qualification exam by the candidates who have passed the special training and determining its results;

11) enrollment of candidates for the position of judge by the High Qualification Commission of Judges of Ukraine based on the results of the qualification exam to the reserve for filling vacant positions of judges, determination of their rating, publication of the list of candidates for the position of judge included in the reserve and the rating list on the official website of the High Qualification Commission of Judges of Ukraine;

12) announcement by the High Qualification Commission of Judges of Ukraine of a competition for the filling of such positions in accordance with the number of vacant judicial positions in local courts;

13) the High Qualification Commission of Judges of Ukraine conducts a competition to fill a vacant position of a judge based on the rating of candidates who participated in such competition and makes a recommendation to the High Council of Justice on the appointment of a candidate for the position of a judge;

14) consideration by the High Council of Justice of the recommendation of the High Qualification Commission of Judges of Ukraine and making a decision on the candidate for the position of judge;

15) issuance of a decree of the President of Ukraine on the appointment of a judge - in case the High Council of Justice submits a proposal for the appointment of a judge.

The selection of candidates for the position of judge who have at least three years of experience as an assistant judge is carried out with the peculiarities determined by the decision of the High Qualification Commission of Judges of Ukraine.

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:

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	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
Number of recruited persons	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA

Comments

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: Article 128 of the Constitution of Ukraine stipulates that judges are appointed by the President of Ukraine upon the recommendation of the High Council of Justice in accordance with the procedure established by law. Appointment to the position of a judge is made on a competitive basis, except in cases specified by law. The Chief Justice of the Supreme Court is elected to office and dismissed from office by secret ballot by the Plenum of the Supreme Court in accordance with the procedure established by law.

According to part one of Article 1 of the Law of Ukraine No. 1798-VIII "On the High Council of Justice" dated 21.12.2016, the High Council of Justice is a collegial, independent constitutional body of state power and judicial governance that operates in Ukraine on a permanent basis to ensure the independence of the judiciary, its functioning on the basis of responsibility, accountability to society, formation of a virtuous and highly professional corps of judges, compliance with the Constitution and laws of Ukraine, as well as professional ethics in the activities of judges and prosecutors.

111-1. How many members compose this authority?

	Total	Males	Females
Members	<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 specify what is the status of this authority and who is proposing/appointing its members: Part 1 of Art. 5 of the Law on HCJ stipulates the following: "The High Council of Justice consists of twenty one members, ten of whom are elected by the Congress of Judges of Ukraine from among judges or retired judges, two are appointed by the President of Ukraine, two are elected by the Verkhovna Rada of Ukraine, two are elected by the Congress of Advocates of Ukraine, two are elected by the All-Ukrainian Conference of Prosecutors, and two are elected by the Congress of Representatives of Law Schools and Research Institutions. The Chief Justice of the Supreme Court is an ex officio member of the High Council of Justice."

111-2. 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: In accordance with part two of Article 55 of the Constitution of Ukraine, everyone is guaranteed the right to appeal in court against decisions, actions or inaction of state authorities, local self-government bodies, officials and officers.

At the same time, we would like to inform you that the SJA of Ukraine does not have the requested information on the procedure to be followed, the competent authority, the moment of realization of the right to appeal.

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

Yes

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	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" 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: Pursuant to Article 9 of the Criminal Procedure Code of Ukraine, during criminal proceedings, the prosecutor is obliged to strictly comply with the requirements of the Constitution of Ukraine, this Code, international treaties, requirements of other legislative acts, to investigate the circumstances of criminal proceedings in a comprehensive, full and impartial manner and to ensure that lawful and impartial procedural decisions are made.

Pursuant to Article 214 of the Criminal Procedure Code of Ukraine, the prosecutor is obliged to immediately, but not later than 24 hours after filing a complaint or report of a criminal offense or after independently identifying circumstances from any source that may indicate that a criminal offense has been committed, enter the relevant information into the URPTI and initiate an investigation.

At the same time, pursuant to Articles 303-307 of the Criminal Procedure Code of Ukraine, the court, upon consideration of complaints against decisions, actions or inaction of the prosecutor or investigator, may oblige to perform a certain action, including entering information into the URPTI upon a statement or report of a criminal offense.

The prosecutor, exercising his/her powers in accordance with the requirements of this Code, shall be independent in his/her procedural activities, interference in which by persons not legally authorized to do so is prohibited. State authorities, local self-government bodies, enterprises, institutions and organizations, officials and other individuals are obliged to comply with the legal requirements and procedural decisions of the prosecutor (part 1 of Article 36 of the Criminal Procedure Code of Ukraine).

We also note that according to part 1 of Article 17 of the Law of Ukraine "On Prosecution", prosecutors exercise their powers within the limits established by law and are subordinate to their superiors only in terms of execution of written administrative orders related to organizational issues of prosecutors and prosecution bodies. Administrative subordination of prosecutors may not be a ground for limiting or violating the independence of prosecutors in the exercise of their powers.

Pursuant to Article 17(3) of the Law of Ukraine "On Prosecution", in the exercise of their powers related to the prosecution functions, prosecutors are independent, independently decide on the procedure for exercising such powers, guided by the provisions of the law, and are obliged to follow only such instructions of a higher-level prosecutor that were given in compliance with the requirements of this Article.

Higher-level prosecutors shall have the right to give instructions to a lower-level prosecutor, to approve certain decisions and to perform other actions directly related to the exercise of prosecution functions by that prosecutor, exclusively within the limits and in the manner prescribed by law. The Prosecutor General has the right to give instructions to any prosecutor.

At the same time, according to part 5 of this Article, the prosecutor is not obliged to execute orders and instructions of a higher-level prosecutor that raise doubts about their legality, unless he or she has received them in writing, as well as clearly criminal orders or instructions. The prosecutor has the right to address the Council of Prosecutors of Ukraine with a report on the threat to his/her independence in connection with the issuance (giving) of an order or instruction by a higher-level prosecutor.

Part 6 of Article 17 of the Law of Ukraine "On Prosecution" provides that giving (giving) an illegal order or instruction or its (his) execution, as well as giving (giving) or execution of a clearly criminal order or instruction, entail liability under the law.

Thus, the provision of these specific illegal instructions to the prosecutor regarding the prosecution is an interference with his/her procedural activities, which is prohibited by the said provisions

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

Yes

No

NAP

Comments - Please describe these exceptions: It should be noted that part 3 of Article 17 of the Law of Ukraine "On Prosecution" stipulates that in the exercise of powers related to the prosecution functions, prosecutors are independent, independently decide on the procedure for exercising such powers, guided by the provisions of the law, and are obliged to execute only such instructions of a higher-level prosecutor that were given in compliance with the requirements of this article. Higher-level prosecutors shall have the right to give instructions to a lower-level prosecutor, to approve certain decisions and to perform other actions directly related to the exercise of prosecution functions by that prosecutor, exclusively within the limits and in the manner prescribed by law. The Prosecutor General has the right to give instructions to any prosecutor.

In addition, pursuant to Article 308(1) of the Criminal Procedure Code of Ukraine, a suspect, accused, victim, or other persons whose rights or legitimate interests are restricted during the pre-trial investigation have the right to appeal to a higher-level prosecutor against the failure to comply with reasonable time limits by the investigator, detective, or prosecutor during the pre-trial investigation.

Pursuant to Article 308(2) of the Criminal Procedure Code of Ukraine, a higher-level prosecutor is obliged to consider the complaint within three days after it is filed and, if there are grounds for its satisfaction, provide the relevant prosecutor with binding instructions on the time limits for certain procedural actions or procedural decisions. The person who filed the complaint shall be promptly notified in writing of the results of its consideration

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:

115-4. What form these instructions may take?

Oral instruction

Oral instruction with written confirmation

Written instruction

Other

NAP

Comments - If "Other", please specify: Pursuant to part 4 of Article 17 of the Law of Ukraine "On Prosecution", administrative orders, as well as instructions directly related to the exercise of prosecutorial functions by the prosecutor, issued (given) in writing within the powers defined by law, are binding on the relevant prosecutor.

The prosecutor who received an order or instruction orally shall be provided with a written confirmation of such order or instruction.

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:

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. Pursuant to Article 17(5) of the Law of Ukraine "On Prosecution", a prosecutor is not obliged to execute orders and instructions of a higher-level prosecutor that raise doubts about their legality, unless he or she has received them in writing, as well as orders or instructions that are clearly criminal. The prosecutor has the right to apply to the Council of Prosecutors of Ukraine with a report on the threat to his/her independence in connection with the issuance (giving) of an order or instruction by a higher-level prosecutor.

In addition, pursuant to Article 16(5) of the Law of Ukraine "On Prosecution", public authorities, local self-government bodies, other state bodies, their officials and employees, as well as individuals and legal entities and their associations are obliged to respect the independence of the prosecutor and refrain from exercising any form of influence on the prosecutor in order to impede the performance of official duties or make an illegal decision.

Pursuant to part 6 of Article 16 of the Law of Ukraine "On Prosecution", the prosecutor has the right to report a threat to his or her independence to the Council of Prosecutors of Ukraine, which is obliged to immediately check and consider such a report with his or her participation and take the necessary measures to eliminate the threat within the limits of its powers under this Law.

=

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 In 2022, the selection of candidates for the position of prosecutor was carried out from among persons who met the requirements set forth in Article 27 of the Law of Ukraine "On Prosecution" (as amended by the Law of Ukraine No. 2203-IX of April 14, 2022). According to part one of Art. 27 of the Law of Ukraine "On Prosecution", a citizen of Ukraine with a higher legal education, at least two years of work experience in the field of law and a command of the state language could be appointed as a prosecutor of the district prosecutor's office.

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

. In 2022, the selection of candidates and their appointment to the position of a district prosecutor was carried out in accordance with the procedure set forth in Article 29 of the Law of Ukraine "On Prosecution" and included the following steps

- 1) adoption of a decision by the relevant body conducting disciplinary proceedings to select candidates for the position of a prosecutor;
- 2) submission of the relevant application and documents specified by the Law of Ukraine "On Prosecution" to the relevant body conducting disciplinary proceedings by persons who expressed their desire to become a prosecutor;
- 3) the relevant body conducting disciplinary proceedings shall verify the compliance of persons with the requirements set for a candidate for the position of a prosecutor on the basis of the documents submitted by the candidates for the position of a prosecutor; 4) passing the qualification exam by persons who meet the requirements for a candidate for the position of a prosecutor;
- 5) publication by the relevant body conducting disciplinary proceedings on the official website of the list of candidates who have successfully passed the qualification exam;
- 6) organization by the relevant disciplinary body of a special examination of candidates who have successfully passed the qualification examination; 7) determination by the relevant disciplinary body of the ranking of candidates for the position of a prosecutor among the persons who have successfully passed the qualification exam and have been subject to a special examination, as well as their inclusion in the reserve for filling vacant positions of prosecutors; 8) the candidate for the position of a prosecutor undergoes special training at the Training Center of Prosecutors of Ukraine;
- 9) announcement by the relevant disciplinary body, in case of opening of vacant positions of prosecutors, of a competition for such positions among candidates who are in the reserve and have undergone special training;
- 10) the relevant body conducting disciplinary proceedings shall hold a competition for vacant positions of prosecutors based on the rating of candidates;
- 11) the relevant body conducting disciplinary proceedings submits a proposal to the head of the regional prosecutor's office to appoint a candidate to the position of a prosecutor;
- 12) appointment of a person to the position of a prosecutor;
- 13) taking the oath of a prosecutor.

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: A candidate for the position of a prosecutor is also required to be proficient in the state language.

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	1 734 [] NA	[X] NA	[X] NA
Number of recruited persons	[X] NA	[X] NA	[X] NA

Comments In 2022, no appointments were made to this position as part of the selection of candidates for the position of district prosecutor.

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

() Yes

(X) No

Comments In 2022, 1734 people expressed a desire to become a prosecutor and applied for participation in the selection of candidates for the position of prosecutor. In the next selection, which began this year, 1778 people have already submitted such documents. Thus, the number of candidates has not decreased.

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:

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	10 [] NA [] NAP	8 [] NA [] NAP	2 [] NA [] NAP

Comments – Please specify what is the status of this authority and who is proposing/appointing its members: The column "Total" indicates the number of members of the Qualification and Disciplinary Commission of Prosecutors who have actually been appointed.

According to part 1 of Article 74 of the Law of Ukraine "On Prosecution", the number of members of the Commission is 11 (eleven) persons. Part 10 of Article 131 of the Constitution of Ukraine provides that, in accordance with the law, bodies and institutions shall be established in the justice system to ensure the selection of judges and prosecutors, their professional training, evaluation, consideration of cases of their disciplinary responsibility, financial and organizational support of courts.

Pursuant to parts one and two of Article 73 of the Law of Ukraine "On Prosecution", the body conducting disciplinary proceedings is the Qualification and Disciplinary Commission of Prosecutors, which is a collegial body that, in accordance with the powers provided for by this Law, determines the level of professional training of persons who have expressed their intention to hold the position of a prosecutor and decides on the disciplinary liability of prosecutors, transfer and dismissal of prosecutors. The Commission is a legal entity, has a seal with the image of the State Emblem of Ukraine and its name, an independent balance sheet and accounts with the State Treasury of Ukraine. It is worth noting that the relevant body conducting disciplinary proceedings was renamed the "Qualification and Disciplinary Commission of Prosecutors" after the Law No. 2203-IX of 14.04.2022 entered into force on 15.03.2023.

In accordance with part three of the same article, the procedure of the Commission's work is determined by the regulation adopted by the All-Ukrainian Conference of Prosecutors on April 27, 2017 (as amended).

Part 1 of Art. 74 of the Law of Ukraine "On Prosecution" stipulates that the Commission consists of eleven members who are citizens of Ukraine, have a higher legal education and at least ten years of experience in the field of law, of whom:

- 1) five prosecutors appointed by the All-Ukrainian Conference of Prosecutors;
- 2) two persons (scholars) are appointed by the congress of representatives of law schools and research institutions;
- 3) one person (lawyer) is appointed by the Congress of Advocates of Ukraine; 4) three persons are appointed by the Ukrainian Parliament Commissioner for Human Rights in agreement with the committee of the Verkhovna Rada of Ukraine responsible for the organization and operation of the prosecution authorities.

According to part one of Article 76 of the Law of Ukraine "On the Prosecutor's Office", the powers of a member of the Commission are terminated in the event of:

- 1) expiration of the term for which he/she was appointed
- 2) submission of a voluntary resignation
- 3) committing actions incompatible with the position of a member of the Commission;
- 4) holding a position provided for in part two of Article 74 of this Law;
- 5) inability to fulfill their powers for health reasons;
- 6) entry into force of a guilty verdict against him/her;
- 7) termination of Ukrainian citizenship or acquisition of citizenship of another state;
- 8) being declared missing or declared dead
- 9) death.

According to part one of Article 77 of the Law of Ukraine "On Prosecution", the Commission:

- 1) keeps records of the number of prosecutors' positions, including vacant and temporarily vacant ones
- 2) select candidates for the position of a prosecutor in accordance with the procedure established by this Law;
- 3) participate in the transfer of prosecutors;
- 4) consider disciplinary complaints about the commission of a disciplinary offense by a prosecutor and conduct disciplinary proceedings;
- 5) based on the results of the disciplinary proceedings and if there are grounds provided for by this Law, decide on the imposition of a disciplinary sanction on a prosecutor of the Prosecutor General's Office, regional and district prosecutor's offices or a decision on the impossibility of further holding the position of a prosecutor;
- 6) exercise other powers provided for by law.

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: Pursuant to part two of Article 32 of the Law of Ukraine "On Prosecution", the decision of the relevant disciplinary body to refuse to enroll a candidate in the reserve for filling vacant positions of prosecutors may be appealed by such candidate to the court.

Pursuant to the provisions of part five of Article 33 of the Law of Ukraine "On Prosecution", a candidate for the position of a prosecutor in respect of whom a decision was made to unsuccessfully complete special training may appeal such a decision to the relevant disciplinary body within 15 days from the date of receipt of a copy of such a decision.

Based on the results of the review, the relevant disciplinary body shall dismiss the complaint or satisfy the complaint and decide that the candidate for the position of a prosecutor has successfully completed the special training.

Also, the procedure for appealing against decisions of the relevant disciplinary body on the selection process is regulated by Section XI of the Regulation on the Procedure for Consideration of Issues and Preparation of Materials for the Selection of Candidates for a Vacant (Temporarily Vacant) Position of a District Prosecutor, approved by the decision of the relevant disciplinary body dated 26.10.2021 No. 11-21.

Thus, clause 11.1 of this Regulation stipulates that decisions to refuse to allow a person to take the qualification exam, to terminate participation in the selection, to prevent the candidate from undergoing special training, to exclude the candidate from the reserve for filling vacant positions of prosecutors, as well as other decisions on the selection process may be appealed to the relevant disciplinary authority or to the court.

A person who has expressed a desire to become a prosecutor or a candidate shall file a complaint against the decision in electronic form by sending it to the e-mail address of the relevant disciplinary body within three calendar days from the date of publication of the relevant decision on the official website of the relevant disciplinary body.

The complaint shall be signed by the person who has expressed a desire to become a prosecutor or candidate (clause 11.2 of the Regulation). The complaint against the decision is considered at a meeting of the relevant disciplinary body. The candidate is notified of the decision by sending a letter to the e-mail address specified in the complaint, with a copy of the relevant decision attached (clause 11.3 of the Regulation).

Repeated complaints and complaints from other persons, as well as those filed in violation of the established time limit and procedure, are not accepted for consideration (clause 11.4 of the Regulations).

In addition, pursuant to the provisions of Article 5 of the Code of Administrative Procedure of Ukraine, every person has the right to apply to an administrative court in accordance with the procedure established by this Code if he or she believes that his or her rights, freedoms or legitimate interests have been violated by a decision, action or inaction of a public authority.

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 prosecutors

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: The competition for a vacant or temporarily vacant position of a prosecutor in the procedure of transfer to a higher-level prosecution body should include (and in fact does include) an assessment of the prosecutor's professional level, experience, moral and business qualities and verification of his or her readiness to exercise powers in another prosecution body, including a higher-level one (Article 38 of the Law of Ukraine "On the Prosecution Service").

By the decision of the relevant disciplinary authority No. 13zp-21 dated October 26, 2021, the Procedure for conducting a competition for a vacant or temporarily vacant position of a prosecutor in the procedure of transfer to a higher-level prosecutor's office was approved. The said Procedure was developed in cooperation with the international partners of the said relevant disciplinary body - the Council of Europe Office in Ukraine, the European Union Advisory Mission to Ukraine, the European Union Pravo-Justice Project and the International Development Law Organization (IDLO).

The competition consists of the following stages: 1) announcement of the competition; 2) submission of applications by candidates; 3) verification of the submitted application and the candidate's identity for compliance with the formal requirements, formation of the list of candidates; 4) anonymous completion of a practical task by candidates; 5) integrity check of the candidate; 6) interview; 7) determination of the winner.

The publicity and transparency of the competition procedure is ensured, first, by publishing information on the results of all stages of the

competition on the official website of the Commission, participation of persons delegated by international organizations and other institutions (with their consent) as observers during the practical task, recording the practical task and interviews with candidates using video and audio recording equipment, as well as broadcasting the interview in real time, and conducting a public broadcast of the interview.

The integrity check includes, among other things, collection and evaluation of information on disciplinary or criminal proceedings against the candidate, complaints related to his/her professional activities and behavior both in the course of performance of official duties and outside of working hours, as well as other information that may indicate that the candidate meets the requirements of prosecutorial ethics as defined by the Laws of Ukraine "On Prosecution", "On Prevention of Corruption" and the Code of Professional Ethics and Conduct of Prosecutors.

During the interview, in accordance with the criteria set forth in the Methodology for Evaluation of Candidates for Vacant or Temporarily Vacant Positions of Prosecutors in Higher Level Prosecution Authorities, the issues related to the professional level, experience, moral and business qualities (based on the results of the integrity check) and readiness of the candidate to exercise powers in the higher level prosecution authority are examined, taking into account the results of the practical task, materials of the performance evaluation of the prosecutor for the year preceding the application. Information from open sources, including registries and databases, messages posted in the media, social networks, etc., and messages from third parties, shall also be evaluated.

No information and materials received by the Commission have any pre-established force for the Commission and are evaluated by the Commission independently based on the criteria set out in the Methodology. Each candidate is evaluated based on the information contained in his/her application for participation in the competition, taking into account the answers given during the interview, the results of the integrity check and the practical task.

The purpose of the evaluation is to select the candidate who best meets the competition criteria, as well as has the appropriate professional level, experience, moral and business qualities and is ready to exercise powers in a higher-level prosecution body.

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	628 [] NA	467 [] NA	161 [] NA
Number of promoted persons	43 [] NA	34 [] NA	9 [] 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”): The criteria for assessing the candidate's professional level, experience, moral and business qualities, and readiness to exercise powers in a higher-level prosecution body are set out in the Methodology for Assessing Candidates for Vacant or Temporarily Vacant Prosecutor Positions in Higher-Level Prosecution Bodies.

The following criteria are used to select the winner based on the results of the competition: professional level, experience; moral and business qualities; readiness to exercise powers in a higher-level prosecutor's office.

For example, the candidate's compliance with the criterion of professional level and experience is assessed by the following indicators: application of legal knowledge (skills of implementation and application of law (substantive and procedural); ability to apply knowledge

in practice; ability to formulate legal positions and ability to apply legal argumentation; high-level skills of drafting procedural documents and public speaking (oratory); interaction with other bodies, institutions, organizations (ability to organize meetings, etc.).

The candidate's compliance with the criterion of moral and business qualities is assessed by the following indicators: integrity, professional ethics.

The candidate's compliance with the criterion of readiness to exercise powers in a higher-level prosecutor's office is assessed by the following indicators: strategic and analytical thinking; efficiency and responsibility; organization of activities and planning; communication and influence, conflict management; innovation and development

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:65

No

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

- 1) inability to fulfill the duties for health reasons
- 2) violation of the requirements for incompatibility by the judge
- 3) committing a significant disciplinary offense, gross or systematic neglect of duties that is incompatible with the status of a judge or has revealed his/her incompatibility with the position held
- 4) submission of resignation or voluntary dismissal from office;
- 5) refusal to be transferred to another court in case of liquidation or reorganization of the court where the judge holds office;
- 6) violation of the obligation to confirm the legality of the source of property.

The powers of a judge shall be terminated in case of:

- 1) the judge reaches the age of sixty-five;
- 2) termination of citizenship of Ukraine or acquisition of citizenship of another state by a judge;
- 3) entry into force of a court decision declaring the judge missing or declaring him/her dead, incapacitated or partially incapacitated;
- 4) death of a judge;
- 5) entry into force of a guilty verdict against a judge for committing a crime.

The state ensures personal security of judges and their family members.

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):comments

No

Comments According to the second paragraph of the first part of Article 55 of the Law of Ukraine dated 02.06.2016 No. 1402--VIII "On the Judiciary and the Status of Judges" during the period of the state of emergency or martial law and subject to the change of territorial jurisdiction of court cases considered in the relevant court in accordance with the procedure provided for in part seven of Article 147 of this Law, a judge of the court whose territorial jurisdiction is changed may, without his/her consent, be seconded to administer justice to the court that determines the territorial jurisdiction of the cases that were in the proceedings of the court in which the judge works, and in the absence of vacancies in this court - to another court of the same level and specialization. The changes were enacted by the Law No. 2461-IX of 27.07.2022.

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

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

No

Comments

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

Yes, please indicate the compulsory retirement age:65

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: According to Article 16(3) of the Law of Ukraine "On Prosecution", a prosecutor is appointed for an indefinite term and may be dismissed from office, and his/her powers in office may be terminated only on the grounds and in the manner prescribed by this Law (Articles 49, 51-61).

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

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

No

Comments

125. If the mandate 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

NAP

Comments

126-1. Is it renewable?

Yes

No

NAP

Comments

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

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)	<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 judicial functions (e.g. judge for economic or administrative issues)	<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 of the court (e.g. court president)	<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
In-service training for the use of computer facilities in courts	<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 ethics	<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 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other in- service training	<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

Comments The Law defines a separate type of training - special training of a candidate for the position of a judge (Article 77). Judges undergo mandatory training to maintain their qualifications at least once every three years.(Article 89 of the Law of Ukraine).

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 type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in courts	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on ethics	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
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 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 type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

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

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

Comments Initial training - The Law of Ukraine "On the Judiciary and the Status of Judges" does not stipulate the number of trainings for judicial candidates. The number of trainings is stipulated in the Program and Curriculum approved by the High Qualification Commission

of Judges of Ukraine in accordance with the Law. The program is created for each course of recruitment of judges. Special training for judicial candidates was conducted in 2018 and 2019. No special training was conducted in 2020-2023, as there was no course of recruitment of judges. The same issue concerns the number of days. Mandatory (once every 3 years). The training lasts 40 hours (or 5 days) and consists of lectures and workshops. However, the number of trainings within the training program is not regulated (i.e., it can be from 1 to 2–3 trainings)

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 type="checkbox"/> Yes <input checked="" 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 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 for management functions (e.g. Head of prosecution office, manager)	<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 for the use of computer facilities in office	<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 ethics	<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
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other in- service training	<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

Comments At the same time, we would like to inform you that in accordance with part two of Article 19 of the Law of Ukraine "On Prosecution" (hereinafter - the Law), a prosecutor is obliged to improve his or her professional level and to improve his or her qualifications for this purpose.

The prosecutor periodically undergoes training at the Training Center of Prosecutors of Ukraine, which should include the study of the rules of prosecutorial ethics.

Article 80 of the Law stipulates that the Training Center of Prosecutors of Ukraine shall provide advanced training for prosecutors.

Continuous professional development is an integral part of the duties of each prosecutor and is carried out taking into account individual needs for professional development, as defined by the Regulation on the system of advanced training of prosecutors (hereinafter - the Regulation), approved by the order of the Prosecutor General dated 15.06.2021 No. 200.

Clause 5 of Section I of the Regulation stipulates that training at the Training Center of Prosecutors of Ukraine is the main form of professional development.

Section V of the Regulations regulates training (education) at the Training Center.

In particular, training of prosecutors in the Training Center of Prosecutors of Ukraine (hereinafter - TCPU) is provided in the form of training courses/trainings and consists in improving (obtaining new) professional knowledge and skills, developing personal competence of the prosecutor, studying the rules of prosecutorial ethics and requirements of anti-corruption legislation.

Depending on the prosecutors' need for advanced training or acquisition of new knowledge and skills, the prosecutor independently chooses a training course from the Training Catalog for Prosecutors, which is developed by the TCPU taking into account the practical needs of prosecutorial activity based on analytical studies of the TCPU and proposals of the Office of the Prosecutor General, regional and

district prosecutor's offices.

Catalogs of training programs (trainings) for prosecutors and calendar plans of training courses/trainings are posted on the official website of the TCPU, the online professional development platform, and are immediately sent to the personnel unit of the Office of the Prosecutor General, regional prosecutor's offices, the content of which is also communicated to prosecutors.

In view of the above, prosecutors are not limited to professional development only on professional ethics or compliance with anti-corruption legislation.

Thus, in 2022, 6,834 prosecutors upgraded their qualifications at the TCPU and received 28,264 certificates.

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

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors: Pursuant to part two of Article 19 of the Law of Ukraine "On Prosecution", a prosecutor is obliged to improve his or her professional level and to upgrade qualifications for this purpose.

Continuing professional development is an integral part of the duties of each prosecutor and is carried out taking into account individual needs for professional development, as defined by the Regulation on the system of advanced training of prosecutors (hereinafter - the

Regulation), approved by the order of the Prosecutor General dated 15.06.2021 No. 200.

Article 80 of the Law stipulates that the training of prosecutors is carried out by the Training Center of Prosecutors of Ukraine. In particular, the training of prosecutors at the TPCU is provided in the form of training courses/trainings and consists in improving (acquiring new) professional knowledge and skills, developing the personal competence of the prosecutor, studying the rules of prosecutorial ethics and the requirements of anti-corruption legislation.

Depending on the prosecutor's need for advanced training or new knowledge and skills, the prosecutor independently chooses a training course from the Training Catalog for Prosecutors, which is developed by the TPCU taking into account the practical needs of prosecutorial activity based on analytical studies of the TPCU and proposals of the Office of the Prosecutor General, regional and district prosecutor's offices.

A prosecutor is considered to have completed the in-service training at the TPCU if he or she has received 60 credits within 48 months of participating in training courses/trainings.

The training of prosecutors in the TPCU is provided in the form of training courses/trainings and consists of improving (acquiring new) professional knowledge and skills, developing the personal competence of the prosecutor, studying the rules of prosecutorial ethics and the requirements of anti-corruption legislation.

The number of credit points for each training course/training is determined by the TPCU depending on its subject, complexity and duration.

Training at the TPCU is conducted in full-time, distance and online forms.

Prosecutors independently select trainings from the Catalog of Training Programs for Prosecutors, taking into account the practical needs of their work. Every year, prosecutors take distance courses on ethics and anti-corruption. Some specializations of prosecutors have mandatory trainings, such as juvenile prosecutors and prosecutors for combating human trafficking.

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

	Per prosecutor
Initial compulsory training – minimum number of trainings	_____ 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 A prosecutor is deemed to have completed the in-service training at the TPCU if he or she has gained 60 credits as a result of participating in training courses/trainings within 48 months.

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 checked="" type="checkbox"/>
Institution(s) for prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Institution(s) for both judges and prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input 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	2 744 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Institution(s) for prosecutors	1 996 300 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Institution(s) for both judges and prosecutors	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

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

. Continuous professional development is an integral part of the duties of each prosecutor and is carried out taking into account individual professional development needs, as defined by the Regulation on the system of advanced training of prosecutors (hereinafter - the Regulation), approved by the Order of the Prosecutor General dated June 15, 2021, No. 200.

Section V of the Regulation regulates training (education) at the Training Center.

In particular, training of prosecutors at the Training Center of Prosecutors of Ukraine (hereinafter referred to as the TCPU) is provided in the form of training courses/trainings and consists in improving (acquiring new) professional knowledge and skills, developing personal competence of the prosecutor, studying the rules of prosecutorial ethics and requirements of anti-corruption legislation. Depending on the prosecutors' need for advanced training or acquisition of new knowledge and skills, the prosecutor independently chooses a training course from the Training Catalog for Prosecutors, which is developed by the TCPU taking into account the practical needs of prosecutorial activity based on analytical studies of the TCPU and proposals of the Office of the Prosecutor General, regional and district prosecutor's offices.

Catalogs of training programs (trainings) for prosecutors and calendar plans of training courses/trainings are posted on the official website of the TCPU, the online professional development platform, and are immediately sent to the personnel unit of the Office of the Prosecutor General, regional prosecutor's offices, the content of which is also communicated to prosecutors.

In view of the above, prosecutors are not limited to professional development only on professional ethics or compliance with anti-corruption legislation, but also on other issues

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	934 [] NA [] NAP	2 010 [] NA [] NAP	[X] NA [] NAP	100 [] NA [] NAP
For judges	307 [] NA [] NAP	779 [] NA [] NAP	[X] NA [] NAP	26 [] NA [] NAP
For prosecutors	64 [] NA [] NAP	120 [] NA [] NAP	[] NA [] NAP	10 [] NA [] NAP
For non-judge staff	544 [] NA [] NAP	1 088 [] NA [] NAP	[X] NA [] NAP	62 [] NA [] NAP
For non-prosecutor staff	19 [] NA [] NAP	23 [] NA [] NAP	[] NA [] NAP	2 [] NA [] NAP

Comments

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	52 542 [] NA [] NAP	14 844 [] NA [] NAP
Judges	10 158 [] NA [] NAP	400 [] NA [] NAP
Prosecutors	15 364 [] NA [] NAP	12 867 [] NA [] NAP
Non-judge staff	24 110 [] NA [] NAP	1 484 [] NA [] NAP
Non-prosecutor staff	2 910 [] NA [] NAP	93 [] NA [] NAP

Comments

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

Sources: Information and Analytical Report on the Activities of the National School of Judges of Ukraine in 2022

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	24 173 <input type="checkbox"/> NA <input type="checkbox"/> NAP	19 459 <input type="checkbox"/> NA <input type="checkbox"/> NAP	942 747 <input type="checkbox"/> NA <input type="checkbox"/> NAP	758 911 <input type="checkbox"/> NA <input 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)	107 230 <input type="checkbox"/> NA <input type="checkbox"/> NAP	86 320 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 181 996 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 366 507 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor at the beginning of his/her career	19 225 <input type="checkbox"/> NA <input type="checkbox"/> NAP	15 476 <input type="checkbox"/> NA <input type="checkbox"/> NAP	749 800 <input type="checkbox"/> NA <input type="checkbox"/> NAP	603 600 <input type="checkbox"/> NA <input 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).	40 641 <input type="checkbox"/> NA <input type="checkbox"/> NAP	32 717 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 585 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 276 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comment – Please describe briefly how the salaries are determined during the career of a judge/prosecutor: In 2022, the net annual salary, in local currency, for a first instance professional judge at the beginning of his/her career remained at the level of 2020.

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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Housing	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other financial benefit	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

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

=

135. Can judges 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	() Yes (X) No	() Yes (X) No
Consultant	() Yes (X) No	() Yes (X) No
Cultural function	(X) Yes () No	(X) Yes () No
Political function	() Yes (X) No	() Yes (X) No
Mediator	() Yes (X) No	() Yes (X) No
Other function	() Yes (X) No	() Yes (X) No

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

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

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

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify: Part 4 of Art. 25 of the Law of Ukraine "On Prevention of Corruption" stipulates that persons authorized to perform the functions of the state and local self-government bodies, including prosecutors, are prohibited from:

- 1) engage in other paid activities (except for teaching, scientific and creative activities, medical practice, instructing and refereeing in sports) or entrepreneurial activities, unless otherwise provided by the Constitution or laws of Ukraine;
- 2) be a member of the management board, other executive or controlling bodies, supervisory board of an enterprise or organization aimed at making profit (except in cases when persons perform functions of managing shares (stakes, units) owned by the state or a territorial community and represent the interests of the state or a territorial community in the board (supervisory board)), unless otherwise provided by the Constitution or laws of Ukraine, except as provided for in the first paragraph of part two of this Article.

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
- 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
- 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 According to Article 3 of the Law of Ukraine "On Prosecution", the activity of the prosecutor's office is based, among other things, on the principles of strict compliance with the requirements of professional ethics and behavior.

Pursuant to Articles 19 and 67 of the Law of Ukraine "On Prosecution", a prosecutor is obliged to comply with the rules of prosecutorial ethics, in particular, to avoid behavior that discredits him or her as a representative of the prosecution and may damage the authority of the prosecution. The Code of Professional Ethics and Conduct of Prosecutors is approved by the All-Ukrainian Conference of Prosecutors, which is the highest body of prosecutorial self-government.

In 2022, the Code of Professional Ethics and Conduct for Prosecutors, approved by the All-Ukrainian Conference of Prosecutors on April 27, 2017 (as amended by the All-Ukrainian Conference of Prosecutors on December 21, 2018, and August 28, 2021), was in force. Currently, this document is in force as amended on February 28, 2023.

This document defines the basic principles, moral norms and rules of prosecutorial ethics that should guide prosecutors in the performance of their official duties and outside of service.

At the same time, it should be noted that pursuant to Article 71 of the Law of Ukraine "On Prosecution", the Council of Prosecutors of Ukraine, which is the highest body of prosecutorial self-government between all-Ukrainian conferences of prosecutors, is, among other things, authorized to provide explanations on compliance with the requirements of the legislation on the settlement of conflicts of interest in the activities of prosecutors, the head or members of the relevant body conducting disciplinary proceedings.

We would like to note that by the decision of the Council of Prosecutors of Ukraine No. 36 dated 23.11.2022, the article-by-article Commentary to the Code of Professional Ethics and Conduct of Prosecutors was approved. The said Commentary is posted, in particular, on the website of the Prosecutor General's Office (<https://gp.gov.ua/ua/posts/prokurorska-etika>).

Pursuant to Article 32 of the said Code, the assessment of compliance with the norms of professional ethics and conduct of prosecutors may be conducted during disciplinary proceedings and internal investigations.

An internal investigation is a set of measures taken to clarify the circumstances that gave rise to its appointment (clause 3 of Section I of the Instruction on the Procedure for Conducting Internal Investigations of Prosecutors, approved by Order of the Prosecutor General of Ukraine No. 202 dated 16.06.2021).

In addition, in accordance with clause 6 of part 1 of Article 43, Articles 45, 48 of the Law of Ukraine "On Prosecution", a single gross violation of the rules of prosecutorial ethics is the basis for bringing a prosecutor to disciplinary responsibility in the course of disciplinary proceedings, i.e. the procedure for consideration by the relevant body conducting disciplinary proceedings against prosecutors of a disciplinary complaint containing information about a disciplinary offense committed by a prosecutor. The relevant body conducting disciplinary proceedings shall make a decision in the disciplinary proceedings by a majority vote of its total membership.

In the disciplinary proceedings, in order to verify the arguments of the complaint, a member of the relevant body conducting disciplinary proceedings who has decided to initiate it may initiate an inspection of compliance with the norms of professional ethics and conduct of the prosecutor, and during an internal investigation - officials of the prosecution authorities authorized to appoint such an investigation. According to the Instruction, these are: The Prosecutor General, heads of regional, specialized regional prosecutor's offices or persons performing their duties, and the Deputy Prosecutor General - head of the Specialized Anti-Corruption Prosecutor's Office. The final legal assessment of the prosecutor's compliance/non-compliance with the norms of professional ethics and behavior in the disciplinary proceedings is provided by the disciplinary body after reviewing the conclusion 180 on the presence or absence of a disciplinary offense by the prosecutor. The results of the internal investigation are formalized in a conclusion, on the basis of which the relevant managers may take administrative and organizational measures in accordance with the procedure established by the Law, including initiating the issue of dismissal of the prosecutor from an administrative position or bringing the prosecutor to disciplinary responsibility for violation of the provisions of the Code.

In view of the above, the recognition of a certain act of a prosecutor as a one-time gross violation of the rules of prosecutorial ethics falls within the competence of the relevant body conducting disciplinary proceedings.

At the same time, the Law of Ukraine "On Prosecution" and the Code do not provide for the provision of opinions on ethical issues of prosecutors' behavior outside these procedures.

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

Only prosecutors

Prosecutors and other legal professionals

Other, please specify:

Comments Pursuant to Article 69 of the Law of Ukraine "On Prosecution", delegates to the All-Ukrainian Conference of Prosecutors are elected by: the meeting of prosecutors of the Prosecutor General's Office - six prosecutors of the Prosecutor General's Office; the meeting of prosecutors of regional prosecutor's offices - three prosecutors from each regional prosecutor's office; the meeting of prosecutors of district prosecutor's offices - two prosecutors from each district prosecutor's office.

Pursuant to Article 71(2) of the Law of Ukraine "On Prosecution", the Council of Prosecutors of Ukraine consists of thirteen members, namely: 2 prosecutors from the Office of the Prosecutor General; 4 from the regional and 5 from the district prosecutor's offices; 2 representatives (scholars) appointed by the congress of representatives of law schools and research institutions.

Article 74 of the Law of Ukraine "On Prosecution" stipulates that the relevant body conducting disciplinary proceedings consists of eleven members who are citizens of Ukraine, have higher legal education and at least ten years of experience in the field of law, whom: five prosecutors are appointed by the All-Ukrainian Conference of Prosecutors; two persons (academics) are appointed by the Congress of Representatives of Law Schools and Research Institutions; one person (lawyer) is appointed by the Congress of Advocates of Ukraine; three persons are appointed by the Commissioner of the Verkhovna Rada of Ukraine.

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. The Code of Professional Ethics and Conduct for Prosecutors is available on the official website of the Prosecutor General's Office at the following link:

https://old.gp.gov.ua/ua/file_downloader.html?_m=fslib&_t=fsfile&_c=download&file_id=228319

The Article-by-Article Commentary to the Code of Professional Ethics and Conduct for Prosecutors is available on the official website of the Prosecutor General's Office at the following link:

https://old.gp.gov.ua/ua/file_downloader.html?_m=fslib&_t=fsfile&_c=download&file_id=223942

In addition, pursuant to part 2 of Article 45 of the Law of Ukraine "On Prosecution", anyone who has knowledge of such facts has the right to file a disciplinary complaint against a prosecutor for committing a disciplinary offense. A recommended sample of a disciplinary complaint is available on the website of the Prosecutor General's Office:

https://old.gp.gov.ua/ua/file_downloader.html?_m=fslib&_t=fsfile&_c=download&file_id=214575.

Decisions of the relevant body conducting disciplinary proceedings (Qualification and Disciplinary Commission of Prosecutors), including those concerning compliance with the standards of professional ethics and conduct of a prosecutor, are published on the official website of the said body

138-5-1. 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

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 Pursuant to Article 45(2) of the Law of Ukraine "On Prosecution", anyone with knowledge of such facts has the right to file a disciplinary complaint against a prosecutor with the relevant body conducting disciplinary proceedings against prosecutors. A recommended sample of a disciplinary complaint is available on the website of the Prosecutor General's Office

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)	252 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	252 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	106 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	106 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	130 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	130 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	1 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	15 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	15 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: "Other" means "violation of the procedure established by law for submitting a declaration of a person authorized to perform the functions of the state or local self-government (paragraph 4 of part one of Article 43 of the Law of Ukraine "On Prosecution"), improper performance of official duties, violation of financial control requirements, failure to submit an integrity questionnaire by prosecutors.

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

	Judges	Prosecutors
Total number (total 1 to 10)	116 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	116 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	70 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	70 <input type="checkbox"/> NA <input type="checkbox"/> NAP

2. Suspension	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Withdrawal from cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Fine	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
5. Temporary reduction of salary	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
6. Position downgrade	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
7. Transfer to another geographical (court) location	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
8. Resignation	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
9. Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	19 <input type="checkbox"/> NA <input type="checkbox"/> NAP
10. Dismissal	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	27 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons. Part one of Article 49 of the Law of Ukraine "On Prosecution" provides that the following disciplinary sanctions may be imposed on a prosecutor: 1) a reprimand; 2) a ban for up to one year on transfer to a higher-level prosecutorial authority or on appointment to a higher position in the prosecutorial authority where the prosecutor holds a position (except for the Prosecutor General); 3) dismissal from the prosecutorial authority. Thus, "Other" should be understood as a disciplinary sanction - a ban for up to one year on transfer to a higher-level prosecution body or appointment to a higher position in the prosecution body where the prosecutor holds a position.

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

Sources: Sources for answers are: Law of Ukraine "On Prosecution"; Law of Ukraine "On Prevention of Corruption"; Code of Professional Ethics and Conduct of Prosecutors; information from the automated system of distribution of disciplinary complaints, records of the department for preparation of materials on disciplinary responsibility and dismissal of prosecutors from the positions of the Department of Organizational Support of Activities (Secretariat) of the Qualification and Disciplinary Commission of Prosecutors of the Department of Personnel and Civil Service of the Office of the Prosecutor General for 2022.

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	64 594 <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" 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 (X)

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	() Yes always () Yes in some cases () No <input type="checkbox"/> NAP	() Yes always () Yes in some cases () No <input type="checkbox"/> NAP	() Yes always () Yes in some cases () No <input type="checkbox"/> NAP
Dismissal cases	() Yes always () Yes in some cases () No <input type="checkbox"/> NAP	() Yes always () Yes in some cases () No <input type="checkbox"/> NAP	() Yes always () Yes in some cases () No <input type="checkbox"/> NAP
Criminal cases – Defendant	() Yes always () Yes in some cases () No <input type="checkbox"/> NAP	() Yes always () Yes in some cases () No <input type="checkbox"/> NAP	() Yes always () Yes in some cases () No <input type="checkbox"/> NAP
Criminal cases – Victim	() Yes always () Yes in some cases () No <input type="checkbox"/> NAP	() Yes always () Yes in some cases () No <input type="checkbox"/> NAP	() Yes always () Yes in some cases () No <input type="checkbox"/> NAP
Administrative cases	() Yes always () Yes in some cases () No <input type="checkbox"/> NAP	() Yes always () Yes in some cases () No <input type="checkbox"/> NAP	() Yes always () Yes in some cases () 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	() Yes () No	() Yes () No	() Yes () No
Family member	() Yes () No	() Yes () No	() Yes () No
Self-representation	() Yes () No	() Yes () No	() Yes () No
Trade union	() Yes () No	() Yes () No	() Yes () No
Other	() Yes () No	() Yes () No	() 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):

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:

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):

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)	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	<input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	<input 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)	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Fine	<input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other	<input type="checkbox"/> NA <input type="checkbox"/> NAP

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

7. Court related mediation and other alternative Dispute Resolution

7.1. Court related mediation

7.1.1 Details on court related mediation

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

Yes

No

Comments The procedural law provides for the obligation of the court to inform the parties about the possibility of mediation. Articles 49 of the Civil Procedure Code of Ukraine and 46 of the Commercial Procedure Code of Ukraine stipulate that the parties may reconcile, including through mediation, at any stage of the court proceedings. The result of the parties' agreement may be formalized in a settlement agreement. In turn, Article 47 of the Code of Administrative Procedure of Ukraine provides that the parties may reach reconciliation, including through mediation, at any stage of the court proceedings, which is the basis for closing the administrative case. At the preparatory hearing, the court finds out whether the parties wish to settle the dispute out of court through mediation. The court may adjourn the preliminary hearing if necessary, in particular if the parties agree to settle the dispute out of court through mediation (197-198 of the Civil Procedure Code, 182-183 of the Commercial Procedure Code, 180, 183 of the Administrative Procedure Code) The court is obliged to suspend the proceedings if both parties file a motion to suspend the proceedings in connection with mediation. The proceedings are suspended for the duration of the mediation, but not more than ninety days from the date of the court's decision to suspend the proceedings.(251, 253 of the Civil Procedure Code, 227, 229 of the Commercial Procedure Code). In administrative proceedings, the court suspends the proceedings if both parties file a motion to provide them with time for reconciliation, including through mediation, until the expiration of the term stated by the parties in the motion (Article 236 of the CAP). The settlement agreement concluded by the parties is approved by a court ruling, the operative part of which specifies the terms of the agreement. By approving the settlement agreement, the court simultaneously closes the proceedings in the case by the same ruling (Articles 207 of the Civil Procedure Code, 192 of the Commercial Procedure Code). If the parties agree to enter into a settlement agreement, the plaintiff withdraws from the claim or the defendant recognizes the claim as a result of mediation, the court shall decide in a relevant ruling or decision in accordance with the procedure established by law to refund 60% of the court fee paid when filing the claim to the plaintiff from the state budget (Articles 142 of the Civil Procedure Code, 130 of the Commercial Procedure Code).

The procedure for mediation is defined by the Law of Ukraine "On Mediation".

There is also a separate procedure for dispute resolution with the participation of a judge.

Articles 201-205 of the Civil Procedure Code of Ukraine, 186-190 of the Commercial Procedure Code of Ukraine, 184-188 of the Administrative Procedure Code of Ukraine provide for the dispute resolution procedure with the participation of a judge.

Dispute resolution with the participation of a judge is carried out with the consent of the parties before the commencement of the case on the merits. The court shall issue a ruling on the dispute resolution procedure with the participation of a judge, which simultaneously suspends the proceedings in the case.

Dispute resolution with the participation of a judge shall be carried out in the form of joint and (or) closed meetings. The parties have the right to participate in such meetings by video conference. Joint meetings shall be held with the participation of all parties, their representatives and the judge. Closed meetings are held at the initiative of the judge with each of the parties separately.

At the beginning of the first joint dispute resolution meeting, the judge shall explain to the parties the purpose, procedure for dispute resolution with the participation of the judge, rights and obligations of the parties. During the joint meetings, the judge shall clarify the grounds and subject matter of the claim, the grounds for objections, explain to the parties the subject matter of proof for the category of dispute under consideration, invite the parties to submit proposals for the amicable settlement of the dispute and take other actions aimed at the amicable settlement of the dispute by the parties. The judge may suggest to the parties a possible way of amicable settlement of the dispute. During closed meetings, the judge has the right to draw the party's attention to the court practice in similar disputes, to offer the party and (or) its representative possible ways of amicable settlement of the dispute. During the dispute resolution, the judge is not entitled to provide the parties with legal advice and recommendations, or to evaluate the evidence in the case.

Dispute resolution involving a judge shall be terminated:

- 1) if a party submits an application for termination of dispute resolution with the participation of a judge
- 2) in case of expiration of the term for dispute settlement with the participation of a judge (no more than thirty days from the date of the decision to conduct it)
- 3) on the initiative of the judge in case of delay in dispute settlement by either party;
- 4) if the parties enter into a settlement agreement and apply to the court for its approval or if the plaintiff applies to the court for dismissal of the claim, or if the plaintiff withdraws from the claim or the defendant recognizes the claim.

The judge shall issue a ruling on the termination of the dispute settlement, which is not subject to appeal. At the same time, the judge decides whether to resume the proceedings.

In case the parties fail to reach a peaceful settlement of the dispute based on the results of the dispute settlement, the dispute settlement with the participation of a judge shall be repeated.

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

. In accordance with the provisions of Articles 9 and 10 of the Law of Ukraine No. 1875-IX "On Mediation" dated 16.11.2021, a mediator may be an individual who has undergone basic mediation training in Ukraine or abroad.

A mediator may not be a person with a criminal record, a person whose civil capacity is limited, or an incapacitated person.

The basic training of mediators shall be carried out according to the program of at least 90 hours of training, including at least 45 hours of practical training. The basic training program for mediators shall include theoretical training and practical skills training.

Mediators shall be trained by educational entities.

The training of mediators, in addition to basic training, may include specialized training in accordance with the training programs

developed by educational entities.

Upon completion of basic and/or specialized training and confirmation of the acquired competencies, a relevant certificate is issued.

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)	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP
1. Civil and commercial cases	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP
2. Family cases	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP
3. Administrative cases	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP
4. Labour cases including employment dismissal cases	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP
5. Criminal cases	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP
6. Consumer cases	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP
7. Other cases	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP

Comments - Please indicate the source:

=

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

- Mediation other than court-related mediation
- Arbitration
- Conciliation (if different from mediation)
- Other ADR (please specify): arbitration courts

Comments On November 16, 2021, the Verkhovna Rada of Ukraine adopted the Law of Ukraine No. 1875-IX "On Mediation", which entered into force on December 15, 2021. This Law defines the legal basis and procedure for mediation as an out-of-court procedure for resolving a conflict (dispute), the principles of mediation, the status of a mediator, requirements for his or her training and other issues related to this procedure. This Law applies to social relations related to mediation in order to prevent conflicts (disputes) in the future or to resolve any conflicts (disputes), including civil, family, labor, economic, administrative, as well as in cases of administrative offenses and in criminal proceedings with the aim of reconciling the victim with the suspect (accused). The Law is available on the official website of

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

Source: Civil Procedure Code of Ukraine No. 1618-IV dated March 18, 2004;
 Law of Ukraine No. 1402-VIII "On the Judiciary and the Status of Judges" dated June 2, 2016;
 Law of Ukraine No. 1875-IX of November 16, 2021 "On Mediation";
 Law of Ukraine No. 1701-IV "On Arbitration Courts" dated May 11, 2004;
 Law of Ukraine dated 24.02.1994 No. 4002-XII "On International Commercial Arbitration"

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)	5 584 <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
1. Private professionals under the authority (control) of public authorities	325 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Enforcement agents working in a public institution (civil servants paid by state)	5 259 <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
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:

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)?

Yes, please indicate the age of retirement: 65

No, please specify the duration of the appointment:

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: According to part five of the Article of the Law of Ukraine "On Civil Service", dismissal from a civil service position service is an exceptional type of disciplinary sanction and may be applied only in case of disciplinary offenses provided for in paragraphs 1, 3, 7, 9-11, 13, 14 of part two of Article 65 of this Law, as well as committing systematically (repeatedly within a year) a disciplinary offense under clause 12 of part two of Article 65 of this Law.

At the same time, the activities of a private enforcement officer may be terminated in the cases specified in Article 44 of the Law of Ukraine

"On Bodies and Persons Enforcing Court Judgments and Decisions of Other Bodies.

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	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Date of birth	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Civil status	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Cohabitant	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Employer	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Motor vehicle	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Movable property	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Immovable property	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Bank account	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other enforcement proceedings underway	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Insolvency proceedings (bankruptcy, judicial reorganisation, collective debt settlement etc.)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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 checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input 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 immoveable 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 NA

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

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: Law of Ukraine No. 1403-VIII dated June 2, 2016 "On Bodies and Persons Enforcing Court Decisions and Decisions of Other Bodies";

Law of Ukraine No. 1404-VIII dated June 2, 2016 "On Enforcement Proceedings";

Law of Ukraine No. 889-VIII of December 10, 2015 "On Civil Service";

Law of Ukraine of 05.06.2012 No. 4901-VI "On State Guarantees for the Enforcement of Court Judgments"; Law of Ukraine of 23.02.2006 No. 3477-IV "On the Enforcement of Judgments and Application of the Case Law of the European Court of Human Rights"

Resolution of the Cabinet of Ministers of Ukraine No. 643 dated 08.09.2016 "On Approval of the Procedure for Payment of Remuneration to State Enforcement Officers and their Amounts and the Amount of the Basic Remuneration of a Private Enforcement Officer"

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

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: Law of Ukraine No. 1403-VIII dated June 2, 2016 "On Bodies and Persons Enforcing Court Decisions and Decisions of Other Bodies";

Law of Ukraine No. 1404-VIII "On Enforcement Proceedings" dated June 2, 2016;

Instruction on the organization of enforcement of decisions, approved by the Order of the Ministry of Justice of Ukraine No. 512/5 dated 02.04.2012 (as amended by the Order of the Ministry of Justice of Ukraine No. 2832/5 dated 29.09.2016)

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	(X) Yes () No
for administrative cases	(X) Yes () 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):

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

Comments The procedure and terms for sending enforcement documents to the parties to the enforcement proceedings are set forth in Article 28 of the Law of Ukraine No. 1404-VIII "On Enforcement Proceedings" dated 02.06.2016.

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)	[X] NA [] NAP
1. For breach of professional ethics	[] NA [X] NAP
2. For professional inadequacy	37 [] NA [] NAP
3. For criminal offence	[] NA [X] NAP
4. Other	[] NA [X] NAP

Comments - If "other", please specify: Information is provided on the number of disciplinary proceedings initiated against private bailiffs. The information on the number of disciplinary proceedings initiated against state bailiffs is not generalized

188. Number of sanctions pronounced against enforcement agents:

Number of sanctions pronounced

Total number of sanctions (1+2+3+4+5)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Fine	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP

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

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

Source: Law of Ukraine No. 1403-VIII dated June 2, 2016 "On Bodies and Persons Enforcing Court Decisions and Decisions of Other Bodies";
 Law of Ukraine No. 1404-VIII "On Enforcement Proceedings" dated June 2, 2016;
 Law of Ukraine dated 05.06.2012 No. 4901-VI "On State Guarantees for the Enforcement of Court Judgments"; Law of Ukraine dated 23.02.2006 No. 3477-IV "On the Enforcement of Judgments and Application of the Case Law of the European Court of Human Rights"

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):

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions). Pursuant to Article 1 of the Law of Ukraine "On Bodies and Persons Enforcing Court Judgments and Decisions of Other Bodies", enforcement of court judgments and decisions of other bodies (officials) is entrusted to the state enforcement service and, in cases specified by the Law of Ukraine "On Enforcement Proceedings", to private enforcement officers.

The procedure for the enforcement of court decisions and decisions of other bodies (officials) is regulated by the Law of Ukraine "On

Enforcement Proceedings".

Pursuant to Article 12 of the Criminal Executive Code of Ukraine, the state executive service executes penalties in the form of confiscation of property in cases and in the manner prescribed by this Code and the laws of Ukraine.

The procedure for the enforcement of the decision on confiscation of property is set forth in Article 62 of the Law of Ukraine "On Enforcement Proceedings".

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)	6 451 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Private professionals (without control from public authorities)	5 647 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Holders of public offices appointed by the State	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Civil servants (paid by the State)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
4. Other	804 [] NA [] NAP	[X] NA [] NAP	[X] NA [] 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: It should be noted that a private notary is a self-employed, procedurally independent person.

As for notaries working in state notary offices (reported here in the category Other), the following should be noted:

State notary offices are established and liquidated by the Ministry of Justice of Ukraine;

the staff of the state notary's office is approved by the territorial body of the Ministry of Justice of Ukraine within the limits of the number of staff and salary fund established for state notary's offices;

state notary offices are maintained at the expense of the state budget.

However, notaries working in state notary offices are not civil servants within the meaning of the Law of Ukraine "On Civil Service"). Private notaries carry out independent professional activities. At the same time, the Ministry of Justice of Ukraine and its territorial bodies exercise control over the organization of the notary, check the organization of notarial activities of notaries, their compliance with the procedure for performing notarial acts and the rules of notarial record keeping.

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):

Comments

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

- yes, please indicate the age of retirement:tenure does not depend on retirement age
- no, please specify the duration of the appointment:

Comments - are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: In the cases specified in Article 12 of the Law of Ukraine "On Notaries", the certificate of the right to practice notary activities may be revoked.

The activities of a private notary may be either suspended or terminated in the cases specified in Articles 29 1, 30 of the Law of Ukraine "On Notaries".

Pursuant to Article 149 of the Labor Code of Ukraine, a public notary may be subject to disciplinary action.

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 checked="" type="checkbox"/> Yes, exclusively performed by notaries <input 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 type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" 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 checked="" type="checkbox"/> No <input 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 checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Public auctions	<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
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)comments
- None

Comments When performing notarial acts, notaries also use information from the following registers:

- The Register of Debtors;
- The Unified State Register of Court Decisions;
- The Unified State Register of Enforcement Proceedings;
- The Unified Database of Appraisal Reports;
- The State Register of Real Property Rights.

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

- Yes
- No

Comments - If yes, please specify: When performing notarial acts, notaries also use information from the following registers:

- The Register of Debtors;
- The Unified State Register of Court Decisions;
- The Unified State Register of Enforcement Proceedings;
- The Unified Database of Appraisal Reports;
- The State Register of Real Property Rights.

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	() Yes (X) No [] NAP	() Yes () No [X] NAP
Business registry	(X) Yes () No [] NAP	() Yes () No [X] NAP
Civil status/ Population registry	() Yes (X) No [] NAP	() Yes () No [X] NAP
Succession / Family law registry	(X) Yes () No [] NAP	() Yes () No [X] NAP
Any other registry (please specify)	(X) Yes () No [] NAP	() Yes () No [X] NAP
None	() Yes () No [X] NAP	() Yes () No [X] NAP

Comments

=

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
- [X] None

Comments

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

- [] Notariat / Professional body
- [] Other public authority
- [X] Another entity (please specify)none

Comments

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

- (X) Yes
- () No

Comments

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

- [] professional body

- court
- Ministry of Justice
- public prosecutor
- other (please specify):

Comments

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

- Yes
- No

Comments

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:
 Notary training is organized by a professional organization - the Notary Chamber of Ukraine.

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

Sources: Ministry of justice of Ukraine

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?): Pursuant to Article 9(1) of the Law of Ukraine "On Forensic Examination", forensic experts certified in accordance with this Law are included in the State Register of Certified Forensic Experts, which is maintained by the Ministry of Justice of Ukraine.

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

Yes, available on the internet

Yes

No

Comments

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: Pursuant to Articles 9 and 10 of the Law of Ukraine "On Forensic Expertise", forensic experts who have a relevant higher education, an educational qualification level not lower than a specialist, have undergone appropriate training and have obtained the qualification of a forensic expert in a particular specialty are included in the State Register of Certified Forensic Experts.

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

Yes, for how long 3 years

No

Comments Forensic experts must confirm the level of their professional knowledge once every three years.

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:

203. Is the title of judicial experts protected?

Yes

No

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

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

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

Comments

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

judicial proceedings

the profession of expert

other

Comments

=

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

Yes

No

Comments

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

Yes

No

Comments - If yes, please specify: Paragraph three of part one of Article 12 of the Law of Ukraine "On Forensic Expertise" provides for the obligation of a forensic expert, regardless of the type of proceedings and the basis for the examination, to recuse himself if there are grounds provided for by law that exclude his participation in the case.

The procedural law provides for the following grounds for self-recusal:

1) he/she is an applicant, victim, civil plaintiff, civil defendant, family member or close relative of a party, applicant, victim, civil plaintiff or civil defendant; a family member or close relative (husband, wife, father, mother, stepfather, stepmother, son, daughter, stepson, stepdaughter, brother, sister, grandfather, grandmother, grandson, granddaughter, adoptive parent, guardian or trustee, family member or close relative of these persons) of a party or other participants in the court proceedings, or persons who provided legal assistance to a party or other participants in the case

in this case;

2) he/she participated in the case as a witness, expert, specialist, translator, representative, attorney, court reporter or provided legal assistance to a party or other participants in the case in this or any other case;

3) he, his close relatives or family members are directly or indirectly interested in the outcome of the case;

4) he/she was or is in official or other dependence on the participants of the case;

5) clarification of the circumstances relevant to the case goes beyond the scope of his/her special knowledge;

6) he/she conducted an audit, inspection, etc., the materials of which are used in the case;

7) there are other circumstances that raise doubts about impartiality or objectivity.

205. Number of accredited or registered judicial experts:

	Total	Males	Females
Number of experts	5 916 <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

Comments As of 2022, the number of forensic experts (according to the Register of Certified Forensic Experts) research institutions of forensic examinations of the Ministry of Justice of Ukraine - 911;
Ministry of Internal Affairs of Ukraine - 2895;
Ministry of Health of Ukraine - 1534;
Security Service of Ukraine - 129;
State Border Guard Service of Ukraine - 12;
forensic experts who are not employees of state specialized forensic institutions - 435.
There is no information on the number of forensic experts by gender, as such information is not recorded.

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)	6 805 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1.Civil and commercial litigious cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.Administrative cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3.Criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4.Other cases	<input checked="" 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 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 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)	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Salary of public official (in case of forensic or another specialist – who is public employee)	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Freely agreed between expert and the parties	(X) Yes () No [] NAP	(X) Yes () 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?

() Yes

(X) No

If yes, please specify:

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

[] Selection processes

[X] Initial or continuous training

[X] Disciplinary procedures

[] NAP

Comments There are no associations of forensic experts yet, and there is a draft law that provides for the establishment of an Association of Private Forensic Experts. Currently, there are public organizations of forensic experts, their representatives are members of the Qualification and Disciplinary Chambers of the Central Expert Qualification Commission, and they can also conduct internships as part of the qualification training process for forensic experts.

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

Sources: The Law of Ukraine "On Forensic Examination";
The Law of Ukraine "On Ensuring the Security of Persons Participating in Criminal Proceedings";
Civil Procedure Code of Ukraine;
Commercial Procedure Code of Ukraine;

Code of Administrative Procedure;

Criminal Procedure Code of Ukraine;

Order of the Ministry of Justice "On Approval of the Regulation on the Central Expert Qualification Commission at the Ministry of Justice of Ukraine and the Certification of Forensic Experts" of 03.03.2015 No. 301/5

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: The Decree of the President of Ukraine No. 231/2021 dated 11.06.2021 approved the Strategy for the Development of the Justice System and Constitutional Justice for 2021-2023 (hereinafter - the Strategy), which defines the main principles and directions for the further sustainable functioning and development of the justice system, taking into account the best international standards and practices.

Subparagraph 1 of paragraph 2 of the said Decree instructs the Legal Reform Commission to ensure the development of an Action Plan for the implementation of the Strategy with the participation of representatives of state authorities, local governments, civil society institutions, leading specialists in various fields of law and international experts and approval of the Action Plan.

Prior to the introduction of martial law in Ukraine, the Legal Reform Commission was developing an Action Plan for the implementation of the Strategy.

In addition, it is worth noting that the Decree of the President of Ukraine No. 266/2022 "On the National Council for the Restoration of Ukraine from the Consequences of War" of 21.04.2022 established the National Council for the Restoration of Ukraine from the Consequences of War, approved the Regulation on the National Council for the Restoration of Ukraine from the Consequences of War and its staff.

In addition, in accordance with the said Regulation, the National Council for Reconstruction of Ukraine from the Consequences of War established working groups tasked with developing a draft Action Plan for Post-War Reconstruction and Development of Ukraine.

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:

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:

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: Law of Ukraine dated December 13, 2022 No. 2846-IX "On Amendments to Certain Legislative Acts of Ukraine on Improving the Procedure for Selecting Candidates for the Position of Judge of the Constitutional Court of Ukraine on a Competitive Basis" was adopted.

The Law amends the Law of Ukraine "On the Constitutional Court of Ukraine", the Rules of Procedure of the Verkhovna Rada of Ukraine

and other laws to involve a new special body in the competitive selection of candidates for the position of a judge of the Constitutional Court of Ukraine - the Advisory Group of Experts, which will assist the subjects appointing judges of the Constitutional Court in assessing the moral qualities and level of competence in the field of law of candidates for the position of a judge of the Constitutional Court.

The Advisory Group is composed of six persons appointed by the President of Ukraine, the Verkhovna Rada of Ukraine, the Congress of Judges of Ukraine, the Cabinet of Ministers of Ukraine upon proposals of the European Commission for Democracy through Law, international and foreign organizations that have been providing international technical assistance to Ukraine in the field of constitutional reform and/or rule of law and/or human rights protection and/or prevention and counteraction to corruption in accordance with international or interstate agreements over the past five years.

The implementation of the law will ensure a transparent, competitive selection of candidates for the positions of judges of the Constitutional Court of Ukraine for appointment by the President, the Verkhovna Rada and the Congress of Judges of Ukraine.

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 provisions of Law No. 2236-IX establish the procedure and mechanism for cooperation between the competent authorities of Ukraine and the International Criminal Court, create powerful tools for collecting evidence and investigating war crimes under the jurisdiction of the Court, and bringing to justice the perpetrators of such crimes, as well as crimes against humanity and acts of genocide on the territory of Ukraine.

In particular, the adopted amendments to the Criminal Procedure Code of Ukraine (hereinafter - the CPC of Ukraine) provide for the following key changes:

1) a preventive measure in the form of detention may be applied to a person in respect of whom the International Criminal Court (ICC) has requested temporary arrest or arrest and transfer;

2) the amount of bail is not determined when considering the application of a preventive measure in the form of detention in respect of persons in respect of whom the ICC has received a request.

In addition, the CPC of Ukraine is supplemented with a new Section IX-2 "Peculiarities of Cooperation with the International Criminal Court", which, in particular, defines: the scope and procedure of such cooperation; authorized central bodies of Ukraine for cooperation with the ICC; mechanisms of consultation with the ICC; procedure for transferring criminal proceedings within the framework of cooperation with the ICC; limits and sequence of fulfillment of the ICC's request for assistance; conditions of confidentiality and protection of information related to the national security of Ukraine during cooperation with the ICC; cf.

Law No. 2236-IX also amended the Criminal Executive Code of Ukraine and the Laws of Ukraine "On Pre-trial Detention" and "On Ensuring the Security of Persons Participating in Criminal Proceedings" related to the security and rights of a person subject to temporary arrest or detention at the request of the ICC.

Prior to the entry into force of the Rome Statute for Ukraine, this Law will be applied taking into account Ukraine's declarations of recognition of the ICC's jurisdiction in accordance with Article 12(3) of the Rome Statute of the ICC, and the issue of enforcement of the

ICC's decision on fine and/or confiscation will be resolved in accordance with the procedure provided for in Articles 603 and 604 of the CPC of Ukraine.

Separately, this Law states that its effect applies exclusively to cooperation with the International Criminal Court in order to extend its jurisdiction to persons (citizens of Ukraine, foreign citizens and stateless persons) who, at the time of committing a crime falling under the jurisdiction of the International Criminal Court, voluntarily or on the basis of subordination or on the basis of decisions (orders, instructions, etc.) of the military command, officials of state authorities of the Russian Federation or another country that assisted the Russian Federation etc.

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: On November 16, 2021, the Verkhovna Rada of Ukraine adopted the Law of Ukraine No. 1875-IX "On Mediation", which entered into force on December 15, 2021. The Law defines the legal basis and procedure for mediation as an out-of-court procedure for resolving a conflict (dispute), the principles of mediation, the status of a mediator, requirements for his or her training and other issues related to this procedure.

The Law applies to social relations related to mediation in order to prevent conflicts (disputes) in the future or to resolve any conflicts (disputes), including civil, family, labor, economic, administrative, as well as in cases of administrative offenses and in criminal proceedings with the aim of reconciling the victim with the suspect (accused).

The legislation may provide for specifics of mediation in certain categories of conflicts (disputes).

Mediation may be conducted before applying to a court, arbitration court, international commercial arbitration or during a pre-trial investigation, court, arbitration, arbitration proceedings, or during the execution of a court decision, arbitration court or international commercial arbitration.

Mediation does not affect the limitation period.

Mediation shall not be conducted in conflicts (disputes) that affect or may affect the rights and legitimate interests of third parties who are not parties to this mediation.

Conducting mediation

Prior to the mediation, the mediator or the entity providing the mediation shall take preparatory measures with the parties to an existing or possible conflict (dispute), together or separately, to determine the possibility of conducting mediation in order to prevent or resolve the conflict (dispute), including meetings, collection and exchange of information, documents necessary for the parties to the conflict (dispute) to make a decision and the mediator's decision to participate in mediation, as well as other measures agreed between the parties to the conflict (dispute) and the mediator or the entity providing the mediation.

Mediation shall be conducted by the mediator (mediators) in compliance with the requirements of the law, the mediation agreement, the rules of mediation and the rules of professional ethics of the mediator.

Mediation shall be terminated:

- 1) when the parties to the mediation conclude an agreement on the results of the mediation

- 2) upon expiration of the mediation period and/or the mediation agreement
- 3) in case of refusal of at least one of the parties to the mediation or the mediator (mediators) to participate in the mediation;
- 4) if a party to the mediation or the mediator (mediators) is recognized as an incapacitated person or a person whose civil capacity is limited;
- 5) in case of death of an individual who is a party to the mediation or liquidation of a legal entity that is a party to the mediation;
- 6) in other cases in accordance with the mediation agreement and the rules of mediation.

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:

208-16. Other

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: