

Local Human Rights and Justice Infrastructure in Ukraine: A Mapping for EU Accession

*Foundations for Justice and Human Rights in Ukraine:
The National Framework for Local Level Mapping*



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Introduction

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At various stages of the study, valuable insights were provided through consultations with experts and members of the RWI Ukraine Programme, in particular Theresia Kirkemann Boesen, Zuzana Zalanova, Josh Ounsted, and Igor Osyka, whose contributions are gratefully acknowledged.

Design illustrations and layout by Nataliia Sheludiakova

Raoul Wallenberg Institute of Human Rights and Humanitarian Law. *Local Human Rights and Justice Infrastructure in Ukraine. A Mapping for EU Accession. Foundations for Justice and Human Rights in Ukraine: The National framework for local Level Mapping.* Lund, 2026.

ISBN 978-91-90084-14-4

This publication has been prepared within the project “Human Rights Infrastructure for Ukraine (HRIU) Programme (2025–2027)” implemented by the Raoul Wallenberg Institute of Human Rights and Humanitarian Law (RWI). The programme is funded by the Swedish government through the Swedish International Development Cooperation Agency (Sida).

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This Foundation part serves as a point of reference for the entire study, including the volumes that analyse particular regions. It outlines the legal and institutional foundations of those elements of the human rights and justice system in Ukraine that are relevant for Chapter 23 of the EU Acquis and examined in the regional analysis.

The scope is selective and does not aim to describe the system in its entirety. Instead, it focuses on key institutions, frameworks, and organisational arrangements that structure the areas covered in the study, providing a common basis for understanding the regional findings.

It may be read at the beginning of the study to establish a general understanding of the system. It can also be consulted while reading the regional volumes, particularly when broader questions arise about institutional roles, legal foundations, or system design. By bringing together these elements in one place, the Foundation part aims to support coherence, clarity, and comparability across the study as a whole.

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OBJECTIVES AND METHODS

1. Objectives

The primary objective of this study is to map the human rights infrastructure of key institutions related to fundamental rights and the justice system at the local level in Ukraine. The mapping corresponds to Chapter 23 (Judiciary and Fundamental Rights) of the EU Acquis (hereinafter - Chapter 23) and the accession cluster process within Ukraine's European integration framework. The purpose of this study is not to assess compliance with European Union or international human rights and rule of law standards, but rather to develop an evidence-based overview of how the system currently functions in practice on the sub-national (local) level. The focus is on identifying existing trends, institutional capacities, and structural challenges that affect the protection of fundamental rights at the local level.

A secondary objective of the study is methodological. As this research was designed as a pilot study, it aims to develop, test, and refine a methodology that can be replicated or expanded in future mapping exercises of a similar nature. Particular attention was therefore paid to data collection techniques, accessibility of official information, and the feasibility of collecting comparable data across different regions and institutions.

A further objective of the study is to initiate and stimulate future research in the field of human rights infrastructure at the local level in Ukraine. By producing a structured and evidence based overview of institutional practices, the study seeks to identify areas that merit deeper academic interest at a later stage. In addition, the study aims to serve as a reference point for policy discussions by providing empirical material that can inform dialogue among policymakers, practitioners, and civil society actors. Through dissemination and engagement with relevant international organizations and stakeholders working in Ukraine, the research intends to promote informed discussion at both the policy and academic levels.

At the same time, the scope of the study is deliberately limited. It is not an objective of the research to assess or compare compliance with European Union standards, international human rights norms, or domestic legal requirements. The study also does not aim to monitor reform progress, evaluate policy outcomes, or track developments related to Ukraine's European integration process. Instead, it focuses on mapping and context specific analysis of existing institutional arrangements and practices, essential for progress on Chapter 23, without drawing qualitative conclusions or judgments regarding legal or policy alignment.

2. Conceptual Framework

For the purposes of this study, human rights infrastructure is understood as the institutional, administrative, and operational capacity of public and non-public actors involved in the protection, promotion, and enforcement of fundamental rights. The study focuses on measurable and descriptive institutional characteristics rather than normative performance. The analysis focuses on a set of institutions that form the core of the human rights and justice infrastructure relevant for Chapter 23. These include the judiciary, prosecution service, enforcement system, penitentiary and probation systems, the free legal aid system, the Ukrainian Parliament Commissioner for Human Rights, the bar, and selected elements of alternative dispute resolution, civil society organisations and local governance. These institutions were selected based on their central role in ensuring access to justice and the protection of fundamental rights, as well as their consistent presence in the European Commission's assessment of Ukraine under Chapter 23. The selection also reflects practical considerations of the study, including the availability of comparable data, the existence of a defined legal framework, and the relevance of these institutions for analysing local-level implementation.

The mapping specifically examined the following components of human rights infrastructure:

- 1 Staffing levels and composition.
- 2 Caseload and workload indicators.
- 3 Training policies and professional development.
- 4 Internal organisational structure and management.
- 5 Recurrent or systemic issues encountered in day-to-day work.

This definition allows for a structured analysis of institutional capacity while remaining neutral with regard to legal compliance or effectiveness assessment.

The local level in this study is defined as the subnational level within Ukraine, operationalised as institutions functioning within individual oblasts. National level institutions were considered only insofar as their policies, reports, or regulations directly affect the functioning of local level actors.

3. Research Design and Methods

The study was conducted using a combination of qualitative and quantitative research methods.

Foundations: Legal and Documentary Analysis

The first part of the study relied on legal analysis and desk-based research. Ukrainian legislation was analysed to identify the legal foundations, mandates, and formal competencies of the core institutions relevant to fundamental rights and the justice system. This analysis focused on how these institutions are legally structured and what functions they are formally assigned at the local level.

In addition, a review of official information published on institutional web pages was conducted. This included organisational charts, publicly available statistics, internal policies, and other materials that illustrate how legal provisions are implemented in practice.

To contextualise institutional functioning at the national level, the study also analysed: official reports published by relevant state institutions; reports and assessments by international organisations and civil society organisations; selected media reports addressing systemic issues or trends. These sources were used to exemplify broader national trends that affect local level institutions, without replacing the primary focus on local data.

Further Volumes: Mixed Methods Data Collection

The further parts of the study apply a mixed methodology, combining quantitative and qualitative data collection.

Primary data was collected directly from relevant authorities through requests for access to public information. These requests targeted data on staffing, caseload, internal organisation, and operational practices. In most cases, authorities provided full or partial responses. However, access to information held by the police and the free legal aid system was declined.

Where data was not provided, or was provided only partially, additional information was collected through desk research of open data sources, including official web pages, published reports, internal policies, and other publicly accessible materials. All data sources are referenced throughout the report.

The civil society mapping component relied on data obtained directly from five selected non-governmental organisations. Information was collected using a structured survey form. The selection of these organisations was based on consultations with a local expert, with the aim of capturing relevant and representative civil society engagement at the local level.

4. Limitations

The study faced several limitations that affected data completeness and consistency. Access to information was restricted in some cases due to state secrecy, as well as arbitrary refusals. In other instances, data was provided only partially or was not collected at all by the relevant authorities. Additionally, some authorities did not process or systematise the data they hold, and in certain areas there was no designated authority responsible for data collection.

As a result, some findings are fragmented, and corresponding reservations are explicitly stated throughout the report. In several cases, indicators such as caseload figures were calculated manually due to the absence of a clear or official methodology. The same applies to limited forecasting exercises. A margin of calculation error of up to 3 percent is therefore acknowledged. The study also reserves the right to minor numerical or typographical errors.

Despite these limitations, the pilot study provides a structured and replicable methodology for mapping human rights infrastructure at the local level in Ukraine.

INTRODUCTION

Reality-check for Chapter 23

Imagine Serhii, a 38-year-old veteran from a village outside Chernihiv, who returned home after months of defending the region from Russian attacks. Still recovering from a traumatic injury, he applied for disability status and social benefits—rights guaranteed by law. Yet each time he submitted his documents, the local office rejected the application, citing incomplete paperwork or unclear medical assessments. Serhii did not know which authority to turn to, how to appeal, or where to find free legal aid. The closest legal aid centre was understaffed after wartime displacement; the municipal social services lacked training; and the local court—still operating from a partially damaged building—faced a backlog that delayed disability-related cases for months.

This story is just illustrative but not exceptional. It exemplifies how local realities—damaged infrastructure, limited institutional capacity, uneven access to information, and shortages of trained staff—shape people’s ability to exercise their rights, especially in war-affected regions like Chernihiv. It also illustrates why Chapter 23 (Judiciary and Fundamental Rights) cannot be understood only through national legislation: the outcomes of reforms depend on the daily functioning of courts, legal aid centres, municipal social services, prosecutors, police, probation offices, and human rights bodies at the local level. It is from this perspective that we examine the local infrastructure for Chapter 23 implementation in the Chernihiv region.

Local approaches to justice and human rights

A robust body of academic and empirical evidence shows that access to justice varies significantly at the subnational level, reflecting differences in local economy, service availability, and governance quality. Relevant factors include average income, inequality levels, economic structure, degree of urbanisation, population homogeneity or heterogeneity (ethnic, national, religious), family structures, and literacy and education levels.ⁱ As Rawls noted more than 50 years ago, “the justice of a social scheme depends essentially on how fundamental rights and duties are assigned and on the economic opportunities and social conditions in the various sectors of society.”ⁱⁱ This observation has become even more relevant today. Concepts such as *local justice*,ⁱⁱⁱ *spatial justice*,^{iv} *distributive justice*,^v and *people-centred justice*^{vi} all emphasise the need for context-specific analysis that recognises how individual needs and conditions differ across regions. This perspective is increasingly reflected not only in academic work but also in the practices of institutions such as the World Bank,^{vii} OECD,^{viii} World Justice Project,^{ix} UNDP,^x HIIL,^{xi} and, last but not least, the EU.^{xii}

Geographical barriers in accessing justice and human rights are further exacerbated in the case of armed conflict. Conflict-exposed or contested regions typically face the gravest violations—such as violence, displacement, and the collapse of legal institutions—while areas further from fighting retain comparatively greater access to functioning justice mechanisms. This mirrors the broader pattern in which the geography of conflict shapes the geography of justice.^{xiii} Conflict-affected areas often face region-specific barriers such as damaged legal infrastructure, physical inaccessibility, and weakened state presence, thereby requiring tailored and locally grounded justice approaches.^{xiv} In crisis-affected areas, people often rely on informal or customary justice systems because formal avenues are distant or unsafe, underscoring how local context shapes justice pathways and outcomes.^{xv}

Local dimension of EU integration (within the EU)

The EU is inherently a multi-level system with the local level being one of its pillars. Institutionally, the creation of the *Committee of the Regions* in 1992 gives subnational actors a formal voice in policymaking, by influencing legislation in areas such as health, education, and climate.^{xvi} Financially, the *Cohesion Policy* remains the Union’s primary investment tool for reducing economic, social, and territorial disparities, with approximately €392 billion allocated for 2021–2027 — around one-third of the EU budget.^{xvii} Politically, the EU’s *smart conditionality* framework has become a key instrument for safeguarding the rule of law —

most visibly in cases of systemic breaches such as Hungary. This mechanism ensures that local beneficiaries, including municipalities and NGOs, retain access to EU funds even when national-level authorities violate rule-of-law standards.^{xviii}

The EU increasingly assesses local level impacts of rule of law and human rights within Member States. The Commission’s annual *Rule of Law Reports*^{xix} frequently highlight regional and local disparities in judicial efficiency, corruption risks, and administrative capacity across Member States. In 2024, the EU commissioned the World Justice Project to develop a dataset measuring rule-of-law indicators across 110 subnational regions.^{xx} *The Committee of the Regions* has recently advocated for local and regional perspectives to be embedded in rule-of-law implementation.^{xxi} The Fundamental Rights Agency (FRA), through its *Fundamental Rights Reports*,^{xxii} draws on subnational data from FRANET to highlight territorial disparities in areas like discrimination, access to justice, housing rights, and minority protections. FRA’s *Human Rights Cities* framework^{xxiii} further supports municipalities in embedding the EU Charter of Fundamental Rights into local governance.

Local dimension of EU enlargement (candidate countries)

Local actors help make EU integration tangible on the ground through cross-border cooperation, transnational networks, and both formal and informal initiatives.^{xxiv} Local and regional governments are responsible for implementing the majority of EU legislation,^{xxv} which is part of the EU accession acquis. Empowering local actors in less developed regions was crucial for the rapid catch-up of the 2004 enlargement countries, driving productivity gains, regional development, and stronger convergence with the EU average, which has continued to develop.^{xxvi} It was also crucial for countries with recent war experience as demonstrated by Croatia’s example (Box 1).

BOX 1: CROATIA 2003-2013

After receiving EU candidate status in 2004, Croatia began accession negotiations in 2006 and became the first country to operate under early benchmark mechanisms in Chapter 23,^{xxvii} which later shaped the EU’s fundamentals-first approach. Meeting these requirements demanded deep, locally focused reforms, as the post-conflict judiciary remained uneven and marked by regional disparities in access to justice and human rights. War-affected eastern and southern regions faced weaker institutions, lower trust, and higher perceived corruption, while rural and poorer areas had limited access to services and Roma communities continued

to face discrimination. To address these gaps, Croatia restructured municipal courts and prosecution offices,^{xxviii} enhanced transparency in local prosecution services,^{xxix} and expanded and professionalised local ombudsperson networks.^{xxx} At the same time, Witness and Victim Support offices were established in seven county courts to improve protection in war-crimes trials,^{xxxi} later recognised as a regional good-practice model.^{xxxii} These reforms were central to fulfilling Chapter 23 obligations, contributing to reduced trial delays, stronger investigative capacity, and more accessible justice.

Since 2020, the “fundamentals first” approach and reversibility have made Chapter 23 on judiciary and fundamental rights the most demanding part of accession talks, shaping the entire process.^{xxxiii} Also introduced in 2020, stricter conditionality and a benchmark-driven approach ties financial support and political pressure to systemic, practice-oriented reforms, aiming not just for legal alignment but for demonstrable, real-world results, including at the local level.^{xxxiv} This is supported by the evidence from Montenegro (Box 2).

BOX 2: MONTENEGRO 2008-ONGOING

Montenegro's EU accession has progressed steadily since its 2008 application and 2010 candidate status, with negotiations expected to conclude by 2026.^{xxxv} Progress on Chapter 23, however, remains shaped by sharp geographic disparities between the under-resourced northern region and the better-developed central and coastal areas, disproportionately affecting Roma communities,^{xxxvi} older residents, and low-income households, while northern courts continue to struggle with staffing shortages, outmigration, and weaker infrastructure. Under Chapter 23, the European Commission has closely monitored^{xxxvii} progress to ensure accessible free legal aid in Montenegro's regions. Local

shortcomings such as low public awareness, limited court budgets, linguistic barriers, and the longstanding exclusion of administrative procedures^{xxxviii} have been gradually addressed through reforms in 2015 and 2024,^{xxxix} which the EC assessed positively.^{xl} Similarly, the EC has highlighted^{xli} poor education outcomes for Roma children in the most affected regions, prompting municipal enrolment campaigns,^{xlii} intercultural school programmes,^{xliii} monitoring of at-risk pupils,^{xliv} and the expansion of Roma education mediators^{xlv} and other EU and nationally funded local initiatives.^{xlvi} Together, these developments show how Montenegro's progress under Chapter 23 depends not only on national legislation but on sustained improvements at the local level.

Recent enlargement cycles reveal only modest progress and, in some cases, clear backsliding in Chapter 23, driven by superficial reforms, entrenched state capture, and persistent post-accession compliance problems.^{xlvii} Loss of accession momentum and delays in chapter closure are frequently linked to uneven implementation of reforms^{xlviii} — patterns that are often most visible at the local level. These experiences are shaping the EU's most recent accession approach, in which local perspectives are increasingly integrated to ensure the process is more inclusive, participatory, and aligned with on-the-ground realities.^{xlix} Unlike previous accession processes, local actors in Ukraine and Moldova have been part of EU negotiations, via consultations and working groupsⁱ and in Ukraine regional EU focal points including Deputy *Heads of Regional Military Administrations for EU integration* are established to better coordinate accession locally.ⁱⁱ From the EU perspective, pre-accession programs on rule of law and human rights increasingly support capacity building across all levels of government and Commission monitoring reports and conditionality frameworksⁱⁱⁱ increasingly assess performance across multiple levels of governance, including on Chapter 23, which is demonstrated also by Albania's example (Box 3).

BOX 3: ALBANIA 2009-ONGOING

Albania, which applied for EU membership in 2009 and became a candidate in 2014, has accelerated its accession process since negotiations opened in 2022,^{liii} yet progress on Chapter 23 remains constrained by regional disparities and uneven local capacity. Rural and northern municipalities often lack staff and infrastructure, limiting consistent enforcement of justice and fundamental rights standards, while Roma and Egyptian communities in specific localities continue to face barriers to education, documentation, and public services. Early EC reports (2013–2016) highlighted that, despite amendments to the 2008 Legal Aid Law, local access to justice remained weak, with planned **regional legal aid offices** not

established;^{liv} real progress came only after 2020 with the expansion of legal aid centres nationwide and a sharp increase in attorneys providing secondary legal aid.^{lv} At the same time, the EC has repeatedly stressed^{lvi} that **implementation of the Ombudsperson's recommendations** remains persistently low at **local level**, especially in areas such as minority rights and policing,^{lvii} housing,^{lviii} and social inclusion.^{lix} These challenges show that Albania's progress under Chapter 23 depends not only on national reforms but on effective, consistent implementation by local institutions, which ultimately determines whether justice and fundamental rights standards are met across the country.

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<https://theloop.ecpr.eu/eu-enlargement-why-citizens-matter-in-shaping-the-debate/>
<https://sceeus.se/en/publications/local-perspectives-on-ukraines-eu-integration/>
- ^{liv} Xhoana Icka, Klodjan Seferaj, Besa Ombashi. Access to Justice: Provision of information, advice and free legal aid in Albania, 2016, https://osfwb.org/wp-content/uploads/2025/03/triple_a_-_access_to_justice_0.pdf, European Commission, Commission Staff Working Document: Albania 2015 Report, 10 November 2015, p. 60, https://enlargement.ec.europa.eu/albania-report-2015_en, European Commission, Commission Staff Working Document: Albania 2022 Report, 12 October 2022, p. 36, https://enlargement.ec.europa.eu/albania-report-2022_en,
- ^{lv} European Commission, Commission Staff Working Document: Albania 2020 Report, 6 October 2020, p. 36, https://enlargement.ec.europa.eu/albania-report-2020_en
- ^{lvi} Most recently: European Commission, Commission Staff Working Document: Albania 2025 Report, 4 November 2025, p. 34, https://enlargement.ec.europa.eu/albania-report-2025_en
- ^{lvii} People's Advocate, Annual Report on the activity of the People's Advocate in 2022, [https://www.avokatipopullit.gov.al/media/manager/website/reports/PA%20Annual%20Report%202022%20final%20\(1\).pdf](https://www.avokatipopullit.gov.al/media/manager/website/reports/PA%20Annual%20Report%202022%20final%20(1).pdf)
- ^{lviii} People's Advocate, Annual Report 2024, 2025, Tirana, p. 124, <https://www.avokatipopullit.gov.al/media/manager/website/reports/08%20Raporti%20Vjetor%202024%20Anglisht%20i%20Avokatit%20te%20Popullit.pdf>
- ^{lix} Commission Recommendation (EU) 2018/951 of 22 June 2018 on standards for equality bodies C/2018/3850, <https://eur-lex.europa.eu/eli/reco/2018/951/oj/eng>

1. JUDICIARY

1.1. Court system in Ukraine

In Ukraine, the judicial system is organized through the principles of territoriality, specialization and judicial hierarchy. The local landscape of justice is composed of two primary levels: the first instance (local courts) and the second instance (courts of appeal). These courts are further divided into general and specialized branches to ensure that judges handle cases within their specific expertise.

1.1.1. Local courts (First Instance)

Local courts are the first link in the judicial chain. They are responsible for the initial consideration of a case on its merits, which includes examining evidence and establishing the facts of the matter.

Local General Courts

These courts are established on the district, city-district, or city level. They handle the vast majority of legal issues for the public. They preside over civil, criminal, and some administrative cases, as well as cases involving administrative offenses (such as minor traffic violations). Most cases in local general courts are heard by a single judge. However, the procedural codes require for a panel of three judges in specific serious criminal cases or the participation of jurors.

Local Specialized Courts

These courts do not handle criminal or general civil matters. Instead, they focus on specific legal matters.

- Local Commercial (Economic) Courts are usually located in the centre of an oblast. They resolve disputes between legal entities or entrepreneurs, including bankruptcy, corporate disputes, and contract disputes.
- Local Administrative Courts are district administrative courts that handle cases where a state body is a party and are also usually located in the centre of an oblast. They ensure that the government acts within the law when dealing with citizens or businesses.

1.1.2. Courts of Appeal (Second Instance)

General Courts of Appeal review decisions made by local general courts. An appeal district usually corresponds to the boundaries of an oblast. They are divided into specialized chambers (civil and criminal). All cases are heard by a panel of at least three professional judges.

Contrastingly, *Specialized Courts of Appeal* are separate from the general appeal system and handle reviews for commercial and administrative cases.

- Commercial courts of appeal review decisions from local commercial courts within their assigned appellate district.
- Administrative courts of appeal review decisions from local administrative courts.

Unlike general courts of appeal, a specialized appellate court often covers multiple oblasts. For example, one administrative court of appeal might serve three or four neighboring regions. There are currently eight administrative courts of appeal, and seven commercial courts of appeal.

1.1.3. Cassation Instance and other courts on national level

While the local and appellate courts manage the vast majority of legal disputes within their respective oblasts, the Ukrainian system includes higher instances that operate on a national level. These bodies are not tied to any specific oblast and ensure the finality of the case decisions and consistency of the jurisprudence across the entire country.

The Supreme Court (Cassation Instance)

The Supreme Court is the highest judicial body in Ukraine. Unlike the regional courts, it is located only in Kyiv and acts as the court of cassation. It does not re-examine facts or evidence. Instead, it reviews whether the lower courts (local and appellate) applied the law correctly. The Supreme Court consists of four specialized cassation courts (Administrative, Commercial, Criminal, and Civil) and the Grand Chamber, which resolves the most complex legal conflicts to unify judicial practice.

High Specialized Courts

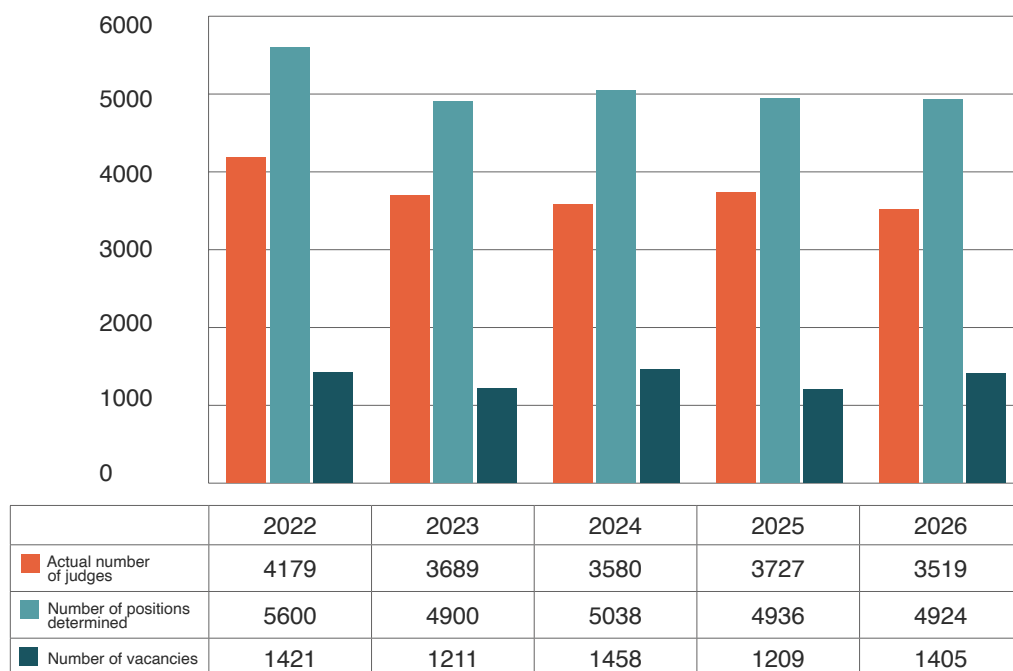
There are also specialized courts with national jurisdiction that handle specific, high-priority categories of cases from the very beginning.

- The High Anti-Corruption Court hears cases involving top-level corruption and operates across all of Ukraine, regardless of where the crime occurred.
- The High Court on Intellectual Property is designed to handle complex cases involving patents, trademarks, and copyright at a national level, but has not started to function yet.

1.2. Number of Judges

Based on data from the High Qualification Commission of Judges and the State Judicial Administration, the Ukrainian judicial system has faced a persistent staffing crisis between 2022 and 2026. Shortage of judges remain a recurring issue on the Ukraine EU integration agenda, as is being highlighted by the civil society and European Commission.¹ Nationally, the number of active judges in local courts has declined from 4,179 in 2022 to 3,519 in 2026,² despite the total number of determined positions remaining relatively stable at around 5,000.

Local court judges numbers in Ukraine

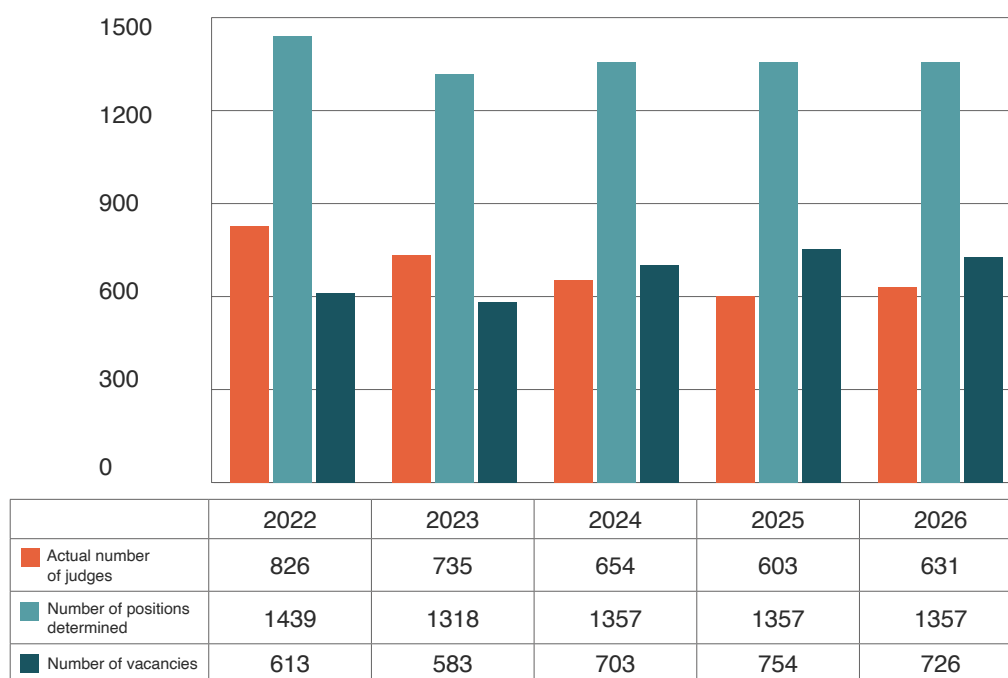


¹ Shadow Report on Chapter 23 “Justice and Fundamental Rights” and Chapter 24 “Justice, Freedom and Security” of the European Commission’s Report on Ukraine in 2024 (English version, prepared by a coalition of civil society organisations led by the Agency for Legislative Initiatives including the Human Rights Centre ZMINA, October 2025),²⁰; European Commission, Ukraine Report 2025 (Directorate-General for Enlargement and Eastern Neighbourhood, 4 November 2025), 30.

² For the year 2026, the data reflects information available as of early February 2026

A similar downward trend is evident in the courts of appeal, where the headcount of judges dropped from 826 to 631 over the same period, leading to a significant increase in vacant positions. This broader national landscape reveals a gap between the formal judicial need and the actual number of personnel available to administer justice.

Courts of appeal judges in Ukraine



1.3. Legal foundation of the court management structure

The administration of a local court in Ukraine operates under a dual-leadership model mandated by law and is common to all local courts. The governance of the court is divided between the Chairperson of the Court, who is a judge, and the Chief of Staff, who is a civil servant.

The Chairperson of the Court serves as the representative head of the institution. Elected directly by the local assembly of judges of that specific court for a fixed term, the Chairperson holds an administrative position rather than a hierarchical one. Their powers are strictly limited to organizational matters, such as representing the court in relations with other state bodies, ensuring the functioning of the court registry, facilitating professional development of local court judges, and transparency. The Chairperson has no authority to influence the legal decisions of other judges or to interfere in their proceedings. They act as *primus inter pares*, or first among equals, facilitating the judicial process rather than commanding it. Supporting this leadership structure is the Deputy Chairperson, who is also elected by the meeting of judges from among the court's judiciary, and carries out specific administrative duties delegated by the head of the court.³

Parallel to the Chairperson is the Chief of Staff (Head of the Apparatus), who bears full responsibility for the non-judicial operations of the court. Unlike the Chairman, the Chief of Staff is not a judge but a professional administrator appointed by the State Judicial Administration. This official manages the court's human resources, finances, and material assets. They hire and dismiss court staff, such as secretaries, assistants, and archivists, and ensure the maintenance of the court premises. In matters of finance and logistics, the Chief of Staff reports vertically to the State Judicial Administration rather than solely to the Court Chairman.⁴

Finally, the collective body known as the assembly of judges plays a vital role in local administration. This assembly of all judges working within the court acts as a body of judicial self-government. It is responsible for defining the internal principles of the court's operation, discussing workload issues, and, most importantly, electing the Court Chairman.⁵

³ Law of Ukraine 'On the Judiciary and Status of Judges' (adopted 2 June 2016, No 1402-VIII, as amended), art 24, 29

⁴ Ibid, art 155

⁵ Ibid, art 128

1.4. Security in the courts

The court security system is centralized and common to all regions of Ukraine. Regardless of the location, security is provided by the single security operator, the Court Security Service (CSS). These officers are distinct from the National Police and are specifically trained for the judicial environment. The CSS is accountable to the High Council of Justice and controlled by the State Judicial Administration of Ukraine.⁶

The CSS is legally mandated to ensure the personal security of judges, court staff, and even participants in legal proceedings if there is a threat. This includes personal physical protection of the judges and court staff in the courtroom and, if necessary, outside of it.⁷

Their regular duties include the physical protection of court premises and the maintenance of public order during proceedings, which grants them the authority to search visitors, seize prohibited items, and forcefully remove individuals who show contempt of court or disrupt hearings. They also coordinate with the court staff to secure the transfer of sensitive case files and execute the evacuation of the court, in times of emergency (such as air raids or shelling).⁸

1.5. Education and Training

The education of judges in Ukraine is governed by clear legal requirements that establish a centralized system with uniform rules for all judges and court staff nationwide. At the head of this system is the National School of Judges of Ukraine (NSJ), a state institution with a special status operating under the High Qualification Commission of Judges of Ukraine. Serving as the country's central educational facility, the NSJ is a separate legal entity with regional offices in Lviv, Odesa, Dnipro, and Kharkiv.

Under the law, the NSJ has specific areas of responsibility regarding the professional development of judicial personnel. These educational programs encompass several types of training:

- Initial foundational training for new judges.
- Mandatory training to maintain qualification for current judges, including those holding administrative positions. This preparation must be completed at least once every three years and consists of no less than 40 academic hours.
- Ongoing courses for judges to improve their professional qualifications.
- Special training courses for judges who are temporarily suspended from administering justice, as ordered by a qualification or disciplinary body.
- Staff Training for court staff, as well as employees of the court security service.⁹

In addition to its educational programs, the NSJ leads scientific research aimed at improving the judicial system, the status of judges, and legal proceedings. The institution actively studies the international experience of court organization and operations. Through this research, the NSJ provides scientific and methodological support for the daily activities of courts and other institutions within Ukraine's judicial framework. All educational events at the NSJ are funded by the state budget and are sometimes carried out in partnership with international organizations.¹⁰

Because the system is centralised, the NSJ does not maintain records of preparation and qualification improvement separately for distinct administrative and territorial units or oblasts. Consequently, specific statistics for regions cannot be obtained. All available data represents only the nationwide situation. The numbers below show the participation in judicial education across the country from 2021 to 2024.

⁶ Ibid, art 161

⁷ Ibid, art 162

⁸ State Judicial Administration of Ukraine, Order No 524 of 13 November 2023 on Approval of Recommendations for Emergency Situations Where the Administration of Justice or Other Functions Cannot Be Performed (13 November 2023) – Ukrainian. https://court.gov.ua/storage/portal/dsa/normatyvno-pravova%20baza/R_N_524_2023.pdf

⁹ Supra 3, art 104,105

¹⁰ Ibid, art 105

Year	Training to maintain qualification (participants)	Periodic Trainings for Judges (participants)	Educational Events for Staff	Participants in Staff Events	Other Information
2021	2,026	6,056	223	18,536	N/a
2022	1,877	8,281	544	24,110	N/a
2023	2,606	7,661	413	24,789	N/a
2024	2,462	7,442	492	28,496	22 judges passed initial preparation
2025	2,349	9,089	474	34,955	n/a

The data shows clear trends in judicial training over a period of five years. The number of judges who completed the mandatory preparation to maintain their qualifications stayed relatively stable but showed some changes. This mandatory preparation saw its lowest point in 2022 with 1,877 judges participating, which is likely explained by the Russian full-scale invasion, and reached its highest point in 2023 with 2,606 judges. At the same time, participation in the periodic training to strengthen qualifications was always much higher than the mandatory preparation. The interest in this training demonstrated a strong upward trend overall. It started at 6,056 participants in 2021, experienced a sharp increase in the year 2022, and eventually peaked at 9,089 participants in 2025.¹¹ These numbers indicate that a growing majority of the judiciary actively chooses to improve their professional skills beyond what is required by the law. Also, these findings might suggest increased need for training support due to the numerous changes in law caused by the full-scale invasion, martial law, and EU integration processes.

1.6. Accountability of Judges

The system of disciplinary accountability for judges in Ukraine is also central. The Law of Ukraine on the Judiciary and the Status of Judges establishes the legal framework for this process. The High Council of Justice is the sole state body responsible for bringing judges to disciplinary responsibility. This institution is an independent constitutional body that guarantees the accountability of the judiciary to society. Before judicial reform 2016, there were two different state bodies that handled disciplinary matters. Reducing the number of subjects empowered to bring judges to disciplinary responsibility simplified the mechanism and reduced the risks of corruption. Today, the High Council of Justice forms special Disciplinary Chambers that serve as the primary bodies to hear disciplinary cases against judges. If a judge disagrees with the decision of a Disciplinary Chamber, they have the right to appeal this decision to the full High Council of Justice.¹²

The complaint mechanism is also central and open to the public. The law guarantees that any person or legal entity can report a judge for violations. If an individual or a legal entity is aware of facts that show a judge violated the law or their duties to exercise justice, they have the right to file a disciplinary complaint.¹³

A judge can be held accountable on the specific grounds defined by law. They cannot be held accountable for a decision rendered in the course of administering justice, except in cases of committing a crime or a serious disciplinary offence.¹⁴ The High Council of Justice determines that a violation must be intentional or show serious negligence. For example, grounds for disciplinary action include an unlawful denial of access to justice, an unjustified failure to consider a case within a reasonable time, or a substantial breach of procedural law that denies people their rights in court.¹⁵

¹¹ These findings suggest that some judges participated in multiple trainings.

¹² Ibid, art 108-111

¹³ Ibid, art 107

¹⁴ Ibid, art 106

¹⁵ Ibid, art 106

1.7. Judicial transparency and Information and Telecommunication Technologies in Court

In 2017, Ukraine established the Unified Judicial Information and Telecommunication System, that works between courts and participants of the judicial process and between different courts. It includes document flow, automated distribution of cases, and exchange of documents between the court and participants of the judicial process. It also includes recording of the judicial process and participation of people in court hearings by video conference. In addition, the system supports the compilation of operational and analytical reports, providing informational assistance to judges, and automation of processes that support financial, organizational, personnel, information, and other needs of the system users.¹⁶ However, the system is being progressively implemented¹⁷ with some modules still in development and some yet to be integrated. Currently, three major modules operate within the system: E-Court, E-Cabinet, and videoconferencing subsystem.

E-Court and E-Cabinet

The Electronic Cabinet allows users to register and authenticate their identity with an electronic signature. After that, the Electronic Court lets users create and send legal documents to the court online. They can also receive information about the status and results of their documents.

While the number of documents submitted to courts through the Electronic Court in Ukraine shows a very large increase, there is no regionally segregated data. As per the information from the SJA in 2022, users from the whole Ukraine submitted 548,813 documents. This number grew to 1,430,893 in 2023. By 2024, the number reached 3,186,546. This means the use of the Electronic Court increased by 232 percent in 2024 compared to 2023. There is no data disaggregated regionally.¹⁸

Also, a mobile application called eCourt began testing in August 2021 with the support of the United Nations Development Programme in Ukraine. The application is a mobile version of the Electronic Court. More than 30,000 people used this application in test mode during 2023.¹⁹

Video Conferencing Subsystem

The video conferencing subsystem allows people to participate in court hearings from a distance. It also provides central storage for audio recordings, video recordings, and meeting minutes.

Nation-wide data show that the use of this subsystem is growing rapidly. The registered users and hearing numbers for the last three years in Ukraine are as follows.

- In 2022, there were 30,965 registered users. Courts held 434,606 remote hearings.
- In 2023, the system had 33,877 registered users. Courts held 904,752 remote hearings.
- In 2024, the number of registered users reached 38,413. Courts held 1,194,987 remote hearings.²⁰

These indicators show an increase in the use of the video conferencing subsystem by 190 percent in 2024 compared to 2023. Looking at a slightly different reporting period from 2021 to 2023, the subsystem registered around 92,573 users overall and facilitated about 1,564,605 remote hearings.²¹ According to the head of the High Council of Justice, there is a current trend showing an increased demand for remote court hearings. This increase is happening not only in frontline areas but also in the central and western regions of Ukraine. This is also related to the fact that people moved to new permanent residences far from their homes, such as other regions or abroad.²²

¹⁶ Ibid, art 15-1.

¹⁷ Shadow Report on Chapter 23 “Justice and Fundamental Rights” and Chapter 24 “Justice, Freedom and Security” of the European Commission’s Report on Ukraine in 2024 (English version, prepared by a coalition of civil society organisations led by the Agency for Legislative Initiatives including the Human Rights Centre ZMINA, October 2025), 592.

¹⁸ State Judicial Administration of Ukraine, Annual Activity Report of the State Judicial Administration of Ukraine for 2024 (State Judicial Administration of Ukraine, 2025), 23.

¹⁹ State Judicial Administration of Ukraine (Derzhavna sudova administratsiya Ukrainy), Report on the Implementation of the Action Plan for the National Human Rights Strategy for 2021–2023 (webpage, accessed [date]) https://dsa.court.gov.ua/dsa/insh/action_plan_2023/

²⁰ State Judicial Administration of Ukraine, Annual Activity Report of the State Judicial Administration of Ukraine for 2024 (State Judicial Administration of Ukraine, 2025), 23.

²¹ State Judicial Administration of Ukraine, Annual Activity Report of the State Judicial Administration of Ukraine for 2024 (State Judicial Administration of Ukraine, 2025), 23.

²² <https://hcj.gov.ua/news/v-ukrayini-zrostaye-zapyt-na-dystancyyny-rozglyad-sudovyh-sprav-grygoriy-usyk>

Judicial Transparency and Public Access to Courts

Transparency is a foundational principle of the Ukrainian legal system.²³ Court decisions, hearings, and case information are public by default, granting any individual the right to attend open sessions. Proceedings may only be closed (entirely or partially) based on a reasoned court ruling. The grounds for closed hearings are standardized across all courts and include the protection of state or other legal secrets, the safeguarding of personal and family privacy, and the protection of minors. In criminal proceedings, closed sessions are additionally permitted for cases involving sexual offenses or when necessary to ensure the physical safety of trial participants.²⁴

Despite the ongoing martial law, courts located in areas free from active combat, occupation, and structural damage continue their standard operations. However, security protocols have been elevated. To attend an open court session, visitors must present a valid identification document and undergo thorough security screening upon entering the court premises.²⁵ Currently, the data on the number and rates of the closed court hearing is not being collected.

Digital access to records remains robust. All court decisions are archived and accessible in the Unified State Register of Court Decisions. Additionally, the public can track the time, location, and status of specific cases via the official *Judiciary of Ukraine* website. Users can search by participant name or legal entity to monitor case progress and directly access related judicial rulings.

Recording and Broadcasting Regulations

Observers and media representatives are legally permitted to take photographs and make audio or video recordings using portable devices during open sessions without requiring special permission from the court. However, criminal proceedings are subject to stricter limitations: any photography, video recording, or television and radio broadcasting in criminal cases requires a specific court ruling. This decision is made after considering the opinions of the involved parties and assessing whether such actions will disrupt the trial.²⁶

Furthermore, the broadcasting of any court session requires judicial consent. Interested parties may request a broadcast, or the court itself may initiate one using its own technical resources for cases of significant public interest. These broadcasts are made publicly available on the official Judiciary web portal or additionally on YouTube. Notably, if all case participants attend the hearing via video conference, live internet broadcasting of the session becomes mandatory.²⁷

²³ Supra 3, art 11.

²⁴ Penal Code of Ukraine (adopted 19.11.2012, No 4651-VI, as amended), art 27

²⁵ Centre for Democracy and Rule of Law (CEDEM) (2022) Access of journalists to court hearings during wartime [online]. Available at: [CEDEM article](#)

²⁶ Supra 3, art 11.

²⁷ Ibid, art 11.

2. ENFORCEMENT OF JUDGEMENTS

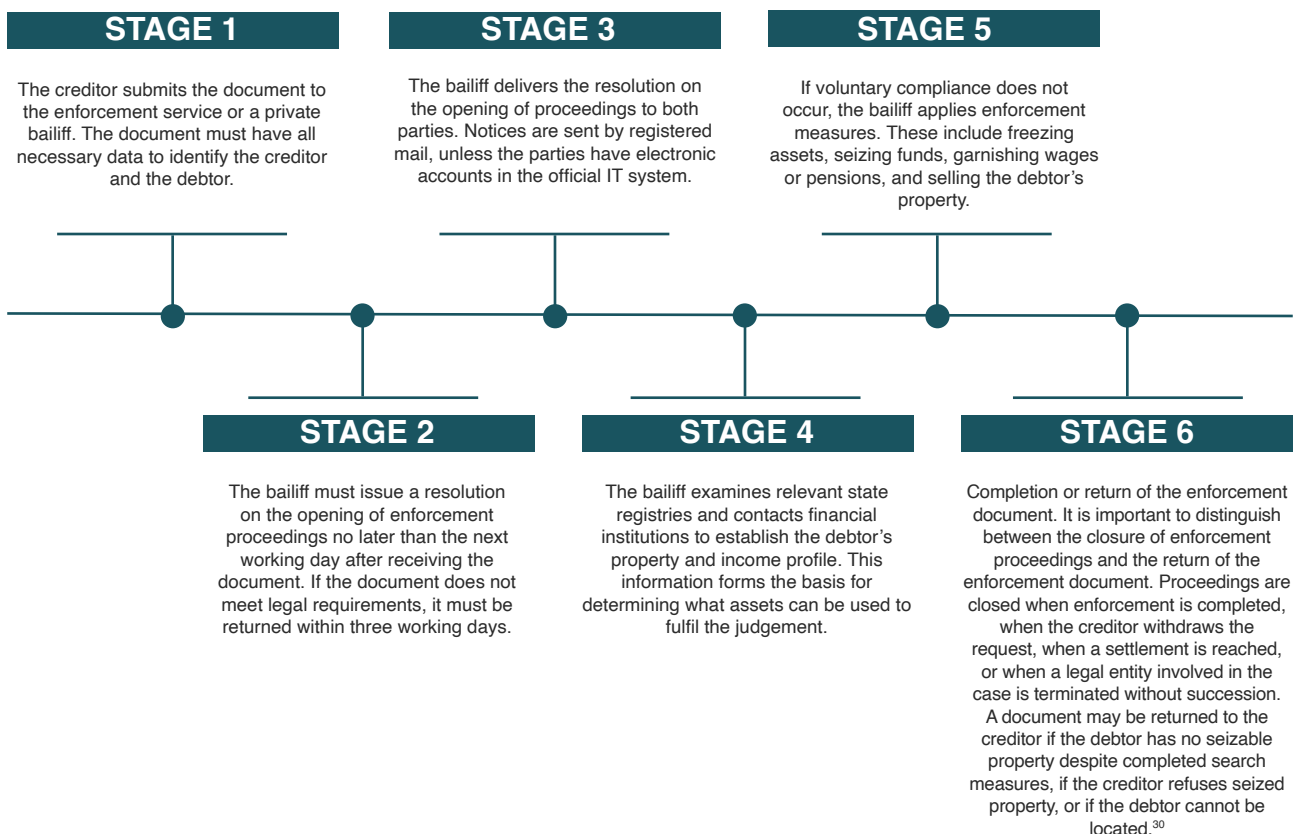
2.1. Legal basis, procedure and general organization

In Ukraine, the compulsory enforcement of court decisions happens within the framework of enforcement proceedings, within the centrally operated system. There are no regional differences according to the regulation governing enforcement proceedings. This process also covers other types of decision that can be enforced, including notary executive inscriptions, decisions of labour dispute commissions, administrative offense decisions, financial monitoring decisions and decisions of the European Court of Human Rights.

A significant reform in 2016 introduced a dual model of enforcement. Since then, two groups of enforcement officers (bailiffs) have shared responsibility for executing decisions: state bailiffs working within the State Executive Service under the Ministry of Justice, and licensed private bailiffs who operate independently but remain supervised by the Ministry of Justice. While private bailiffs follow the same general rules, they face several legal limitations. They may not enforce decisions involving the state or state entities as debtors, cases decided by administrative courts, judgements of the European Court of Human Rights, eviction or settlement of individuals, decisions concerning children or incapacitated persons, or decisions involving confiscation of property. Recent assessments by the European Commission have indicated that the legal standing and institutional framework of private bailiffs still require further strengthening.²⁸

2.2. Stages of Enforcement Proceedings

Before compulsory enforcement can begin, the creditor must obtain an executive writ or order from the court. Ukrainian legislation clearly sets out the sequence of procedural steps that follow.²⁹



²⁸ Law of Ukraine No 1404-VIII 'On Enforcement Proceedings' 2016, art 5.

²⁹ Ibid, art 28-30.

³⁰ Law of Ukraine No 1404-VIII 'On Enforcement Proceedings' 2016, art 37.

Bailiffs' decisions, actions, or inaction may be appealed to the competent court. Amendments adopted in 2024 expanded judicial control over enforcement by introducing new mechanisms such as mandatory reports on enforcement, fines for non execution, and flexible tools for adjusting enforcement methods. While these reforms aim to strengthen oversight, they may also increase the workload for judges.³¹

2.3. Statistics on the enforcement of judgements in Ukraine

In December 2025, the Ministry of Justice announced a new national data collection system covering both current and archived information dating back to 2022.³² The system, developed with the support of the EU Ukraine Facility, provides national-level data but does not offer regional breakdowns.^{33 34}

Available national data reveals that the share of pending enforcement documents remains high. In 2022, around 60 percent of documents were pending at the end of the year. This figure decreased to around 51 percent in 2023 but stabilised at approximately 54 percent in 2025. During the same period, the proportion of documents actually executed improved from 21.6 percent in 2022 to 31,5 percent in 2025, although the overall level remains low.

General system performance



Available national data reveals that the share of pending enforcement documents remains high. In 2022, around 60 percent of documents were pending at the end of the year. This figure decreased to around 51 percent in 2023 but stabilised at approximately 54 percent in 2025. During the same period, the proportion of documents actually executed improved from 21.6 percent in 2022 to 31.5 percent in 2025, although the overall level remains low.

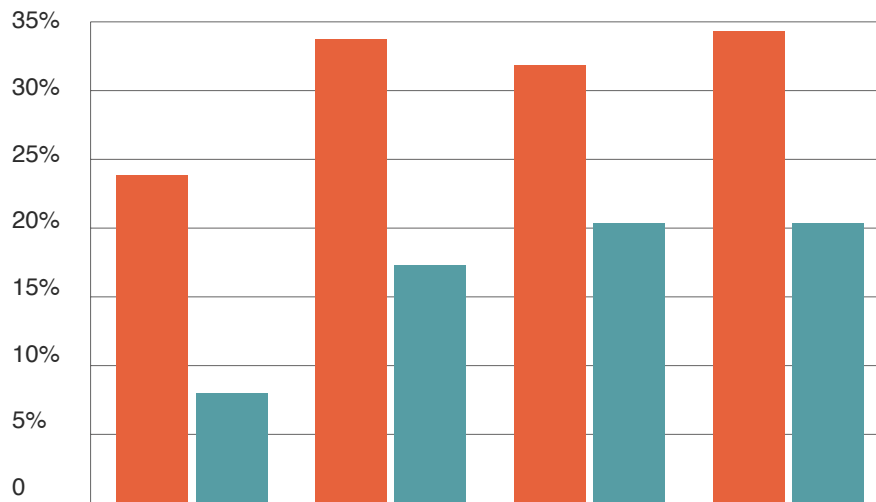
³¹ Judges of the SC in the HCC shared their thoughts on innovations regarding judicial control over the enforcement of court decisions' (Supreme Court) (12 August 2025) <https://supreme.court.gov.ua/supreme/pres-centr/news/1861265/>

³² Until late 2025, Ukraine did not systematically publish enforcement statistics.

³³ Some regional offices have confirmed that they do not collect or aggregate data on local operational performance, such as average duration of enforcement proceeding, performance of private bailiffs, or training of bailiffs

³⁴ Ministry of Justice of Ukraine, 'Data Collection System on Enforcement Proceedings' (Ministry of Justice) https://minjust.gov.ua/other/data_collection_system_on_enforcement_proceedings_010203040506070

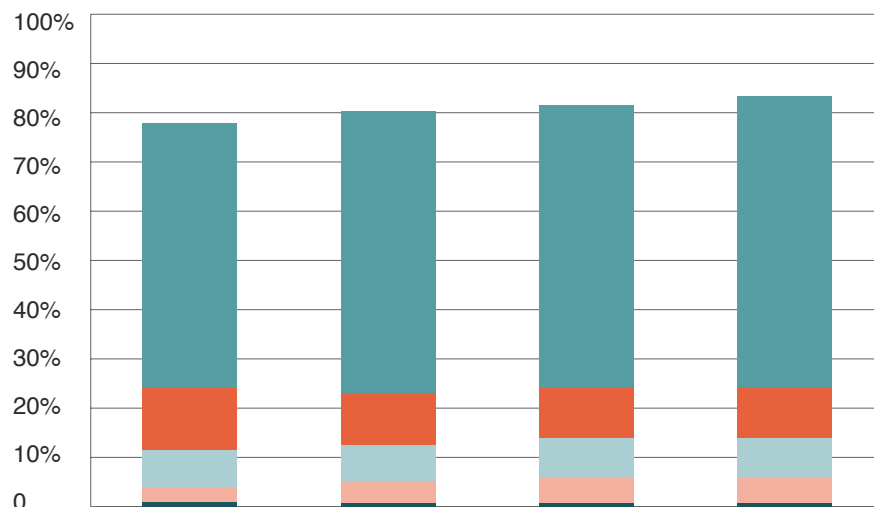
Actually executed enforcement documents



	2022	2023	2024	2025
State bailiffs executed	23,8%	33,7%	31,8%	34,3%
Private bailiffs executed	8%	17,3%	20,3%	20,3%

Data on case categories handled by state bailiffs show that state budget payments form the largest share of all proceedings. This category grew from nearly 54 percent in 2022 to around 59 percent in 2025. Alimony cases represent the second largest category, while utility debts and pension-related claims remain stable. Unpaid wages form the smallest share, consistently below one percent.

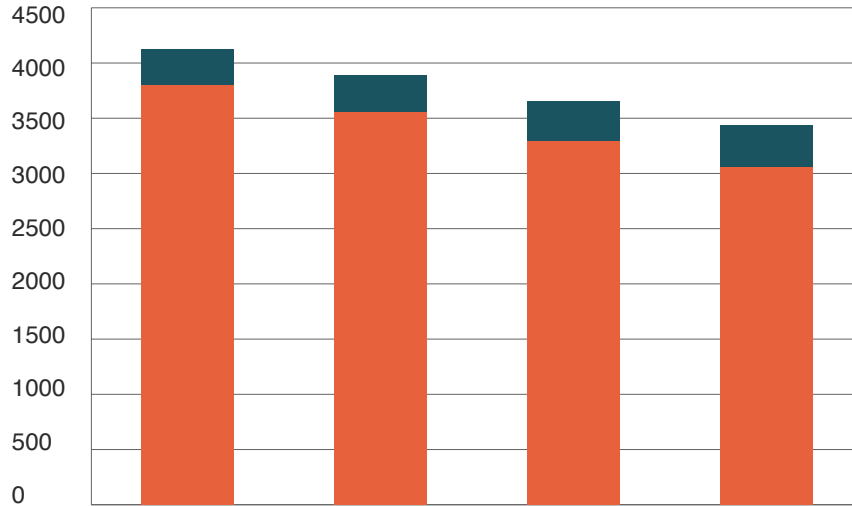
Category of the cases (State Bailiffs Only)



	2022	2023	2024	2025
State budget payments	53,7%	55,6%	57,1%	58,9%
Alimony	12,6%	10,5%	10,5%	10,4%
Utility debts	7,7%	7,5%	8%	8,1%
Pensions and social payments	2,9%	4,4%	5,1%	5%
Unpaid wages	0,9%	0,7%	0,7%	0,8%

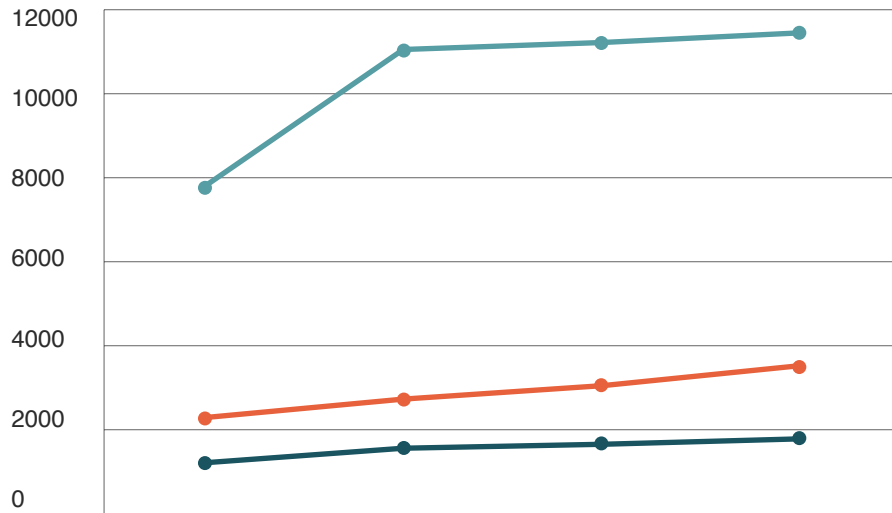
The number of state bailiffs has steadily decreased, from almost 3,800 active officers in 2022 to just over 3,000 in 2025. Although the number of private bailiffs has grown modestly, from 325 in 2022 to 384 in 2025, this slight increase does not cover the reduction in state personnel. Consequently, the overall number of enforcement professionals has declined, leading to a measurable rise in workload for both state and private bailiffs. In 2025, state bailiffs on average handled 1,805 documents each, while private bailiffs managed an average of 3,548.

Bailiffs in Ukraine



	2022	2023	2024	2025
■ Private bailiffs (Registered)	325	343	364	384
■ State bailiffs (Active)	3798	3552	3291	3054

Average workload



	2022	2023	2024	2025
● One State Body (SES)	7768	11059	11227	11460
● One State Bailiff	1203	1569	1668	1805
● One Private Bailiff	2277	2729	3057	3548

3. PROSECUTION

3.1. Organizational foundation

The Ukrainian prosecution system follows a three-level hierarchical structure. At the top is the Office of the Prosecutor General, which directs the activities of the two lower tiers. These consist of regional prosecutor's offices (oblasni) and district prosecutor's offices (okruzhni) and the latter is subordinated to their respective regional offices. For example, the Chernihiv Regional Prosecutor's Office supervises all district prosecutor's offices operating within the oblast.³⁵

Additionally, the law allows for the creation of specialized prosecutor's offices. These units may have powers equivalent to regional or district offices, their directorates or to a directorate of the Prosecutor's General office, depending on their specific purpose. A notable example is the specialized anti-corruption prosecutor's office (SAP). While the SAP maintains a clear separation from the main Office of the Prosecutor General, its head serves as a Deputy Prosecutor General and remains subordinate to the Prosecutor General. The SAP operates regional branches where the National Anti-Corruption Bureau of Ukraine (NABU) is present, though no such branch exists in the Chernihiv region.³⁶

3.2. Training and Qualification

The Training Center for Prosecutors of Ukraine (TCPU) serves as the central institution responsible for the initial training of individuals who have successfully completed the selection process for the position of prosecutor across Ukraine. In addition, prosecutors regularly undergo continuous professional development at the TCPU. The Training Center operates under the Office of the Prosecutor General.³⁷

The Training Center for Prosecutors of Ukraine (TCPU) provides both initial training for newly selected prosecutors and continuous professional development for existing staff. Training must be completed at least once every four years, with prosecutors required to accumulate 60 credit points within a 48-month period. Credits are awarded for participation in courses and workshops. Additional forms of training include independent study, internships, participation in seminars, serving as trainers, and involvement in academic work.³⁸

According to the data received from the TCPU, the centre organises training activities both independently and in cooperation with partner organisations, including: the EUAM Ukraine, the Council of Europe Office in Ukraine, the International Development Law Organization, UNODC, the International Renaissance Foundation, and the OSCE.

Training sessions are delivered by trainers who are practicing professionals and experts. These include prosecutors, judges, attorneys, civil servants of the prosecution service, specialists from central and local executive authorities, enterprises, institutions and organizations, university lecturers, researchers, as well as international experts.

A review of training curricula from 2021 onwards shows consistent structure but noticeable adjustments beginning in 2025. The updated programme introduced a more systematic design, including basic, advanced, and expert levels of content. New subject areas appeared, such as genocide, crimes against journalists, intellectual property offences, expanded categories of war-related crimes, and more complex financial crime analytics. Digital skills also received greater emphasis, including guidance on the application of artificial intelligence. Additional advanced topics covered international cooperation, psychological resilience, and administrative management within prosecution bodies.

3.3. Disciplinary accountability

Disciplinary accountability of prosecutors is ensured through a centralised system. The Qualifications and Disciplinary Commission of Prosecutors evaluates potential violations, conducts disciplinary proceedings, and manages recruitment and testing. All disciplinary decisions are recorded in public registry.³⁹

³⁵ Law of Ukraine on the Prosecutor's Office Law No. 1697-XVIII, 2014, art.7.

³⁶ Ibid, 14, arts.7, 8, 8-1.

³⁷ Ibid, 2014, art.80.

³⁸ Ibid, arts. 80; Office of the Prosecutor General (2021) Order No. 200: On approval of the Regulations on the system of professional development of prosecutors. Available at: <https://zakon.rada.gov.ua/laws/show/v0200905-21>

³⁹ Ibid, arts, 44-47. Qualification and Disciplinary Commission of Prosecutors (2026) Information on bringing prosecutors to disciplinary responsibility. Available at: <https://kdkp.gov.ua/punishment>

4. PENITENTIARY SYSTEM IN UKRAINE

The penitentiary system in Ukraine works on the basis of State Criminal Executive Service of Ukraine (SCES). SCES is a large state structure that is currently being reformed to follow international laws and human rights standards.⁴⁰ The system is managed by the Ministry of Justice, but the specific central body that runs the operations is the Department for the Execution of Criminal Sentences.

Institutional Structure consists of several levels and components:

- The Department for the Execution of Criminal Sentences as the central managing body.
- Regional bodies known as Interregional Directorates.
- Correctional institutions and detention centres.
- The probation system.
- Medical and educational institutions for the service.⁴¹

The organization of the penitentiary system is divided into several regional levels. This helps the central Department in Kyiv to manage institutions across the whole country. The regional management is performed by Interregional Directorates for the Execution of Criminal Sanctions. There are six such directorates in Ukraine, each responsible for a specific group of oblasts. They are located in Kyiv, Vinnytsia, Kharkiv, Odesa, Lviv, and Dnipro. These offices represent the central, central western, north eastern, southern, western, and south eastern regions.⁴²

These regional offices are responsible for many tasks. They manage the logistics and the security of the prisons in their area. They also handle the staffing and make sure that all local institutions follow the national laws.

The system manages two main types of facilities. The first type is the pre-trial detention centers. These are for people who are under arrest but have not been convicted of a crime yet. The second type is the corrective facilities, where people serve their sentences after a court makes a final decision. Yet, in some cases, pre-trial detention centers have sections for convicted persons.

Before the Russian Military aggression began in 2014, there were about 148 such institutions, with 33 in areas of probable military conflict or in territory not controlled by Ukraine.⁴³ Data from the UNODC show that out of the 91 prisons in Ukraine, seven have been under occupation since February 2022, two prisons have been completely destroyed, and twelve other prisons have suffered extensive damage as of 31 December 2024.⁴⁴

⁴⁰ State Criminal-Executive Service of Ukraine (n.d.) Reform. Available at: <https://kvs.gov.ua/about-service/reform/>

⁴¹ State Criminal-Executive Service of Ukraine (n.d.) Structure. Available at: <https://kvs.gov.ua/about-service/structure/>

⁴² State Criminal Executive Service of Ukraine (n.d.) Regional units. Available at: <https://kvs.gov.ua/%d1%80%d0%b5%d0%b3%d1%96%d0%be%d0%bd%d0%b0%d0%bb%d1%8c%d0%bd%d1%96-%d0%bf%d1%96%d0%b4%d1%80%d0%be%d0%b7%d0%b4%d1%96%d0%bb%d0%b8/>

⁴³ Kharkiv Human Rights Protection Group (2020) Human rights in the penitentiary system. Available at: <https://khpg.org/en/1608811344>

⁴⁴ United Nations Office on Drugs and Crime (2021) UN Joint Programme: Support to the Prison Reform in Ukraine. Available at: https://www.unodc.org/res/justice-and-prison-reform/cpcj-prison-reform/our-work/UN_Ukraine_Programme_A4_final.pdf

5. PROBATION SYSTEM IN UKRAINE

The probation system in Ukraine is a relatively new institution, created under the Probation Law of 2015. The core institution responsible for probation is the State Institution called Probation Centre, coordinated by the Ministry of Justice, Department for the Execution of Criminal Sentences, which implements national probation policy and organises the work of territorial branches and local level units across Ukraine.⁴⁵

The probation system in Ukraine performs three main functions: pre trial report preparation, supervisory function, and penitentiary function. Together, these functions aim to support courts in sentencing, supervise individuals serving non custodial penalties, and help people in detention prepare for release.⁴⁶

Pre-trial Report Preparation (Pre-trial Probation)

This function involves preparing a structured report on the defendant for the court before the trial begins. This report helps the court determine an appropriate sentence. For this purpose, probation officers may speak with the defendant's family, colleagues, and others, and collect information from relevant sources such as case materials, workplaces, educational institutions, and places of residence. The report becomes part of the case file and is considered at sentencing.

Supervisory Function (Supervisory Probation)

Supervisory function covers monitoring and socio-educational work with individuals sentenced to noncustodial penalties. These include restrictions on holding certain positions, bans on specific activities, community service, correctional labour involving deductions from the income of convicted person, and individuals sentenced directly to probation supervision. This function also covers cases where imprisonment or freedom restriction has been replaced with the latter noncustodial measures. Supervisory probation also applies to individuals released with probation period (parole), pregnant women and mothers of children under the age of three who were exempted from serving their sentence, persons sentenced to fines, and individuals sentenced to personal freedom restrictions directed to correctional centres.

Penitentiary Function (Penitentiary Probation)

Penitentiary probation supports individuals preparing for release from imprisonment or restriction of liberty. Its purpose is to assist social adaptation and reduce the risk of reoffending after discharge.

⁴⁵ Law of Ukraine on Probation (2015) Law No. 160-VIII.

⁴⁶ Law of Ukraine on Probation (2015) Law No. 160-VIII, arts. 7-11.

6. FREE LEGAL AID IN UKRAINE

6.1. System overview

The free legal aid system in Ukraine is a nationwide state-run network that provides access to legal services both in person and remotely. Services are available by telephone, through online channels, and at physical locations. The system offers two main types of assistance: primary legal aid and secondary legal aid.⁴⁷

Primary legal aid

Primary legal aid includes legal information and consultations on any legal issue. It is accessible to all citizens of Ukraine and to all persons located in Ukraine, regardless of their status. This type of aid covers explanations of legal rights and procedures, as well as assistance in drafting applications, complaints, and other legal documents, except for documents required for court proceedings. The system also facilitates access to mediation by explaining how the procedure works and guiding clients on how to obtain mediation services.

Secondary Legal Aid

Secondary legal aid includes legal representation before courts, state authorities, and other institutions. It also covers preparation of procedural and other court-related documents. In criminal proceedings, secondary legal aid includes the provision of state-funded defence for suspects and accused persons. Therefore, secondary legal aid is provided in two forms: for legal defence in criminal proceedings and in administrative offence cases, and for legal representation in civil, administrative and commercial cases, and victim representation in criminal cases.

This category of assistance is available to individuals defined by law, including:

- internally displaced persons;
- low-income individuals (including persons with disabilities, pensioners, and working age low-income persons);
- war veterans;
- family members of deceased veterans and fallen Ukrainian defenders;
- children;
- survivors of domestic violence;
- victims of ill-treatment, torture, or sexual violence during armed conflict;
- persons without identity documents, for assistance in obtaining such documents.

6.2. Access Channels: Remote and In-Person Services

Free legal aid can be accessed both remotely and in person. The quickest way to receive primary legal consultation is to call the national hotline, which operates for all regions as well as for calls from abroad. Clients may also use messenger chats managed centrally by the system.

⁴⁷ Law of Ukraine on Free Legal Aid (2011) Law No. 3460-VI, chs.I-II.

In-person services are available at legal aid bureaus, regardless of a person's place of residence registration. Bureaus operate throughout Ukraine except in areas affected by active hostilities. Consultations are also provided at designated "access points," which may be located in government buildings, local authorities, social protection institutions, and facilities where internally displaced persons reside. Individuals may also request secondary legal aid online.⁴⁸

6.3. Institutional Structure

The free legal aid system is geographically extensive. Its central body is the Coordination Centre for Legal Aid Provision, which oversees the entire system. Beneath it are five interregional centres (Northern, Southern, Western, Eastern, and Southeastern). These centres supervise territorial offices, which in turn manage local departments and bureaus responsible for direct service delivery.⁴⁹

6.4. Volunteer and Paralegal Initiative

In 2021, the system introduced a volunteer and paralegal programme in response to public demand for broader community engagement. More than 320 volunteers and paralegals now participate across Ukraine. Volunteers help raise awareness of the availability of free legal aid, distribute informational materials, and support public legal education events. Paralegals additionally refer individuals directly to system lawyers through a specialised mobile application.⁵⁰

Alongside this system, legal clinics operate in Ukraine as a separate mechanism for providing legal assistance. Legal clinics are not part of the state Free Legal Aid system. They are structural units of higher education institutions, primarily law faculties, and function within universities.

⁴⁸ Coordination Center for Legal Aid Provision. How to get free legal aid. Available at: <https://legalaid.gov.ua/kliyentam/yak-otrymaty-bpd/>

⁴⁹ Coordination Center for Legal Aid Provision (n.d.) About the free legal aid system. Available at: <https://legalaid.gov.ua/pro-systemu-bpd/>

⁵⁰ Coordination Center for Legal Aid Provision (2023) Report on the activities of the free legal aid system in 2022, p. 82 Available at: <https://legalaid.gov.ua/wp-content/uploads/2022/08/zvitbpd-2022.pdf>; Coordination Center for Legal Aid Provision (2026) Annual report of the free legal aid system 2025. p.93 Available at: <https://legalaid.gov.ua/wp-content/uploads/2025/02/zvit-systemy-nadannya-bpd-za-2025-rik.pdf>

7. THE UKRAINIAN PARLIAMENT COMMISSIONER FOR HUMAN RIGHTS

7.1. Organisational and legal background

In Ukraine, the functions of the ombuds-institution are carried out by the Ukrainian Parliament Commissioner for Human Rights. The Commissioner is responsible for parliamentary oversight of the observance of constitutional human rights and freedoms. The Constitution guarantees every person the right to appeal to the Commissioner for the protection of their rights.⁵¹

To fulfil these responsibilities, the Commissioner is granted a broad set of powers. These include the right to propose improvements to legislation in the field of human rights protection and to submit constitutional petitions to the Constitutional Court. The Commissioner may also examine how state bodies comply with human rights standards, visit places of detention without prior notice, and request oral or written explanations from officials and private individuals. In cases where people cannot defend their rights themselves due to health, age, or legal incapacity, the Commissioner may bring their cases before the courts and participate in court proceedings. When violations are identified, the Commissioner may issue official responses requiring relevant authorities to take corrective action.

All public authorities, local self-government bodies, civil society organizations, enterprises, and officials are legally required to cooperate with the Commissioner and provide the necessary information and assistance.

The Commissioner prepares, publishes, and presents to Parliament an annual report on the state of human rights and fundamental freedoms in the country.

Secretariat of the Commissioner

The Secretariat supports the Commissioner's work. Its tasks include organizational, legal, analytical, expert, financial, and material support. It is headed by a director and deputies. Within the Secretariat, departments, divisions, and sectors operate according to thematic areas such as the national preventive mechanism, monitoring of social and economic rights, the rights of individuals affected by armed aggression, fair trial rights, documentation and citizen appeals, human resources, and anticorruption activities.⁵²

Advisory Council

An Advisory Council operates alongside the Commissioner. It consists of representatives of civil society, international organizations, academia, and the Commissioner. The Council works on a voluntary basis and provides expert advice, supports research, and reviews proposals aimed at strengthening human rights protection within the system of parliamentary oversight.⁵³

7.2. Representatives of the Commissioner

In addition to the Secretariat, the Commissioner appoints representatives with thematic or regional mandates. These representatives cover areas such as social and economic rights, rights of persons affected by armed aggression, information rights, human rights in places of detention, international cooperation and European integration, rights of national minorities, freedom of belief and political views, children's rights, and the right to a fair trial. A representative is also assigned to oversee the security and defense sector.⁵⁴

⁵¹ Law of Ukraine on the Ukrainian Parliament Commissioner for Human Rights (1997) Law No. 776/97-BP, arts 1,3, ch. IV.

⁵² Ibid, art. 10.

⁵³ Ukrainian Parliament Commissioner for Human Rights (2026) Advisory Council under the Commissioner. Available at: <https://ombudsman.gov.ua/uk/konsultativna-rada-pri-upovnovazhenomu>

⁵⁴ Law of Ukraine on the Ukrainian Parliament Commissioner for Human Rights (1997) Law No. 776/97-VR., art 11.

At the regional level, the Commissioner has a representative in each oblast, 24 in total. Regional offices (public reception offices) support these representatives. For Crimea and Sevastopol, the reception office is located in Kyiv, while the offices for Donetsk and Luhansk oblasts operate in the city of Dnipro. Each office has several staff members and cooperates with regional coordinators funded by the international organizations such as UNDP, UNICEF, UNHCR, Save the Children, and the OSCE. For example, UNDP has 21 assigned regional coordinators to support ombudsperson's regional representatives (local human rights experts who are supported by the UNDP).⁵⁵

⁵⁵ Ukrainian Parliament Commissioner for Human Rights (2026) Representatives of the Commissioner. Available at: <https://ombudsman.gov.ua/uk/predstavniki-upovnovazhenogo>

8. BAR IN UKRAINE

8.1. System overview

The bar in Ukraine is a non-state self-governing professional institution. It is independent from state authorities and local governments. Its purpose is to provide legal defence, legal representation, and other forms of legal assistance on a professional basis. State influence over the bar is exercised only through legislation, and the state is required to ensure conditions for its independent functioning.

The system operates at two levels. The national level consists of institutions that oversee the bar as a whole. The regional level includes institutions responsible for local organization and administration.⁵⁶

On the national level, the Ukrainian National Bar Association is an independent professional organization that includes all practicing advocates in Ukraine to protect their rights and independence. Its highest governing body is the Congress of Advocates, which meets every three years to elect leadership, approve professional conduct rules, and select members for the High Council of Justice. The Bar Council of Ukraine serves as the executive body between these sessions, maintaining the official register of advocates and overseeing daily operations with a membership of thirty experienced professionals. National oversight is further supported by the Higher Qualification and Disciplinary Commission for professional admission and the Higher Audit Commission for financial transparency.⁵⁷

The regional structure mirrors this national model through the Conference of Advocates, which serves as the highest local authority and elects regional leadership. The regional Bar Council is responsible for daily local activities and protecting the professional rights of attorneys within its jurisdiction. For those entering the profession, the regional Qualification and Disciplinary Commission conducts qualification exams and handles disciplinary matters or complaints. Financial accountability at this level is maintained by the Regional Audit Commission, which monitors the economic activities of the local council and commission to ensure proper use of funds.⁵⁸

8.2. Training and professional development

All attorneys and their assistants in Ukraine must regularly improve their professional qualifications. The Higher School of Advocacy of the National Association of Attorneys is responsible for organizing and administering this process. It works together with regional bar councils and accredited third-party operators. Bodies of attorney self-governance support the Higher School of Advocacy by providing relevant information and suggestions for improving training programs.⁵⁹

Third-party organizations may conduct training only after accreditation by the Expert Council on Accreditation and Certification of the National Association of Attorneys. According to the official list of accredited operators, only three private companies operate outside the bar system. All other operators are regional bar councils or the Higher School of Advocacy.⁶⁰

Regional bar councils provide informational and methodological support but also organize the training events themselves for the attorneys based in their region. They inform attorneys about available training opportunities, including through online resources, and publish relevant methodological materials. They also cooperate with the Higher School of Advocacy when defining training topics, formats, and schedules.

⁵⁶ Law of Ukraine on the Bar and Practice of Law (2012) Law No. 5076 VI, arts. 2-5.

⁵⁷ *Ibid.*, ch. VII.

⁵⁸ *Ibid.*

⁵⁹ Ukrainian Bar Council (2021) Decision No. 63: On approval of the new edition of the Procedure for professional development of advocates of Ukraine. Available at: <https://zakon.rada.gov.ua/rada/show/vr063871-21#Text>

⁶⁰ Higher School of Advocacy of the National Bar Association of Ukraine (n.d.) Accredited operators of attorneys' professional development. Available at: <https://cpd.hsa.org.ua/organizers>

Every attorney must complete at least fifteen credit hours of training each calendar year. At least two of these hours must concern the Rules of Attorney Ethics. One credit hour corresponds to forty-five minutes to one hour of training, or more if approved by the Expert Council. Attorneys may choose freely among accredited programs, provided they register with the operator conducting the event.

Financing for training activities comes from the operators' funds, including their own resources, participation fees when events are paid, and other lawful sources. The Higher School of Advocacy maintains an electronic database that records the credit hours of each attorney. If an attorney does not fulfil the annual training requirement, the Higher School of Advocacy has the right to initiate disciplinary proceedings.⁶¹

⁶¹ Ukrainian Bar Council (2021) Decision No. 63: On approval of the new edition of the Procedure for professional development of advocates of Ukraine. Available at: <https://zakon.rada.gov.ua/rada/show/vr063871-21#Text>

9. ALTERNATIVE DISPUTE RESOLUTION

Ukraine's legal system recognizes quite a broad set of mechanisms for resolving disputes outside a full trial. The most visible mechanisms in practice are mediation and arbitration tribunals. Since December 2017, civil, commercial, and administrative procedure codes have also allowed a judge-led settlement track.⁶² Since late 2021, mediation has a dedicated framework law.⁶³ Despite this progress, reliable wide statistics on the use of mediation and arbitration tribunals remain unavailable. The absence of a unified registry of mediators and outdated public registers for permanent arbitration tribunals make evidence-based evaluation difficult.

Overall, Ukrainian legislation allows the following non judicial or quasi-judicial options:

- Mediation.
- Settlement with the participation of a judge under the Civil Procedure Code, the Commercial Procedure Code, and the Code of Administrative Procedure.
- International commercial arbitration.
- Arbitration tribunals.
- Restorative justice elements in criminal cases, where the Criminal Code and Criminal Procedure Code allow reconciliation between victim and offender in certain categories of cases.
- Resolution of collective labour disputes.⁶⁴

These instruments cover civil and commercial disputes, selected administrative matters, specific criminal situations that permit reconciliation, and collective labour conflicts.

9.1. Mediation. Legal Status and Institutional Landscape

Since autumn 2021, the law on Mediation provides a formal definition and core principles of the mediation procedure. Mediation is an out-of-court, voluntary, confidential, and structured process in which one or more mediators assist the parties to prevent or resolve a conflict through negotiation. The law recognizes mediation across civil, commercial, labour, family, and some criminal contexts where reconciliation is permitted.⁶⁵

The law also provides some incentives to use mediation, including the court considering returning 60 percent of the court fee paid when filing the claim if the parties reach a settlement, withdraw the claim, or admit the claim as a result of mediation. This creates a financial motive to resolve disputes early and efficiently.⁶⁶ There is an active policy discussion about introducing mandatory elements in mediation for selected categories of disputes.⁶⁷ Judges have publicly argued that mandatory mediation is suitable for family, labour, inheritance, and land disputes and discussed mandatory meetings for some of these categories.⁶⁸ In practice, judges and mediators often view these steps positively, and lawyers show mixed but partly supportive attitudes.⁶⁹

⁶² Sakara, N. Supreme Court of Ukraine (2023) Settlement of disputes with the participation of a judge. Available at: https://supreme.court.gov.ua/userfiles/media/new_folder_for_uploads/supreme/2023_prezent/Prezent_vreg_spor_ychast_syddi.pdf

⁶³ Law of Ukraine on Mediation (2021) Law No. 1875-IX.

⁶⁴ National Bar Association of Ukraine (2024) Alternative dispute resolution methods. Available at: <https://unba.org.ua/publications/8920-al-ternativni-sposobivirishennya-sporiv.html>

⁶⁵ Law of Ukraine on Mediation (2021) Law No. 1875-IX, arts. 1-3.

⁶⁶ *Ibid.*, art. 158-1

⁶⁷ Femida.ua (2021) Mandatory mediation in Ukraine: a barrier to justice or a filter against litigiousness. Available at: <https://femida.ua/news/obovyazkova-mediacyiya-v-ukrayini-baryer-do-pravosuddya-chy-filtr-vid-sutyazhnyctva/>

⁶⁸ Synelnykov, Y. Supreme Court, (2023) Certain aspects of mediation. Available at: https://supreme.court.gov.ua/userfiles/media/new_folder_for_uploads/supreme/2023_prezent/Prezent_aspekti_mediacyii.pdf

⁶⁹ Femida.ua (2021) Mandatory mediation in Ukraine: a barrier to justice or a filter against litigiousness. Available at: <https://femida.ua/news/obovyazkova-mediacyiya-v-ukrayini-baryer-do-pravosuddya-chy-filtr-vid-sutyazhnyctva/>

There are also minimum training requirements for mediators. Basic training must be at least 90 hours, including at least 45 hours of practical training, and must include both theory and skills practice. Providers of educational services conduct the training.

Unlike the law governing bar in Ukraine, the mediation law does not create a centralized governance body or mandatory self-regulatory institution for mediators. There is no unified national registry of mediators and no consolidated official statistics on mediation activity. Various professional associations and training providers maintain their own lists of graduates or members. Examples include the National Association of Mediators of Ukraine, the Academy of Mediators of Ukraine, and specialized associations such as the Association of Family Mediators. Because registries are fragmented and not standardized, it is not possible to determine the territorial distribution or total number of active mediators from public sources. Requests to several associations did not yield data. National judicial statistics also do not provide a dedicated indicator on mediation uptake.

9.3. Arbitrational Tribunals

Arbitration tribunals are nonstate, independent bodies created by agreement or decision of interested individuals or legal entities to resolve disputes arising from civil and commercial relations. Both permanent and ad hoc tribunals are possible. However, the law excludes several categories from the competence of domestic arbitration courts. Exclusions include disputes connected with public procurement to satisfy state needs, insolvency or bankruptcy matters, disputes concerning immovable property including land, and corporate disputes between a company and its participants.⁷⁰

A public register of arbitration tribunals exists, but the interface does not allow regional breakdown, and, in practice, the publicly available data appears outdated, with last updates around 2017. Public statistics on case volumes and outcomes are not readily accessible and likely are not collected. Expert commentary suggests that many institutional arbitration courts operate under or alongside chambers of commerce and similar professional associations.⁷¹ At the same time, civil society point that arbitration tribunals are often considered unpopular due to limited public awareness, narrowed competence, and concerns about dependence in some institutions. Out of more than 500 registered arbitration courts, it is commonly reported that fewer than 20 are actively functioning, although official confirmation and current figures are not publicly available.⁷²

⁷⁰ Law of Ukraine on Arbitration Tribunals (2004) Law No. 1701-IV, arts. 3, 6, 7.

⁷¹ Sytyi, V. (2024) Arbitration Tribunal: an alternative to dispute resolution to remember. Available at: <https://jur-gazeta.com/dumka-eksperta/treteyskiy-sud-alternativa-virishennyu-sporiv-pro-yaku-var-to-pamyatati.html>

⁷² DEJURE Foundation (2019) Arbitration tribunal as an alternative to state justice: draft changes to the Law of Ukraine on Arbitral Courts. Available at: <https://dejure.foundation/treteyski-sudy-yak-alternatyva-derzhavnomu-sudochynstvu/>

10. LOCAL AUTHORITIES

Local state administrations

Local state administrations exercise executive authority in the regions and districts of Ukraine, including the cities of Kyiv and Sevastopol. They are accountable and subject to control by higher executive bodies. The President of Ukraine appoints and dismisses the heads of these administrations based on submissions from the Cabinet of Ministers.⁷³ Within their territories, local state administrations ensure the implementation of the Constitution and the laws of Ukraine, as well as acts issued by the President, the Cabinet of Ministers, and other executive authorities. They maintain legality and public order and secure the protection of citizens' rights and freedoms. They carry out state and regional programs related to social, economic, cultural, and environmental development. In areas with concentrated populations of indigenous peoples and national minorities, they also implement programs that support national and cultural development. Their functions include preparing and executing regional and district budgets and reporting on the implementation of these budgets and related programs. They cooperate with local self-government bodies and perform other powers granted by the state or delegated by the relevant councils.⁷⁴

During the period of martial law, local state administrations also carry out the functions of local military administrations. This gives them an additional set of powers connected to the martial law regime, as defined by the Law of Ukraine on the Legal Regime of Martial Law. In practice, these powers include ensuring the implementation of defence measures, coordinating actions with military command, organising the evacuation of the population, maintaining public order, and managing special entry and exit rules within the affected territories. They also regulate the operation of critical infrastructure and take other measures necessary to maintain security and support the functioning of communities during armed aggression.⁷⁵

Local state administrations in each region operate on two levels. The regional (oblasna) administration has authority over the entire oblast, while the district (raionna) administration is lower in the hierarchy and has authority limited to a specific district (raion) within that region. As a result, every region has one regional state administration and several district state administrations.⁷⁶

Local Self-governance

The system of local self-governance in Ukraine is composed of several interconnected elements that together ensure governance and representation at the community level. The territorial community stands at the core of this system and is the primary holder of local self-governance powers. It may consist of residents of one or several localities, and communities may unite into a single territorial community with common self-governance institutions. Such a unified community also elects a single head to represent it.⁷⁷

The local council (city or village) functions as the representative body of the territorial community. It acts on behalf of residents and carries out the powers defined by the Constitution and national legislation. The local council is an elected body whose members are chosen through local elections.⁷⁸

Executive authority within the system is exercised through the executive bodies of the local council, which include executive committees, or other units created by the council. These bodies are accountable to the council and must also report to state executive authorities when implementing delegated powers. The council has exclusive authority to establish its executive committee, decide on its size, appoint or modify its membership, and, if necessary, dissolve it. This ensures oversight and alignment between executive functions and community needs.

⁷³ Law of Ukraine on Local State Administrations (1999) Law No. 586-XIV, arts.1, 7-9.

⁷⁴ *Ibid.*, ch. 2.

⁷⁵ Decree of the President of Ukraine on the establishment of military administrations (2022) Decree No. 68/2022; Law of Ukraine on the Legal Regime of Martial Law (2015) Law No. 389 VIII, art. 15.

⁷⁶ *Supra*, art. 5.

⁷⁷ Law of Ukraine on Local Self-Government in Ukraine (1997) Law No. 280/97-BP, arts. 1, 2, 6.

⁷⁸ *Ibid.*, art. 10.

⁷⁹ *Ibid.*, art.11.

The head of the territorial community is the leading official representing the residents. This person is elected directly by the community through secret voting and serves on a full-time basis. The head chairs the executive committee and presides over council meetings, ensuring coordination between representative and executive functions. This position plays a central role in implementing decisions, guiding administrative work, and articulating community priorities.⁸⁰

On a broader scale, district and regional councils represent the shared interests of multiple territorial communities. Bodies of self-organisation of the population complement this structure by enabling residents to address issues at the neighbourhood or micro-community level. Regional and district councils do not create their own executive bodies. Instead, their executive functions are delegated to regional and district state administrations. This distinguishes them from local councils at the community level, which maintains their own executive structures. Regional and district councils perform more strategic, oversight, and sometimes budgetary functions, and they manage communal property that belongs to several communities or does not fall under the jurisdiction of any single community within the district or region. This creates a multi-level governance model in which community-level councils handle operational self-government functions, while regional and district councils coordinate broader development priorities and shared assets.⁸¹

Together, these components form a structured system of local self-governance. The territorial community, the local council, its executive bodies, and the community head collectively shape a governance model that ensures participation, and management of local affair.

⁸⁰ Ibid, art. 12.

⁸¹ Ibid, ch 2.

AFTERWORD

This Foundation part has outlined the legal and institutional background of those elements of the human rights and justice system in Ukraine that are relevant for Chapter 23 of the EU Acquis. By presenting their mandates, structures, and general architecture at the national level, it has provided the necessary context for understanding how these systems are designed to function across the country.

The following volumes move from this general framework to a region specific perspective. They examine how these institutions operate in practice at the local level, with a focus on observable characteristics such as staffing, workload, organisational arrangements, and recurring challenges. This shift from a national overview to regional analysis reflects the core approach of the study, which seeks to map institutional realities on the sub-national level.

The first volume begins with the Chernihiv oblast. As a region significantly affected by the armed conflict, it offers a relevant starting point for examining how national structures translate into local practice under complex wartime conditions. The subsequent volumes follow the same analytical approach, allowing for a comparative understanding of how human rights infrastructure develops and functions across different regional contexts.

