OECD Justice Review of Ukraine

Delivering Better Justice Outcomes for People

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OECD
BETTER POLICIES FOR BETTER LIVES

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Foreword

In recent years, Ukraine has been taking significant steps to reform its justice system and uphold the rule of law under exceptionally challenging circumstances. Despite the destruction and disruption caused by Russia's war of aggression, justice institutions have remained operational and continued to implement strategic reforms. At the same time, Ukraine's path towards European Union accession and broader international integration has increased the importance of a well-functioning, accountable and people-centred justice system.

Against this background, the OECD Justice Review of Ukraine provides an assessment of the justice system in Ukraine. It examines progress achieved, identifies remaining challenges and offers practical recommendations to support upcoming reforms. The Review covers governance, planning and co-ordination across the justice sector, as well as the systemic interaction of judicial independence, integrity, accountability and transparency. It further analyses the sector's capacity, performance, enforcement of court decisions, digitalisation and data use and the design and delivery of people-centred justice services. The Review considers both the legal and institutional frameworks and the conditions in which justice institutions operate, including under wartime constraints.

The Review assesses Ukraine's progress against OECD standards, particularly the OECD Recommendation on Access to Justice and People-Centred Justice Systems. It also draws on regional and international justice and rule of law indicators and good practice examples to evaluate Ukraine's performance and identifies areas where further reform may be required. The Review situates recent and ongoing reforms in relation to people's justice outcomes and Ukraine's wider commitments as part of European Union accession and long-term recovery.

While the Review analyses the justice system in Ukraine, it does not examine reforms in the area of anti-corruption. Issues related to public integrity are addressed only insofar as they are relevant to justice governance and the integrity frameworks in place. A comprehensive analysis of anti-corruption policies and institutions is provided in the OECD Integrity and Anti-Corruption Review of Ukraine.

The Review was prepared under the OECD Ukraine Country Programme 2023-2027, which supports Ukraine in strengthening public institutions, enhancing resilience and advancing recovery and reconstruction. In this context, the Review aims to support Ukraine in developing more coherent, evidence-based and people-centred reforms for its justice system.

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The Review was led by Chloé Lelievre (Team Lead, OECD Justice and Rule of Law) and Franciszek Ploch (OECD Policy Analyst). The principal authors of the individual chapters are: Chapter 2: Franciszek Ploch and Alejandra Saffon (International Expert); Chapter 3: Pim Albers (Senior Expert on Justice and Rule of Law) and Franciszek Ploch; Chapter 4: Mónica Castillejos-Aragón (Lecturer in Comparative Law and International Law, Berkeley School of Law, University of California), Chloé Lelievre, Franciszek Ploch and Michael Tartaglia (OECD Policy Analyst); Chapter 5: Pim Albers and Franciszek Ploch; and Chapter 6: Alejandra Saffon. Nathalia Berkowitz (International Lawyer, Access to Justice Expert), Francisco Cardona (Senior International Justice Policy Expert), Gabriel Cifuentes (former Secretary of Transparency of Colombia; former Director of Justice, Security and Governance at the National Development Department, Colombia) and Roger Scott-Douglas (former Assistant Secretary, Priorities and Planning, Treasury Board Secretariat, Canada) provided expert advice and review, while Serhii Horovenko (National consultant) contributed additional review and insights into the local context. Marta Koptiakow from the Ministry of Justice of Poland kindly supported the project by providing a peer perspective.

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Abbreviations and acronyms

ADR	Alternative dispute resolution
AGE	Advisory Group of Experts
AI	Artificial intelligence
ALI	Agency for Legislative Initiatives
ASCs	Administrative Service Centres
AUCPP	All-Ukrainian Conference of Prosecutors
CCJE	Consultative Council of European Judges
CCLAP	Coordination Centre for Legal Aid Provision
CCPE	Consultative Council of European Prosecutors
CCU	Constitutional Court of Ukraine
CEPEJ	European Commission for the Efficiency of Justice
CJC	Community Justice Centre
CJU	Council of Judges of Ukraine
CMU	Cabinet of Ministers of Ukraine
CoE	Council of Europe
CoP	Council of Prosecutors of Ukraine
CPE	Court Performance Evaluation
CRC	Citizen Report Cards
CRSV	Conflict-related sexual violence
CSO	Civil society organisation
CSS	Court Security Service
DACK	District Administrative Court of Kyiv
DIS	Disciplinary Inspectors Service
DRC	Danish Refugee Council
DV	Domestic violence
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
ENCJ	European Network of Councils for the Judiciary
EU	European Union
EUAM	European Union Advisory Mission Ukraine
GDP	Gross domestic product
GOV	Public Governance (Directorate, OECD)
GPIJ	Global Partnerships, Inclusion and Justice (Division, GOV/OECD)
GRC	Global Relations and Co-operation (Directorate, OECD)
HACC	High Anti-Corruption Court
HCIP	High Court on Intellectual Property
HCJ	High Council of Justice
HQCJ	High Qualification Commission of Judges of Ukraine
HR	Human resources
HRM	Human resource management
IAJ	International Association of Judges
IAP	International Association of Prosecutors

ICC	International Criminal Court
ICT	Information and communication technology
IDP	Internally displaced person
IFCE	International Framework of Court Excellence
IFD	Integrated Front Desks
IMF	International Monetary Fund
IT	Information technology
KhISR	Kharkiv Institute for Social Research
LDN	Legal Development Network
LJSJ	Law of Ukraine on the Judiciary and the Status of Judges
LNS	Legal needs survey
LRC	Legal Reform Commission
MCI	Model Court Initiative
MDT	Ministry of Digital Transformation
MIA	Ministry of Internal Affairs of Ukraine
MoF	Ministry of Finance of Ukraine
MoJ	Ministry of Justice of Ukraine
NABU	National Anti-Corruption Bureau of Ukraine
NACMU	National Association of Certified Mediators of Ukraine
NACP	National Agency on Corruption Prevention
NSJ	National School of Judges of Ukraine
ODR	Online dispute resolution
OECD	Organisation for Economic Co-operation and Development
OPG	Office of the Prosecutor General
OPU	Office of the President of Ukraine
OSCE	Organization for Security and Co-operation in Europe
PCIE	Public Council of International Experts
PCLP	Parliamentary Committee on Legal Policy
PIC	Public Integrity Council
PIIs	Public Integrity Indicators
QDCP	Qualification and Disciplinary Commission of Prosecutors
RLI	Rule of Law Index
SACA	Specialised Administrative Court of Appeal
SAPO	Specialised Anti-Corruption Prosecutor's Office
SC	Supreme Court of Ukraine
SCMU	Secretariat of the Cabinet of Ministers of Ukraine
SDAC	Specialised District Administrative Court
SJA	State Judicial Administration of Ukraine
TI	Transparency International
UAM	Public Union "Ukrainian Academy of Mediation"
UHHRU	Ukrainian Helsinki Human Rights Union
UJITS	Unified Judiciary Information and Technology System
UNBA	Ukrainian National Bar Association
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
UPCHR	Ukrainian Parliament Commissioner for Human Rights
URPTI	Unified Register of Pre-trial Investigations
USAID	United States Agency for International Development
VAWG	Violence against women and girls
VRU	Verkhovna Rada of Ukraine
VWCC	Victims and Witnesses Coordination Centre
WJP	World Justice Project

Executive summary

Ukraine launched a broad programme of reform after the 2013-2014 Revolution of Dignity to strengthen democracy and the rule of law. Since then, changes have been made to improve the functioning of the justice system and the anti-corruption framework, contributing to a steady improvement in Ukraine's Rule of Law Index (RLI) score between 2015 and 2021. Ukraine's Association Agreement with the European Union (EU), which entered fully into force in 2017, provided further direction for reform and supported alignment with European standards. Russia's war of aggression, escalating into a full-scale invasion of Ukraine on 24 February 2022, has placed continued strain on the justice system, complicating the continuity of justice reforms. Damage to infrastructure, security risks, disruptions to energy supply, human resource impacts and the application of martial law have affected institutional functioning and the provision of justice services. Demand for justice services has increased, legal needs have intensified and new justice problems have emerged.

Reforms since 2014 have focused on strengthening governance, improving co-ordination, reinforcing integrity and modernising service delivery. The re-establishment of the High Council of Justice (HCJ) and the resumption of the High Qualification Commission of Judges of Ukraine (HQCJ) restored key governance functions, while specialised administrative courts are being established. Digitalisation has expanded, and integrity safeguards have been strengthened within the judiciary. The Rule of Law Roadmap approved by the Cabinet of Ministers of Ukraine (CMU) in May 2025 as part of Ukraine's EU accession process, sets out over 500 pre-accession measures, covering justice, fundamental rights and related areas. Legislative and inter-agency frameworks support co-ordination, including structured engagement of civil society and international partners. At the same time, justice institutions continue to operate under wartime constraints that affect planning, resource allocation, service delivery and broader reform implementation.

Institutional arrangements for governance and co-ordination have improved but remain complex. Responsibilities are distributed across multiple bodies, including the HCJ, the HQCJ and the State Judicial Administration of Ukraine (SJA). Overlapping mandates and fragmented decision-making affect efficiency, particularly in areas such as judicial staffing and financial management. Strategic planning functions are not fully consolidated, and co-ordination among institutions is uneven. Data-sharing remains limited, restricting the ability to manage cases across institutions and to plan reforms based on evidence. The territorial jurisdiction of courts reflects administrative divisions and wartime adjustments and there is scope to better align resources with workload and legal needs. Community Justice Centres (CJCs) operate under varying mandates and standards, limiting their role as consistent entry points into the justice system.

Constitutional and legislative guarantees of separation of powers and judicial independence are well established, and integrity-based selection procedures for judges and judicial governance bodies have been strengthened. The establishment of the Disciplinary Inspectors Service (DIS) has improved the management of disciplinary proceedings, and Unified Integrity Indicators have formalised criteria for assessing judicial conduct. Transparency has increased through the publication of decisions, procedures and statistical information. Yet, challenges remain in perceptions of judicial independence and trust in justice institutions. Nearly 69% of respondents report a lack of trust in the Supreme Court of Ukraine (SC),

reflecting persistent perceptions of corruption, undue influence and inconsistent application of accountability measures. High-profile cases involving senior judicial officials have reinforced these concerns. Reports of interference with judicial activity and constraints related to security and financial predictability affect the practical exercise of independence.

Justice institutions have maintained service delivery during wartime, and key performance indicators remain broadly aligned with European benchmarks, particularly disposition times in first-instance civil, commercial and criminal cases and, in many areas, clearance-rate performance and pending caseload levels. However, sustainability of performance is constrained by staffing shortages, uneven operational capacity and gaps in performance management. As of April 2026, 2 293 judicial positions (34.8%) were vacant, which contributes to increased workload for sitting judges. Performance management systems are in place but are not consistently applied across institutions. Differences in case clearance rates and risks of a growing backlog indicate the need for more systematic caseflow management. Non-enforcement of court decisions remains a structural challenge, affecting the effectiveness of the justice system and justice outcomes for people. Digital tools have supported continuity of services, including case management and remote participation, but interoperability across systems and the use of data for planning remain limited. Infrastructure damage and reliance on input-based funding constrain modernisation and long-term investment.

Ukraine has taken steps towards a more people-centred justice system, including through digitalisation, legal aid services, alternative dispute resolution (ADR) and community-based service delivery. Legal needs have increased, particularly among internally displaced persons, residents of war-affected areas, veterans and their families, persons with disabilities and children. Barriers to access include distance, cost, documentation requirements, limited information and lack of access to digital tools. Service delivery remains organised around institutional mandates, with limited integration across pathways. Access and outcomes vary across regions and population groups, reflecting differences in capacity and exposure to wartime disruption. Strengthening the availability and interoperability of data, improving understanding of legal needs and clarifying pathways among courts, legal aid, ADR and community services would support more consistent and accessible justice outcomes. Aligning institutional improvements with the experience of people using the system remains central to sustaining performance, improving trust and supporting recovery and long-term resilience.

1 Pathways to reform: Assessment and recommendations

This chapter presents the key findings of the OECD Justice Review of Ukraine and sets out recommendations to strengthen governance, the interplay of justice system values, capacity, performance and resilience, and people-centred service delivery across Ukraine's justice system. The recommendations aim to support the implementation of Ukraine's justice reform priorities by facilitating alignment with European Union accession and integration requirements and promoting convergence with OECD standards, with a focus on strengthening a people-centred justice system. The chapter concludes by outlining the project and the structure of the Review.

1.1. Introduction and general assessment

Over the last decade, Ukraine has undertaken significant reforms to strengthen democratic governance, the rule of law and the functioning of the justice system. Accession to the European Union (EU) has become one of the key drivers of justice reforms, notably in the areas of judicial governance, digitalisation, integrity and accountability.

Russia's war of aggression against Ukraine has placed the justice system under severe pressure. It has added to long-standing constraints, including judicial understaffing, underfunding and heavy workloads, while security threats and damage to justice infrastructure have affected operational continuity and access to services. The war has complicated reform implementation and weakened the momentum for sustained institutional change. It has also increased demand for justice services and created new and often complex legal needs across Ukraine. Despite these conditions, Ukraine's justice sector has remained resilient and continued to pursue structural reforms while maintaining service delivery.

Recent reforms have strengthened the institutional framework for judicial governance and improved co-ordination in support of EU accession priorities, including through the Rule of Law Roadmap. Progress in digitalisation and inter-institutional co-operation has also helped maintain justice services during the war. Yet persistent challenges continue to affect the effectiveness, accessibility and legitimacy of the justice system. Governance arrangements remain fragmented, while data-sharing, performance management and evidence-based monitoring are uneven. In several areas, institutional arrangements, planning frameworks and service delivery models also remain insufficiently integrated across the broader justice ecosystem. Shortages of judges and court staff, insufficient and unpredictable funding, and ongoing difficulties in enforcing court decisions continue to constrain the system.

Public confidence in justice institutions remains fragile, reflecting perceptions of corruption and undue influence, as well as concerns about the consistent application of integrity safeguards and accountability mechanisms. Importantly, public trust in justice institutions depends on formal safeguards and institutional design as well as on perceptions regarding fairness, consistency, transparency and predictability in institutional practice. A key challenge is therefore to close the gap between formal safeguards and their implementation in practice, so as to protect judicial independence while ensuring transparent, credible and consistently applied integrity and accountability frameworks. This requires recognising independence, accountability, integrity and transparency as mutually reinforcing dimensions of a broader justice values system.

Ukraine has laid important foundations for a more people-centred justice system, including through the expansion of digital justice services, legal aid and alternative dispute resolution (ADR) mechanisms. However, access to justice and justice outcomes remain uneven across regions and population groups, particularly for people affected by displacement and social vulnerability. In line with the OECD Recommendation on Access to Justice and People-Centred Justice Systems [OECD/LEGAL/0498] ('OECD Recommendation'), systematically collected data and evidence on legal needs and justice problems should serve as a basis for designing sectoral reforms, improving interoperability and referral pathways across justice institutions and services, and ensuring more accessible, responsive and resilient justice services. This includes supporting more integrated territorial planning and development of a broader "justice services map" linking legal needs, service distribution and justice outcomes across regions.

This chapter brings together the main findings of the Review and sets out recommendations for improving sectoral governance, co-ordination and planning; strengthening the interplay between independence, accountability, integrity and transparency; enhancing capacity, performance and data-driven justice; bolstering financial resilience, infrastructure and operational continuity; and improving the design and delivery of people-centred justice services.

Grounded in this assessment, the OECD policy recommendations aim to support Ukraine in advancing justice reforms aligned with EU accession requirements and OECD standards, while strengthening public trust, institutional resilience and people-centred justice outcomes.

1.2. Recommendations

1.2.1. Improving sectoral governance, co-ordination and planning

Since 2014, institutional reform in the justice sector has been a central element of the rule of law agenda in Ukraine. The re-establishment of the High Council of Justice (HCJ) in 2017, and its subsequent reconstitution in 2023 after a period of institutional disruption, allowed the gradual restoration of the central mechanism for the selection, evaluation and mobility of judges. After almost four years of inactivity, in 2023, the High Qualification Commission of Judges of Ukraine (HQCJ) resumed its function of selecting and verifying candidates for judicial positions. Another milestone was reached in December 2024, when the Disciplinary Inspectors Service (DIS) began operating within the Secretariat of the HCJ and assumed responsibility for supporting the management and processing of disciplinary cases. More recently, progress has also been made in reforming the administrative justice system. In September 2025, the Verkhovna Rada of Ukraine (VRU) adopted a law laying the groundwork for the establishment of the Specialised District Administrative Court (SDAC) and the Specialised Administrative Court of Appeal (SACA) (VRU, 2025[1]). These courts are intended to adjudicate cases involving higher state authorities and were created to replace the District Administrative Court of Kyiv (DACK) liquidated in December 2022. While the competition processes for the SDAC and the SACA are ongoing, their full staffing and operationalisation will mark an important step towards restoring administrative justice capacity and improving access to justice in disputes involving executive authorities. It will also support Ukraine's commitments under the EU and the International Monetary Fund (IMF) reform processes.

In terms of inter-institutional co-ordination, the legislative framework creates the foundations for ensuring coherence in the organisation of the justice system and efforts to safeguard judicial independence. Sectoral co-ordination is further supported by thematic working groups and inter-agency mechanisms, particularly in areas of reform related to EU accession. Co-operation with civil society organisations (CSOs) and service providers at the local community level remains a well-developed component of the system, particularly in supporting outreach and service delivery. At the international level, structured co-operation with donors and partners, including in the field of criminal law, supports alignment with regional standards and the mobilisation of external assistance for justice sector reforms.

With regard to strategic planning in the justice sector, previous justice strategies for 2015-2020 and 2021-2023 enabled the consolidation and systematisation of key reforms for the justice sector. With the growing prominence of EU accession, and in view of challenges arising from Russia's full-scale invasion of Ukraine, strategic planning for the justice system has become even more critical. Although the new draft Strategy for the Development of the Justice System and Constitutional Justice is yet to be adopted, the Rule of Law Roadmap approved by the Cabinet of Ministers of Ukraine (CMU) outlines key reform measures on the way to EU accession. The Roadmap provides a framework for sequencing reforms and ensuring the engagement of specific justice institutions in ensuring progress under Chapters 23 and 24 of the EU acquis. It should therefore be understood not only as a sectoral planning document, but also as a time-bound accession instrument. Its measures include specific deadlines extending to the end of 2027, which can help translate EU accession requirements into sequenced institutional reforms, implementation responsibilities and monitoring milestones. Effective implementation of the envisaged measures will require continuous co-ordination and co-operation within government and among the government, justice institutions, international donors and CSOs.

In addition, strategic planning in the justice sector is most effective when linked to measurable outcomes and aligned with how people experience legal and justice problems in practice. This requires planning not only for individual institutions, but for the overall justice service offer, including courts, legal aid, ADR, community services and administrative pathways, so that services respond coherently to evolving legal needs and support accessible and people-centred justice outcomes. Importantly, given the breadth of ongoing reforms and wartime constraints, sequencing, institutional absorption capacity and implementation sustainability will remain important considerations for maintaining reform effectiveness and institutional continuity. This is particularly relevant in light of the significant role played by international partners in financing and supporting justice reforms. Such involvement can create risks of fragmentation, duplication or dependency if not sufficiently integrated into national planning, budgeting and monitoring frameworks.

Notwithstanding the comprehensive governance framework, the division of responsibilities between judicial governance bodies, including the HCJ, the HQCJ, the State Judicial Administration (SJA) and the Council of Judges of Ukraine (CJU), has led to a complex institutional structure. The existing configuration reflects deliberate efforts to prevent excessive concentration of authority and strengthen internal checks and balances within judicial governance. However, it also creates operational risks for reform implementation, including under the Rule of Law Roadmap and the EU enlargement process, where the timely filling of judicial vacancies, qualification evaluation of sitting judges, disciplinary accountability, court financing and digitalisation depend on coherent action across judicial governance bodies. Clarifying competences and decision-making roles across these institutions could therefore help streamline processes, support more timely decision-making and strengthen Ukraine's capacity to meet EU accession commitments.

Clarifying legal provisions governing judicial governance institutions may resolve some of this complexity. As envisaged in the Rule of Law Roadmap, a consolidated functional audit covering mandates, decision-making powers and accountability arrangements within these bodies would constitute an analytical basis for assessing whether the current structures are proportionate to operational needs or whether more structural simplification of governance arrangements may be warranted in the longer term. In parallel, strengthening the capacity of the CJU and the Council of Prosecutors of Ukraine (CoP), including through adequate budgetary resources and a review of membership rules, could contribute to enhancing the autonomous governance of judges and prosecutors and support more sustainable governance arrangements.

The current territorial organisation of courts of first instance has been largely determined by administrative divisions, with ad hoc relocation of court jurisdiction due to ongoing hostilities. In the current circumstances, there is scope for further optimisation of the judicial map based on workload statistics and growing evidence of people's legal needs and justice problems. This may become increasingly important in the context of demographic change, internal displacement and uneven territorial demand for justice services resulting from the war. At the same time, at the local level, because CJCs operate under varying mandates, standards and financing frameworks, their role as consistent points of entry into the justice system may be limited. Thus, clarifying their functions and operational standards, as well as integrating CJCs into broader justice pathways, could enhance their sustainability and effectiveness as consistent entry points into the justice system, improving access to justice at the local level.

Sectoral co-ordination functions effectively in most areas but remains constrained in data sharing. Under the leadership of the Ministry of Justice of Ukraine (MoJ), there is scope to establish a shared justice data dictionary, common identifiers and formalised data governance arrangements with clear delineation of institutional responsibilities for approving standards, overseeing data interoperability and ensuring compliance with rules pertaining to security and ethical use of data. Implementing these measures could enhance interoperability, enable end-to-end management of justice pathways and strengthen performance monitoring across justice institutions. More coherent governance of justice-sector data could also support strategic planning, improve continuity across justice pathways and strengthen the capacity of institutions

to respond to evolving legal needs and war-related pressures. These changes could be aligned with broader reforms promoting data-driven public administration, including ongoing work under the Public Administration Reform agenda, supported by the EU and the Support for Improvement in Governance and Management (SIGMA) initiative and co-ordinated by the Secretariat of the CMU and the Deputy Prime Minister for European and Euro-Atlantic Integration. In parallel, more consistent use of formalised co-operation arrangements with CSOs, for example through memoranda of understanding, would help systematise their contribution to justice reforms, support feedback loops and expand outreach at the local level, including through CJCs, while limiting administrative burden.

While the MoJ plays a central co-ordinating role within the justice system at the operational level, strategic planning for the justice system has thus far been led by the Office of the President of Ukraine (OPU). Moreover, EU accession has strengthened the role of the Deputy Prime Minister for European and Euro-Atlantic Integration and the Government Office for Co-ordination of European and Euro-Atlantic Integration in steering cross-government priorities, monitoring implementation of accession commitments and co-ordinating engagement with the European Commission. Clarifying the respective roles of the OPU, the MoJ and the CMU within the strategic planning framework for the justice sector could help improve clarity in co-ordination functions and continuity in the planning of justice reforms, provided that appropriate safeguards preserve institutional independence, ministerial responsibility and the constitutional balance between institutions. This may be particularly important given the cross-sectoral nature of ongoing reforms, including those related to anti-corruption, public administration reform and digitalisation. Indeed, the clarification of roles could also strengthen the coherence of future justice strategies with other key strategies relevant to the rule of law, such as in the areas of law enforcement and anti-corruption. Further specification of future justice system strategies in dedicated action plans at the level of the MoJ would help define the timeframe, sequence and resources related to the implementation of the strategies and support regular monitoring and public reporting.

Furthermore, given the breadth of assistance to the justice system from international partners, continued systematic oversight by the CMU of ongoing support initiatives would help reduce duplication of efforts, support the sequencing of activities and improve the predictability of support for the sector. This is particularly relevant for implementing the Rule of Law Roadmap, whose scope requires concerted action by the sector and strategic use of ongoing support from international partners. Lastly, there is scope to enhance evidence-based monitoring and evaluation practices as they remain uneven across the sector, limiting the systematic use of data and legal needs evidence in reform planning. More integrated monitoring frameworks could also support stronger alignment between strategic objectives, budget allocations, implementation sequencing and assessment of reform outcomes.

More fundamentally, justice sector planning and performance assessment continue to focus primarily on institutional outputs and procedural indicators, and there is scope to strengthen attention to outcomes experienced by users. This includes greater use of evidence on legal needs, service accessibility, user experience, trust and the effectiveness of different justice pathways, including ADR. Robust planning, monitoring and evaluation require the systematic use of multiple sources of evidence, including administrative data, legal needs surveys, user feedback, service-level evaluations and relevant data from related sectors. More integrated and interoperable data systems could support stronger co-ordination, territorial planning, resource allocation and continuity across justice pathways and related public services. Advancing a people-centred justice system in line with the OECD Recommendation therefore requires complementing institutional performance measures with systematic and transparent use of evidence on legal needs and user outcomes throughout the reform cycle.

In view of the assessment, Ukraine may wish to consider the following recommendations:

1. Strengthen sectoral governance of the justice system. This could include:

Key recommendations

- **Conducting an independent functional audit of judicial governance arrangements**, as envisaged in the Rule of Law Roadmap, notably the HCJ, the HQCJ and the SJA, to map mandates, decision-making powers and accountability arrangements and identify opportunities to strengthen coherence, co-ordination and operational efficiency while preserving safeguards for independence. This could include consideration, in the longer term and subject to broad consultation and careful impact assessment, of whether selected governance functions may benefit from greater institutional streamlining
- **Streamlining roles and decision-making powers across judicial governance bodies**, through targeted legislative amendments informed by the functional audit, focusing on eliminating duplicated competences and clarifying accountability across these institutions
- **Completing the establishment of specialised administrative courts** by securing sustainable resourcing and staffing of the SDAC and the SACA to strengthen the administrative justice system and improve access to justice for complaints against executive authorities
- **Clarifying the respective roles and co-ordination arrangements of the OPU, the CMU, the MoJ and other relevant institutions in developing and monitoring the implementation of justice reform strategies**, ensuring coherence between the justice strategy and other key national reform and governance priorities

Supporting recommendations

- **Clarifying institutional responsibilities, financing arrangements and governance frameworks for Community Justice Centres (CJCs)** within the justice system
- **Professionalising the CJU and the CoP** by reviewing membership rules, introducing full-time membership where appropriate, ensuring sustainable budgets and improving transparency of selection and decision-making.

2. Advance strategic planning for the justice system. This could include:

Key recommendation

- **Using the Rule of Law Roadmap as the basis for sequencing and monitoring reforms, ensuring ownership and managing risks related to budget allocations**, until a new justice strategy is adopted, while enabling the development of a justice service map that links planning to legal needs, distribution of justice services and performance outcomes

Supporting recommendations

- **Strengthening the link between strategic planning, performance management and justice outcomes** by developing more integrated planning approaches across the justice system and aligning institutional priorities, resource allocation and service delivery with identified legal needs and justice problems. This could include greater use of data and evidence on legal needs to support planning of justice services, including courts, legal aid, ADR and community-based services
- **Aligning future strategies for the development of the justice system and constitutional justice with strategies on law enforcement and prosecution, enforcement of court decisions, digitalisation and human rights** to identify synergies and ensure co-ordinated strategic planning for the justice sector

- **Sequencing justice sector reforms in line with institutional absorption capacity, operational continuity and available financial and human resources**, including through periodic assessment of implementation burdens and sustainability risks.

3. Enhance justice sector co-ordination and co-operation. This could include:

Key recommendations

- **Strengthening the co-operation between the MoJ and providers of justice and legal services at the community level** through more systematic engagement of CSOs in outreach, legal empowerment and feedback on the services provided, including in areas directly affected by the war
- **Tracking justice reform initiatives financed by international partners and the broader donor support for justice reforms** by developing a dedicated justice sector dashboard, as a module of Ukraine's broader aid-tracking and recovery co-ordination architecture. The dashboard could map projects and funding sources against justice sector priorities, EU accession commitments, responsible institutions, timelines and expected results. It would thus help to assess the extent to which justice sector reforms rely on external funding and provide guidance on dependencies and sustainability risks

Supporting recommendations

- **Creating an Inter-Agency Data Governance Board, led by the MoJ and aligned with cross-government data governance initiatives**, to develop the justice data dictionary for the sector, set interoperability and quality standards, oversee ethics, security and data-sharing protocols and align open justice initiatives
- **Strengthening partnerships between the government and CSOs, including for pilot projects**, to extend impact, strengthen legitimacy and test reforms before their implementation
- **Assessing long-term financial sustainability and institutional ownership of externally supported justice reforms**, including operational, staffing and maintenance implications beyond donor funding cycles.

4. Strengthen evidence-based planning and evaluation. This could include:

Key recommendations

- **Strengthening evidence-based planning and evaluation across** the justice sector through the systematic use and combination of data, such as administrative data, legal needs information, user feedback and service performance assessments to support better prioritisation, resource allocation and improvement of justice outcomes
- **Monitoring user satisfaction with the justice system through surveys and feedback mechanisms** across courts and other justice service providers
- **Monitoring the accessibility, continuity and effectiveness of justice pathways**, including referral systems, territorial accessibility, digital accessibility and user experiences across institutions and justice service providers
- **Using people-centred and territorial data for strategic planning** by systematically applying evidence on legal needs, accessibility, satisfaction and trust to inform long-term strategies, reforms of judicial and prosecution maps and resource allocation

Supporting recommendations

- **Integrating cross-government evidence** by combining justice, health and other social and administrative data to inform policy responses to the ongoing war, displacement and changing socio-economic conditions

- **Developing interoperable and people-centred data systems** capable of supporting integrated planning and co-ordination across justice, social, administrative and victim-support services
- **Consolidating war-related justice data** by systematically documenting war crimes and victim-related information to track cases and needs, supported by joint training for CSOs and justice professionals on data collection and verification.

1.2.2. Strengthening trust through the application of justice system values: integrity, independence, accountability and transparency

The Constitution of Ukraine provides a strong foundation for judicial independence. It sets out a clear separation of powers and guarantees that judges act independently, without undue pressure and in accordance with the law (VRU, 2020[2]). These safeguards are strengthened by provisions on judicial self-governance and on the central role of the HCJ in ensuring judicial independence (VRU, 2020[2]). At the same time, ensuring judicial independence in practice requires balancing institutional autonomy with effective accountability, transparency and integrity safeguards, which operate as mutually reinforcing components of a broader justice value ecosystem.

In recent years, Ukraine has strengthened the governance structures responsible for upholding judicial independence by reorganising the HCJ and reinstating the HQCJ. Significant progress has also been made in advancing integrity-based selection procedures,[1] supported by the Ethics Council for the HCJ, the Selection Commission for the HQCJ, the Advisory Group of Experts for the Constitutional Court of Ukraine (CCU), the Public Council of International Experts (PCIE) for the High Anti-Corruption Court (HACC) and, since September 2025, the Expert Council which assists the HQCJ in determining whether candidates for the positions of judges of the SDAC and the SACA meet the criteria of integrity and professional competence. In a context of public distrust in parts of the judiciary, these arrangements have provided external assurance, supported merit- and integrity-based selection and helped restore credibility in key governance bodies.

At the same time, the long-term sustainability and national ownership of these models may require periodic assessment, including consideration of how to preserve institutional legitimacy, continuity of expertise and public confidence while progressively strengthening domestic ownership of integrity and selection mechanisms over time. The involvement of civil society through the Public Integrity Council (PIC) in assessing candidates for judicial positions before the HQCJ represents an important mechanism for promoting integrity and strengthening public oversight of selection procedures.

The establishment of the DIS within the HCJ Secretariat also represents an important step towards improving the management of disciplinary proceedings, including through reported progress in reducing case backlogs (HCJ, 2026[3]). At the operational level, the Unified Integrity Indicators approved by the HCJ in December 2024 further formalised criteria for assessing integrity and compliance with ethical standards, supporting more consistent integrity-based screening. At the same time, the credibility and effectiveness of disciplinary and integrity-review procedures continue to depend on fair procedures, clear reasoning and predictable application of standards, particularly in high-profile cases.

Transparency and openness of the justice system have also improved in recent years. Regular publication of decisions, standards, procedures and statistics related to judicial selection, evaluation and disciplinary proceedings contributes to enhanced public access to information on the operation of the justice system and implementation of priority reforms. Open justice initiatives and digitalisation reforms, in turn, continue to increase access to case law and procedural information, allowing easier navigation of justice pathways for the wider public. Further progress could include improving the accessibility, clarity and public understanding of governance, disciplinary and selection procedures and outcomes, as well as strengthening open-justice approaches tailored to the operational context of the justice sector.

Despite substantial reforms strengthening formal safeguards, public confidence in justice institutions remains fragile, reflecting persistent gaps between institutional design and implementation in practice. Survey evidence continues to point to perceptions of corruption, insufficient integrity safeguards and dependence on powerful actors within the judiciary, with approximately 69% of Ukrainians reporting distrust in the Supreme Court of Ukraine (SC) (DEJURE, 2025[4]). These findings suggest that strengthening formal safeguards alone may not be sufficient to improve public confidence where institutional practices are perceived as inconsistent, insufficiently transparent or unpredictable.

These concerns have intensified following high-profile corruption cases involving senior judicial officials, including the former President of the SC, reinforcing perceptions that integrity safeguards and accountability mechanisms within the judiciary are not always applied consistently or perceived as fully credible in practice (OECD, 2025[5]). They also illustrate tensions between key justice system values: measures aimed at strengthening accountability and integrity may not necessarily improve public confidence where enforcement is perceived as inconsistent or institutional decision-making lacks transparency, credibility or predictability.

Surveys among judges also point to continuing concerns regarding judicial independence. Statistics gathered by the HCJ indicate reported instances of interference with judges' professional duties, underscoring the importance of complementing formal guarantees with effective implementation in practice (HCJ, 2023[6]; HCJ, 2023[7]; HCJ, 2025[8]; ENCJ, 2025[9]). Operational constraints, including insufficient security arrangements and financial unpredictability, may further affect the practical exercise of judicial independence. Risks may also arise within internal judicial hierarchies, particularly where governance arrangements, allocation of administrative powers or temporary transfers and reassignments are perceived as insufficiently transparent or predictable.

Given continuing risks to judicial integrity and public trust, formal safeguards should be complemented by credible, proportionate and consistently implemented accountability mechanisms. In this context, it is important to continue strengthening the human resources (HR) capacity of the DIS in view of the growing disciplinary caseload, while ensuring that cases are prioritised not only according to gravity but also with regard to applicable statutes of limitations (OECD, 2025[5]). This would support timely handling of cases and reduce the risk that proceedings expire before examination. More broadly, effective accountability depends not only on enforcement capacity, but also on procedural fairness, predictable application of standards and appropriate safeguards against misuse. Continued training on judicial independence, accountability and ethical use of artificial intelligence (AI) could further support a stronger culture of integrity within the judiciary.

Furthermore, it is important to ensure that transfers and temporary reassignments of judges are implemented in accordance with the legal requirements, including effective appeal safeguards, to mitigate perceptions of undue pressure, including from internal judicial hierarchies. In the prosecution service, strengthening transparency and objectivity of case allocation and managerial procedures, including through random or automated case allocation mechanisms, could further reduce risks of undue influence and strengthen confidence in prosecutorial integrity. In hierarchical prosecution systems, transparent case allocation, predictable career management and objective appointment procedures are particularly important safeguards for distinguishing legitimate managerial supervision from risks of selective decision-making or improper pressure.

The OECD Integrity and Anti-Corruption Review of Ukraine includes additional recommendations for strengthening integrity across the judicial career cycle, including through integrity screening at recruitment and promotion, particularly for senior and high-risk positions, targeted ethics training and stronger management of conflict-of-interest situations (OECD, 2025[5]). The Unified Integrity Indicators could also be updated to allow the consideration of evidence from verifiable anonymous reports and follow-up reassessment of judges or candidates who have previously undergone integrity checks (OECD, 2025[5]).

Given existing integrity risks, it is also important to extend integrity-related reforms to the leadership of the SJA, including through objective criteria, open and competitive procedures and appropriate external scrutiny (OECD, 2025[5]). Integrity-review mechanisms should continue to balance effective scrutiny with procedural fairness, legal certainty and safeguards against undue influence.

Although transparency has improved, there remains scope to increase the visibility of follow-up actions, including outcomes of enforcement procedures and responses to reported interference with judicial activity, which could further strengthen accountability and institutional trust in practice. There is also scope to develop justice-sector-specific open data rules better tailored to the operational context of the justice system (OECD, 2025[5]). Strengthening strategic communication and information integrity capacity within justice institutions could further improve public understanding of judicial processes and resilience against misleading narratives affecting trust in the justice system.

In sum, several challenges continue to affect the practical functioning and legitimacy of the justice system. These include uneven implementation of safeguards for judicial independence, limited confidence in judicial governance bodies, disciplinary arrangements perceived as insufficiently predictable and operational pressures affecting courts and justice institutions. These factors may weaken the practical credibility of reforms and contribute to persistent trust deficits. Addressing them will require continued efforts to strengthen the consistency, predictability, transparency and credibility of justice sector governance arrangements in practice.

In view of the assessment, Ukraine may wish to consider the following recommendations:

1. Enhance the balance between independence and accountability. This could include:

Key recommendations

- **Strengthening safeguards for internal judicial independence**, including those relating to court leadership, distribution of administrative powers within courts and protection against any undue external or internal influence. This could include strengthening collegial governance arrangements and improving transparency of internal decision-making processes within courts
- **Enhancing independent disciplinary enforcement** by consolidating the DIS's role, adopting clear professional standards for inspectors and factoring in the statute of limitations in prioritising cases, to reduce disciplinary case backlogs and enhance the culture of accountability
- **Strengthening follow-up mechanisms and institutional co-ordination** in response to reported interference with judicial decision-making, including to ensure greater transparency regarding enforcement outcomes
- **Enhancing the implementation of safeguards for judicial transfers**, including on appeal rights, thereby strengthening the protection of judicial independence in practice
- **Strengthening the protection of judges, prosecutors, defence lawyers, witnesses and court staff** by adopting risk-based security protocols, mechanisms for reporting incidents and preventive measures against intimidation and interference, including in regions affected by the war

Supporting recommendations

- **Implementing tailored training on judicial independence, accountability and ethical use of AI** in line with international standards to ensure continuous training among members of the judiciary, prosecution service, legal community and other justice professions
- **Clarifying disciplinary grounds for judges and prosecutors,** including by ensuring more precise description of offences, to support effective accountability

- **Strengthening procedural fairness, transparency and reasoning requirements across disciplinary and accountability procedures** to reinforce institutional legitimacy, legal certainty and public trust while safeguarding judicial independence and prosecutorial autonomy.

2. Increase accountability and integrity in the justice system. This could include:

Key recommendations

- **Applying integrity, transparency and merit-based safeguards consistently in the selection, promotion and tenure** of judges, SC judges and court presidents, particularly for positions associated with a high risk of corruption
- **Reviewing procedures for selection of the SJA's leadership** by introducing objective criteria and competitive, integrity- and merit-based selection procedures that include an element of external scrutiny
- **Amending Unified Integrity Indicators** to allow consideration of evidence from verifiable anonymous whistleblower reports and to enable follow-up reassessments of prior integrity screenings, particularly in high-profile cases where new information may raise concerns about integrity
- **Strengthening transparency and objectivity of prosecutorial case allocation and managerial reassignment procedures**, including through automated allocation tools, where appropriate, to reduce the risk of undue influence and promote integrity in prosecutorial decision-making
- **Strengthening procedural fairness, predictability and transparency** in disciplinary, selection and evaluation procedures for judges and prosecutors, including for decisions overriding integrity-related opinions or recommendations to support institutional credibility and trust in justice sector governance

Supporting recommendations

- **Assessing how to balance international participation and domestic ownership in auxiliary selection bodies,** while preserving integrity safeguards, institutional credibility and continuity of expertise. This may include considering the scope, sequencing and institutional conditions for any gradual adjustment in the involvement of international experts, taking into account budgetary implications and ensuring that members of auxiliary selection bodies meet high standards of professionalism
- **Expanding the use of transparent and merit-based procedures for appointments to managerial prosecutorial positions** to strengthen predictability, professionalism and institutional confidence in prosecutorial governance.

3. Improve transparency and openness of the justice system. This could include:

Key recommendations

- **Providing regular public updates on selection, evaluation, transfers and disciplinary procedures and outcomes for judges**, to support transparency and public trust
- **Strengthening institutional capacity related to information integrity and strategic communication within justice institutions**, including by monitoring and responding to misleading narratives, improving public access to legal information, engaging with media and conducting proactive outreach to support public understanding and trust

Supporting recommendations

- **Improving transparency and stakeholder engagement** by providing clearer explanations of governance, disciplinary and selection decisions and expanding public access to relevant procedural information

- **Expanding open-justice data governance** to improve the availability, clarity and accessibility of information for the public, thereby strengthening transparency and accountability across the justice system
- **Promoting procedurally fair and people-centred justice processes**, including accessible communication, respectful treatment of court users and clear information on procedural rights and remedies
- **Publishing periodic summaries and key indicators relating to disciplinary proceedings**, follow-up actions, referrals and enforcement outcomes, while respecting confidentiality and procedural safeguards where applicable.

1.2.3. Enhancing capacity, performance and data-driven justice

Amid the war, justice institutions in Ukraine have maintained the continuity of reforms and delivery of justice services. According to available performance data, the institutional capacity of courts has largely been preserved. In several categories of cases, clearance rates and disposition times remain broadly in line with European standards, despite systemic challenges and increasing workloads. These results reflect adaptability, resilience and continued professional commitment across the judiciary. However, sustaining performance improvements over time will require stronger performance management, more balanced workload distribution, continued investment in institutional capacity and a broader understanding of justice performance that includes accessibility, quality and justice outcomes alongside efficiency indicators

While a performance management system is in place across the justice system, it could be improved to make it more consistent and effective. In particular, formal performance agreements between justice governance bodies and courts remain limited. Performance monitoring could also be better systematised, including through transparent self-evaluation frameworks, to support continuous improvement among judges and prosecutors. Further efforts would also be needed to strengthen the use of performance information for institutional planning, leadership appraisal and resource allocation, including through a more systematic combination of quantitative and qualitative indicators linked to efficiency, accessibility and quality of justice outcomes. Differences in case clearance rates and the risk of growing backlogs across courts highlight the need to fill staffing gaps, as well as advance co-ordinated measures to reduce backlog, strengthen court support functions and introduce more consistent caseflow management, including greater use of early case selection, structured case reallocation between courts, temporary judicial secondments and more flexible workload distribution across jurisdictions.

Constraints related to HR in the judiciary, with 2 293 vacant judicial positions or a 34.8% vacancy rate as of April 2026 (HQCJ, 2026[10]), driven by interruptions in the functioning of the HCJ and the HQCJ, along with resignations and retirements, translate into an increased workload for individual judges and undermine longer-lasting improvements in the performance of the judiciary. Within the prosecution service, statutory staffing limits continue to constrain the capacity to absorb fluctuations in caseloads and to conduct timely analysis of discontinuance patterns and charging timelines. Stabilising recruitment processes for judges and prioritising spending aimed at increasing productivity would help consolidate results across the court system in the medium term. In the area of constitutional justice, the introduction of statutory time limits and modernised internal case management practices would help reduce delays and strengthen legal certainty. Persistent staffing shortages may also affect institutional resilience, consistency of practice and the sustainability of broader justice sector reforms over time. More broadly, wartime staffing arrangements and emergency operational measures may require longer-term review to ensure that temporary adaptations progressively evolve into sustainable workforce and management models across the justice sector.

Non-enforcement of judgments remains a systemic challenge in Ukraine. The 2020-2025 National Strategy for Solving the Problem of Non-Enforcement of Court Decisions and the law adopted in December 2024, which introduced a mechanism for judicial oversight of enforcement (VRU, 2025[11]), sought to address some of the persistent gaps. The implementation of these instruments should now be evaluated to inform

further reforms planned under the Rule of Law Roadmap. In parallel, strengthening the availability, public reporting and integration of data on enforcement outcomes and enhancing the capacity of bailiffs could help resolve several remaining obstacles. There is also an opportunity to improve safeguards for parties during enforcement proceedings and to expand the use of digital tools that support more efficient and simplified enforcement, including interoperable registers and automated processes. Given that enforcement of judgments is essential to effective access to justice and public confidence in the rule of law, improvements in enforcement systems should increasingly be considered as part of broader justice performance and service delivery objectives rather than solely as a technical enforcement aspect.

Across the justice system, certain quality assurance measures have been introduced to ensure more systematic implementation of structured models of excellence within management structures, evaluations, training and leadership appraisal for judges and prosecutors. More consistent application of quality standards and excellence frameworks would promote integrity while strengthening the links between professional development, evaluation, leadership appraisal and measurable performance criteria, as well as resource planning. At the same time, wider use of ADR methods of proven quality, supported by clear quality standards, appropriate procedural safeguards and targeted public awareness-raising activities, could reduce pressure on the courts and ensure timely and proportionate resolution of relevant disputes, freeing up resources for further digitalisation and improvements in service quality. Registers of mediators already exist through professional organisations, legal aid providers and other actors. However, consolidating and centralising information on mediators, mediation services and outcomes could further strengthen transparency and evidence-based policymaking.

To advance the digitalisation of the sector, reforms for the development of information technology (IT) solutions in the judiciary have been planned under the Roadmap (HCJ, 2024[12]). Although ongoing digitalisation initiatives have broadened the range of tools available for case management, remote participation and digital communication, supporting more proportionate dispute resolution, there is still room for improvement in the functionality of the Unified Judicial Information and Telecommunications System (UJITS), including to incorporate AI-enabled tools subject to ethical safeguards. In addition, ongoing work on the case management system for law enforcement services, SMEREKA, has the potential to improve efficiency within the criminal justice system and ensure interoperability across systems. Expanding digital justice systems will also require continued attention to cybersecurity, data governance, interoperability, ethical safeguards and institutional accountability for AI-enabled tools.

Further progress in filling data gaps would strengthen evidence-based planning, internal performance management and public transparency. This would also support more robust integration of statistical modules, improving the alignment of resources with justice outcomes and strategic priorities. More integrated and interoperable justice data systems could further strengthen co-ordinated service delivery, strategic planning and public understanding of justice system performance and reform progress.

In view of the assessment, Ukraine may wish to consider the following recommendations:

1. Strengthen the performance of the justice sector. This could include:

Key recommendations

- **Strengthening performance management frameworks across courts and prosecution services** through jointly agreed objectives, regular performance reviews and transparent monitoring of indicators such as clearance rates, disposition times and case backlogs, while safeguarding judicial independence, prosecutorial autonomy and the quality of justice outcomes
- **Instituting active management of caseflows**, including early case screening, to help courts maintain timeliness in civil and commercial cases and sustain improvements in processing of criminal cases at first-instance courts

- **Reviewing and balancing workloads across jurisdictions** through rules for case reallocation between courts and temporary secondments to ensure a more even distribution of cases and prevent local bottlenecks
- **Strengthening the ADR system** by introducing quality standards for mediators, clearly defined case categories for any mandatory elements and procedural safeguards to prevent misuse
- **Expanding justice performance frameworks beyond efficiency indicators** to include accessibility, user experience, continuity of services and justice outcomes, in line with requirements of a people-centred justice system

Supporting recommendations

- **Introducing regular, transparent performance evaluation and self-evaluation frameworks** for judges and prosecutors to promote continuous improvement for these professional groups
- **Ensuring that court and prosecution self-assessments under excellence frameworks feed directly into annual performance reviews, resource planning and leadership appraisal**
- **Improving the efficiency and effectiveness of constitutional justice** through strengthened case management and operational planning at the CCU.

2. Improve the human resource capacity of the justice sector. This could include:

Key recommendations

- **Stabilising staffing pipelines for judges, prosecutors and court staff** by investing in accelerated recruitment procedures and introducing more continuous and flexible recruitment procedures to reduce bottlenecks in the selection processes
- **Reviewing statutory staffing caps for prosecutors** in view of evidence of growing workload and considering adjusting ceilings where workloads can exceed sustainable levels
- **Assessing the long-term sustainability of wartime staffing arrangements,** including temporary reallocations and emergency measures, and progressively integrating priority workforce needs into stable institutional and financing frameworks
- **Integrating territorial and accessibility considerations into workforce allocation, judicial remapping and staffing policies** to address regional disparities, wartime displacement and evolving patterns of demand across regions

Supporting recommendations

- **Continuing to modernise court support roles**, including case managers and courtroom technologists, by strengthening their career frameworks and increasing the amount of judicial time spent on case merits
- **Strengthening managerial and change-management capacity across judicial and prosecutorial institutions**, including for crisis management, digital transformation and performance governance.

3. Enhance quality and enforcement of justice. This could include:

Key recommendations

- **Addressing structural bottlenecks in enforcement of judgments** by reviewing the allocation of responsibilities, incentives and safeguards applicable to public and private bailiffs, with a view to improving timeliness, fairness and recovery rates under wartime conditions
- **Strengthening safeguards for protecting the rights of individuals in vulnerable situations** during enforcement proceedings, in line with European guidance, supported by targeted training for bailiffs

Supporting recommendations

- **Applying court excellence frameworks and piloting corresponding frameworks for prosecution services**, within appraisal processes, supported by annual self-assessments and peer reviews that are made publicly available
- **Systematising the monitoring of enforcement proceedings** by tracking timeliness, outcomes and compliance rates, and costs of civil execution, with dedicated dashboards disaggregated by party type and region
- **Digitising execution tools** by building interoperable registers with automated functionalities, including for asset discovery, and considering the establishment of an online platform for uncontested payment orders aligned with European good practice
- **Integrating enforcement performance more systematically** into broader justice sector planning and evaluation frameworks.

4. Advance data-driven justice. This could include:

Key recommendations

- **Gathering routine statistics on enforcement of judgments and uptake and outcomes of ADR**, particularly mediation, including through consolidation of existing mediator registers and improved centralised data collection
- **Improving interoperable data exchanges**, including the use of common justice-sector data dictionary, case identifiers and metadata standards to enable co-ordinated case handling across institutions and reduce fragmentation in the delivery of justice services

Supporting recommendations

- **Strengthening governance and interoperability frameworks for digital justice systems**, including safeguards relating to cybersecurity, interoperability, ethical use of AI, data protection and institutional accountability
- **Publishing performance dashboards with indicators for courts and prosecution offices**, while ensuring data protection, to support transparency and internal performance management
- **Piloting analytical tools to examine prosecutorial decision-making**, including factors linked to discontinuance and disposition time, to inform improvements in investigative quality and support targeted training.

1.2.4. Bolstering financial resilience and agility, infrastructure and operational continuity

Since 2014, and especially after the start of Russia's full-scale invasion of Ukraine in February 2022, the justice sector has been operating under constant pressure. Justice institutions operate with limited and unpredictable resources, and investment levels remain below the OECD European average in proportional terms. Personnel costs account for a significant share of justice spending, leaving little room for the modernisation of infrastructure, digitalisation or innovations in services. Available estimates indicate that overall funding covers only part of the assessed needs across the judiciary. This increases dependence on external assistance and exposes modernisation initiatives, particularly in the area of IT, to funding fluctuations. Over time, reducing structural dependence on donor-funded systems and emergency financing arrangements will be important to strengthen the long-term sustainability and institutional ownership of justice reforms.

Budgeting practices in the justice sector remain largely expenditure-based and centrally driven, but could be strengthened by linking them more systematically to workload and enhancing structured consultation with judicial governance bodies and frontline institutions, while also factoring in people's legal needs, justice problems and broader justice outcomes, including through pilot output-based funding approaches

supported by regular monitoring. Short planning horizons also affect sustainability. The development of a multi-year performance-based budgeting framework, together with a coherent multi-year recovery and modernisation programme, could strengthen the sector's capacity to manage risk, set investment priorities and gradually reduce its long-term dependence on external support.

Justice infrastructure has experienced significant damage and disruption, resulting in continued reliance on temporary arrangements and operational challenges, including those linked to damage to power and connectivity infrastructure. As of December 2025, damages to justice and public administration infrastructure exceed USD 459 million (World Bank et al., 2026[13]). The existing needs also provide an opportunity to rethink infrastructure rebuilding strategically, including through modern security, accessibility and safety standards and a comprehensive inventory of the state of justice infrastructure. They also point to the value of a multi-year rebuilding and modernisation programme that extends beyond replacement of infrastructure and considers more integrated and accessible service delivery models, including the co-location of justice services, particularly through the CJCs. This is particularly important in view of the need to ensure access to justice for people affected by displacement, disability or uncertain access to digital technologies. In this context, infrastructure planning and business continuity arrangements could better account for territorial accessibility, displacement patterns and the risk of prolonged disruption to justice services.

In view of the assessment, Ukraine may wish to consider the following recommendations:

1. Strengthen the financial resilience and agility of the justice system. This could include:

Key recommendations

- **Establishing a Medium-Term Expenditure Framework for the justice sector**, with a consolidated, implementation budget adjusted for risks and aligned with the external financing instruments and measures set out in the Rule of Law Roadmap
- **Rebalancing expenditure within the justice sector towards IT** by establishing protected programme lines and a dedicated budget code for justice modernisation to ensure predictable financing of reform priorities
- **Assessing the long-term sustainability of donor-supported reforms**, digital systems and operational arrangements
- **Reviewing the composition and allocation of expenditures in the justice sector** to better align funding with the legal and justice needs of people, including by strengthening support for upstream and people-centred services such as legal aid, mediation, digital access and integrated service delivery, while ensuring cost-effective use of resources across the justice system

Supporting recommendations

- **Formalising participatory budget preparation with judicial governance bodies and frontline institutions**
- **Strengthening the links between budgeting, operational planning and people-centred service delivery objectives.**

2. Enhance the infrastructure and operational continuity of the justice system. This could include:

Key recommendations

- **Developing a multi-year justice reconstruction and modernisation programme**, informed by the Rapid Damage and Needs Assessment, and considering the measures under the Rule of Law Roadmap, to prioritise investment based on need, risk and standards for service delivery

- **Strengthening operational and cybersecurity resilience of justice infrastructure by investing in secure IT infrastructure**, supported by strong cybersecurity governance
- **Integrating the evidence on territorial accessibility, patterns of displacement and evolving service demand into infrastructure and reconstruction planning**, particularly in underserved regions and regions directly affected by the war

Supporting recommendations

- **Strengthening power and connectivity resilience at justice facilities** by expanding backup power solutions and diversified connectivity options
- **Standardising security, accessibility, safety and energy efficiency specifications for new buildings and refurbishment of existing infrastructure**, reflecting modern building standards and accessibility requirements
- **Promoting operational continuity planning across justice institutions,** including contingency planning for emergencies, cyber incidents and prolonged disruption of infrastructure.

1.2.5. Improving people-centred service design and delivery

A people-centred justice system, as articulated in the OECD Recommendation [OECD/LEGAL/0498], places people's legal needs and justice problems at the centre of the design and delivery of justice services. The Recommendation stresses the importance of grounding justice policies in robust evidence about people's legal needs, their access to support and the ways they manage justiciable disputes in everyday life. With support from international partners, Ukraine has taken meaningful steps in this direction, including through studies on groups such as internally displaced persons (IDPs) (Kolokolova, 2024[14]) and veterans and their families (UNDP, 2024[15]). At the same time, evidence on legal needs, user experience and justice pathways remains uneven and fragmented across institutions and regions. Further strengthening this evidence base could help ensure that justice services are aligned with the diverse needs of people across the country and support more integrated territorial planning and delivery of justice services.

Ukraine has established foundations for a people-centred justice system, despite the exceptional pressure generated by the war. Notwithstanding these efforts, multiple legal needs and justice problems remain unresolved, particularly among IDPs, residents of areas directly affected by the war, veterans and their families, persons with disabilities and children. The war has intensified legal needs through displacement, loss of documentation and property, family separation and disruption of services, generating complex claims related to housing, employment, social benefits and restitution. Persistent barriers related to distance, costs, documentation requirements, information gaps and lack of access to digital tools continue to limit effective access to justice. This points to the need for a coherent national framework for addressing war-related justice needs alongside everyday legal needs. These challenges also highlight the importance of strengthening co-ordination and continuity across justice pathways, including between courts, legal aid, social services, victim-support mechanisms and community-based actors.

Furthermore, the justice system's ability to respond to these needs, including in relation to child-friendly justice, remains uneven across institutions, regions and population groups. This unevenness reflects disparities in institutional capacity, resources, staffing levels and exposure to wartime disruption. The uneven territorial distribution of services and institutional capacities further underscores the need for a more integrated "justice services map" capable of supporting systematised planning, case referrals and resource allocation across the territory of Ukraine.

Over the past decade, reforms in the justice sector have expanded the use of digital tools in justice services, including through Diia, and enabled remote participation in hearings, which has been essential for maintaining access to justice for people affected by displacement. The adoption of the Mediation Law in 2021 has also created a legal basis for expanding non-court pathways to dispute resolution. Ongoing

plans in the justice sector also consider strengthening the quality assurance and oversight of mediation services while preserving the self-regulatory character of the profession. Since Russia's full-scale invasion of Ukraine in February 2022, courts, the prosecution service, the state legal aid system and CSOs, including through CJCs, have continued to deliver services, pilot one-stop and mobile models and develop practices aimed to support victims. These initiatives reflect growing attention to people's needs under wartime conditions. Yet many of these initiatives continue to operate through fragmented or project-based arrangements, raising questions regarding longer-term interoperability, governance, sustainability and scalability. Extensive measures under the Rule of Law Roadmap aim to further strengthen digital justice services and increase the use of ADR.

At a systemic level, justice services are primarily organised around institutional mandates and procedures, and there is scope to orient service delivery more clearly around people's justice problems and pathways. The development of a nationally defined entry point supported by a comprehensive mapping of justice services would support effective triage and referral, helping to reduce duplication, delays and unresolved legal needs. Information on justice pathways remains largely institution-centred and fragmented. Embedding more systematic mechanisms for user feedback, co-design and civil society participation in service development would support more responsive services. A more integrated approach to service governance and referral pathways could also support stronger co-ordination between ordinary justice services, victim-support mechanisms and transitional justice-related processes, helping users navigate overlapping pathways related to accountability, compensation, restitution and access to public services. In a war-affected context, a people-centred justice system may also support transitional justice objectives by helping individuals navigate overlapping pathways relating to accountability, compensation, restitution and access to public services.

Implementation capacity also shapes the pace of progress. Policies, strategies and digital tools could be more consistently supported by change-management processes, frontline training or structured feedback mechanisms. While digitalisation has expanded access in recent years, it has also exposed gaps in connectivity, documentation and digital literacy, particularly in rural and areas directly affected by the war, reinforcing the value of assisted and hybrid service models. Further efforts may also be needed to ensure that digitalisation initiatives are accompanied by safeguards addressing lack of access to digital tools and cybersecurity risks.

In view of the assessment, Ukraine may wish to consider the following recommendations:

1. Enhance people-centred purpose and culture in the justice system. This could include:

Key recommendation

- **Embedding a people-centred purpose explicitly in the justice sector strategy and legislation**, while using 'access to justice' as a consistent reference point for planning, designing and implementing justice services

Supporting recommendation

- **Strengthening a public service approach to delivering justice services** by aligning leadership commitments, training and professional standards, as well as performance indicators and appraisal criteria with fairness, responsiveness and dignity for justice users.

2. Strengthen the design and delivery of accessible and responsive legal and justice services. This could include:

Key recommendations

- **Undertaking periodic legal needs and trust surveys**, building on existing evidence, to better capture people's legal needs, justice problems, pathways and experiences, and to inform the design of appropriate justice services
- **Mapping legal and justice services**, moving beyond judicial and prosecution maps to develop a national 'justice services map' covering courts, ADR, CJCs, legal aid, notaries, enforcement and specialised victim and transitional justice services and mechanisms
- **Developing a territorial planning approach for justice services** by assessing **supply and demand for justice services**, and aligning judicial remapping, legal aid, ADR, digital services, prosecution services and community-based support mechanisms with evolving legal needs, displacement patterns and accessibility gaps across regions, particularly in underserved areas and regions affected by the war
- **Strengthening integrated referral pathways and interoperability** across justice, legal aid, social, health and community-based services, including through common protocols, co-ordination mechanisms and user-centred service navigation approaches
- **Improving accessibility and uptake of ADR mechanisms, including mediation, as part of broader people-centred justice pathways** by actively promoting awareness of ADR among the public, strengthening the implementation of the Mediation Law with more coherent national co-ordination, quality assurance and data collection mechanisms
- **Reducing cost barriers by reviewing court fees for minor claims and simplifying eligibility for secondary legal aid**

Supporting recommendations

- **Clarifying and strengthening the role of CJCs as main local entry points for justice services**, responsible for gathering information, handling early triage and referral and assigning specialised pathways for victims and witnesses to the Victims and Witnesses' Coordination Centre (VWCC), and more sustainable financing arrangements
- **Strengthening governance and co-ordination across the broader justice service ecosystem,** including clearer institutional responsibilities and stronger co-operation between justice institutions, local authorities, partnerships with CSOs relating to referrals, outreach, joint training and quality assurance, and international partners
- **Expanding accessible, secure and user-friendly digital justice services**, including legal aid and small claims assistance through e-kiosks, online platforms and applications such as Diia, while addressing risks for those without access to digital tools and accessibility barriers impacting populations directly affected by the war and individuals in vulnerable situations
- **Strengthening the quality, independence and territorial coverage of the legal profession**, including defence lawyers, minimum quality standards linked to legal aid contracting, continuous professional development on war-related claims and incentives to serve within remote areas and regions directly affected by the war
- **Ensuring the effective implementation of the National Strategy for Protecting Children's Rights in the Justice System until 2028** by strengthening inter-institutional co-ordination, clarifying roles and responsibilities across justice and child protection actors, ensuring sustainable financing and embedding monitoring and evaluation mechanisms to track outcomes for children
- **Strengthening the protection of fundamental rights** through simplified procedures, clearer guidance and considering reforms to the constitutional complaint mechanism to allow challenges to alleged violations of rights beyond those arising solely from judicial decisions

- **Reviewing civil, administrative and criminal procedural legislation from a people-centred perspective**, with a view to simplifying procedures, strengthening safeguards for people in vulnerable situations and ensuring that digital and remote processes improve access to justice
- **Strengthening co-ordination between ordinary justice services, victim-support mechanisms and transitional justice-related processes** to support coherent pathways for people directly affected by the war
- **Assessing the long-term sustainability and scalability of wartime justice innovations**, including digital tools, outreach services, specialised victim support mechanisms, trauma-informed approaches and community-based justice initiatives introduced during the war.

3. Continue empowering people and communities to participate in justice design and delivery. This could include:

Key recommendations

- **Implementing targeted public communication and outreach on available justice pathways and services** by tailoring information to different populations and circumstances – with emphasis on legal aid and ADR, constitutional justice and victim support mechanisms – while clearly identifying entry, referral pathways and available support services
- **Strengthening the participation of CSOs in policymaking and law-making** by supporting the co-design of legal and justice services between service providers and users, drawing on people's needs and lived experiences

Supporting recommendation

- **Building further legal awareness and literacy** through unified education platforms, community outreach, helplines, legal aid clinics and targeted mobile outreach for individuals and groups facing barriers related to displacement, lack of access to digital tools or limited trust in institutions.

1.3. About the OECD Justice Review of Ukraine

1.3.1. Approach and scope

The OECD is supporting Ukraine through the OECD Ukraine Country Programme (2023-2027). Under the Programme, the OECD Justice Review of Ukraine, implemented in close partnership with the MoJ and in co-ordination with international partners, aims to strengthen the justice system in Ukraine, contributing to a more resilient rule of law and increased public trust, including through improvements in governance, performance and the delivery of people-centred justice services. As such, the project is aligned with Ukraine's commitments under the Rule of Law Roadmap and contributes to progress towards EU accession.

This Review constitutes a core component of this effort. It provides an assessment of the justice system in Ukraine, examining institutional governance, strategic planning and co-ordination; the application and interplay of justice values, notably independence, integrity, accountability and transparency; performance and operational capacity; as well as the design and delivery of justice services. The Review places particular emphasis on supporting Ukraine's transition towards a people-centred justice system, grounded in evidence on legal needs and user experience, and adapted to conditions of war. To support implementation, the project also includes capacity-building activities and support for integrating recommendations into future justice sector strategies.

The methodology underpinning the Review combines analysis of legislation, policies and institutional materials with qualitative and quantitative data collection, including structured interviews and stakeholder consultations. It draws on inputs from the MoJ, other justice stakeholders, CSOs and professional associations in Ukraine, as well as comparative evidence and peer insights from OECD and EU Member States.

1.3.2. Presentation of the report

The OECD Justice Review of Ukraine is structured around key dimensions of justice system reform. It begins by setting out the broader context for justice reform in Ukraine, including its EU integration trajectory, the impact of Russia's war of aggression and the importance of the rule of law as a foundation for democratic governance, economic development and public trust. It also introduces the concept of people-centred justice and highlights the importance of understanding people's legal needs and experiences in shaping justice policies and services (Chapter 2).

Building on this context, the Review examines how the justice system is governed and steered. It analyses institutional arrangements, roles and responsibilities of key actors, as well as mechanisms for strategic planning and sectoral co-ordination. The chapter also reviews strategic reform frameworks, including the Rule of Law Roadmap, and considers how governance structures support coherence, prioritisation and better co-ordinated implementation of reforms (Chapter 3).

The Review then analyses the application of justice system values, focusing on how independence, integrity, accountability and transparency are embedded and balanced in institutional frameworks and practices across the justice system. It examines developments in integrity and disciplinary systems, as well as public perceptions and trust in justice institutions (Chapter 4).

Subsequently, the Review assesses the performance and operational capacity of the justice system. It analyses HR and financial resources, case flow management, enforcement of court decisions, justice infrastructure and the use of data and digital tools. Particular attention is given to the resilience of the system under wartime conditions and the role of data in supporting performance management and planning (Chapter 5).

Finally, the Review examines the design and delivery of people-centred justice services. It analyses how people access and navigate the justice system, the availability and integration of services across different providers, and the extent to which services respond to legal needs and justice problems in Ukraine, including those arising from war and displacement. The chapter also considers pathways for strengthening access to justice through more integrated, user-focused and evidence-based service delivery models (Chapter 6).

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Note

[1] In comparative literature, such integrity screening and review mechanisms are sometimes characterised as forms of judicial vetting, particularly where they involve extraordinary assessments of ethics, integrity and professional conduct aimed at restoring public trust in the judiciary.

2 Foundations for justice governance: Rule of law reforms for EU integration, recovery and resilience

This chapter sets out the foundations for justice governance in Ukraine in the context of rule of law reform, European Union (EU) integration, recovery and resilience. It explains how the rule of law underpins democratic governance, economic development and public trust, and traces the evolution of the justice system since independence. The chapter also examines how Russia's war of aggression has affected the functioning of the rule of law in practice, placing pressure on justice governance, service delivery and access to justice. In this context, it highlights the role of justice as a public service and the importance of people-centred approaches to connect ordinary justice, accountability for international crimes and the foundations for transitional justice.

2.1. Introduction

The rule of law is a cornerstone of democratic governance and a fundamental enabler of economic growth, public trust and societal resilience. In Ukraine, the justice system has been central to democratic consolidation, European integration and recovery reforms. Over the past decade, spurred by the 2013-2014 Revolution of Dignity,[1] Ukraine has pursued an ambitious and comprehensive justice sector reform agenda aimed at enhancing the rule of law and increasing public trust. Russia's war of aggression has made reforms both more urgent and more complicated, placing severe pressure on institutions.

This chapter provides the foundations for understanding justice governance in Ukraine in this evolving context. It frames the justice sector reform agenda within the broader context of Ukraine's international commitments to promote a more transparent, accountable and people-centred justice system, aligned with OECD, EU and other regional and international standards. It also establishes two interrelated premises developed in later chapters: first, justice reform depends on effective collaboration and sequencing; and second, progress should be assessed not only in terms of legal change but also by implementation and by how effectively the justice system responds to the needs of people and businesses in Ukraine. This chapter traces the evolution of Ukraine's justice system from independence in 1991 to the present, including major legal and constitutional milestones, EU integration efforts and the transformation of justice functions necessitated by Russia's full-scale invasion.

2.2. The rule of law and democracy: A shared commitment

2.2.1. The rule of law as a foundation for democracy and economic growth

For Ukraine, the rule of law is both a democratic governance objective and a central component of economic and social resilience. The rule of law provides for the enforcement of commonly agreed rules and processes in a fair, consistent and transparent manner, with effective mechanisms for accountability. As a value-based system, it contributes to the stability of public governance and strengthens legitimacy and public trust. An effective system of public governance depends on a responsive rule of law, which is delivered through justice systems that are fair, accessible and capable of translating rights into practical outcomes for people, communities and businesses (OECD, 2025[1]).

The rule of law also underpins economic performance. Countries with stronger adherence to the rule of law tend to exhibit stronger economic performance (WJP, 2025[2]). Predictability, transparency, reliability, accountability and fairness, all associated with the rule of law, enable a favourable investment environment (OECD, 2006[3]). With an important role played by the justice system, the rule of law facilitates business transactions and helps ensure effective enforcement of contracts. Conversely, weaknesses in the rule of law, including inefficiencies in procedures, lack of transparency, perceived bias or corruption risks, can discourage investment and broader economic activity. Such challenges may also negatively impact public confidence. OECD research suggests, for example, that delays in court proceedings are associated with lower public trust in the justice system (Palumbo et al., 2013[4]), which may, in turn, weaken confidence in public institutions more broadly. OECD evidence further indicates that perceptions of judicial independence are associated with trust in both national government and the judicial system, highlighting the role of impartial and credible justice institutions in supporting public confidence in democratic governance (OECD, 2024[5]).

Evidence further suggests that adherence to the rule of law correlates with broader development outcomes, including peace and stability, higher educational attainment and longer life expectancy (WJP, 2025[2]). Moreover, the rule of law contributes to peaceful conflict resolution and societal stability by enabling disputes to be resolved through fair and credible processes (OECD, 2025[1]). These correlations are particularly relevant in the context of Ukraine's recovery and reconstruction, where strengthening the rule of law is critical to attracting domestic and foreign investment and ensuring the effective use of public resources and social cohesion.

2.2.2. Shared commitment to the rule of law

The OECD and the EU share a strong and long-standing commitment to the rule of law. The OECD's framework for considering prospective members requires that OECD countries form a community committed to democracy based on the rule of law and human rights (OECD, 2017[6]). The rule of law is also one of the EU's founding values. It forms part of the Copenhagen criteria for countries seeking accession (European Union, 1993[7]) and is strongly embedded in Chapter 23 (Judiciary and fundamental rights) and Chapter 24 (Justice, freedom and security) of the EU acquis (European Commission, 2026[8]). For both the OECD and the EU, the rule of law has a dual function. It expresses a shared institutional identity and serves as a practical benchmark for membership and technical assistance.

That common position is clearly reflected in programming. The OECD promotes the rule of law through thematic standards, peer learning, policy reviews and targeted country support. In Ukraine, the OECD Ukraine Country Programme – through its Good Governance and Transparency pillar – aims to advance the rule of law through broader public governance, justice system and anti-corruption reforms (OECD, 2023[9]). The EU uses enlargement policy and requirements pertaining to the rule of law to support stronger institutions, accountable public power and effective implementation of law, including through financial and technical support to Ukraine provided in the context of the accession process.

Ukraine's commitment to the rule of law also has its own domestic history. Since independence in 1991, Ukraine has been building a legal and institutional order increasingly aligned with European standards. After 2014, efforts to strengthen the rule of law became more intensive, as reforms had to respond simultaneously to public demand for accountable institutions, the process of European integration and systemic challenges arising from Russia's war of aggression. The reforms discussed in the next sections are best read against that trajectory.

2.3. Rule of law in Ukraine: A path towards EU integration

2.3.1. From independence to gradual institutional separation

When it achieved independence, Ukraine did not begin from a blank institutional slate. The country had to build its own constitutional and judicial order while still relying, for a period, on elements of Soviet legislation. The Declaration of State Sovereignty of 1990 had already set a new direction. It affirmed the separation of legislative, executive and judicial powers and linked sovereignty with the construction of a state governed by law (VRU, 1990[10]). The early reform period was therefore defined by two parallel tasks: preserving legal continuity where needed, and moving away from the command-administrative model inherited from the Soviet system.

The Concept of Judicial and Legal Reform of 1992 made that break explicit by linking reform to the construction of an independent judicial power and confirming the separation of legislative, executive and judicial authorities (VRU, 1992[11]). It identified several dysfunctions in the justice system, including court overload, weaknesses in criminal justice and continued interference with the administration of justice (VRU, 1992[11]). The Concept called for enhanced judicial independence, access to courts and judicial specialisation, and ensuring the right of every person to have their case heard by a competent, independent and impartial court (VRU, 1992[11]).

Following the adoption of the Concept of Judicial and Legal Reform, the VRU adopted several key laws, including the Law of Ukraine on the Status of Judges (1992), the Commercial Procedural Code (1992), the Law of Ukraine on the Bar (1993), the Law of Ukraine on the Constitutional Court of Ukraine (1996) and the Law of Ukraine on the High Council of Justice (HCJ) (1998). In 1996, Ukraine adopted its Constitution, which defined the legal architecture of a constitutional state, and – as further analysed in Chapter 3 – reaffirmed the separation of powers in Ukraine.

In the 1990s, Ukraine also advanced its regional and international integration, as outlined in Figure 2.1 below. During this period, it joined key European and international organisations, including the Conference on Security and Co-operation in Europe (later the Organization for Security and Co-operation in Europe), and the Council of Europe, while also gradually developing closer relations with the EU. Regional and international integration gradually helped anchor legal and justice reforms in Ukraine in European and international standards and good practices.

Figure 2.1. International milestones shaping Ukraine's justice system (1991-2000)

Source: Developed by the authors.

Between the initial post-independence reforms and the reform cycle initiated in 2014, Ukraine's justice system underwent several rounds of legislative and institutional changes. In particular, reforms focused on adapting the court system to the 1996 Constitution of Ukraine, clarifying judicial specialisation and consolidating the organisational structure of the judiciary. This included, among other laws, the adoption of the 2002 Law on the Judicial System of Ukraine, which sought to systematise the court network and define the institutional foundations of judicial organisation (VRU, 2002[12]).

A major reform phase followed in 2010-2013. The 2010 Law on the Judiciary and the Status of Judges restructured the court system and adjusted judicial career arrangements (VRU, 2010[13]). The 2012 Criminal Procedure Code introduced a more adversarial model of criminal proceedings and recalibrated parts of the relationship between prosecution, defence and the courts (VRU, 2012[14]).

External assessments during that period noted that important structural weaknesses persisted during this period, especially in relation to the frameworks for the independence of judicial governance bodies and the role of political institutions in appointments and dismissals in the justice sector (CEPEJ, 2010[15]).

2.3.2. The Revolution of Dignity as a catalyst of reforms

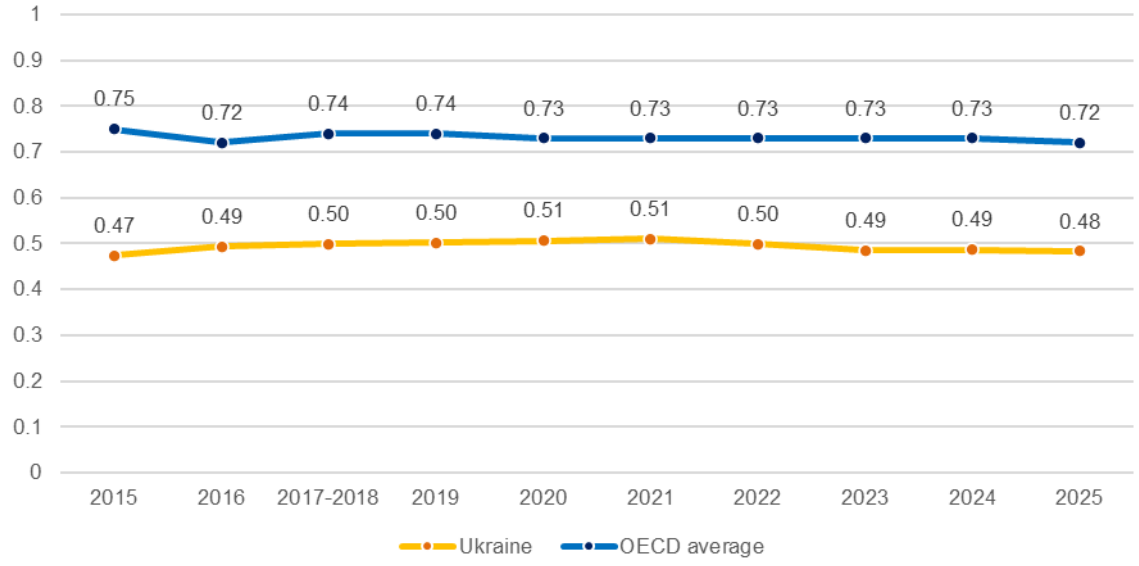
The Revolution of Dignity (2013-2014) changed both the pace and political logic of reform in Ukraine. After 2014, EU integration became a central organising principle for reforms in justice, anti-corruption and public administration. The Association Agreement with the EU, which was signed in 2014 and fully entered into force in 2017, provided the main framework for legal and institutional approximation with the EU. At the same time, Euromaidan exposed a broader legitimacy crisis within state institutions, generating public distrust in security institutions and parts of the judiciary. Ukraine therefore advanced co-operation with the EU and international partners to support reforms in law enforcement, prosecution and the judiciary, particularly in the areas of anti-corruption and human rights.

In the justice sector, reforms after 2014 were pursued more coherently than earlier attempts. As outlined in Chapter 3, Ukraine undertook large-scale legislative and institutional reforms to strengthen judicial independence, improve efficiency and transparency, and align the justice system more closely with European standards and principles of the rule of law. The 2015-2020 Strategy for Reforming the Judicial System, Legal Proceedings and Related Legal Institutions provided the main policy framework for reform. Key reforms included the re-establishment of the HCJ, the creation of the High Qualification Commission

of Judges of Ukraine (HQCJ) under the 2016 justice reform, and the establishment of specialised anti-corruption institutions, including the National Anti-Corruption Bureau of Ukraine, the Specialised Anti-Corruption Prosecutor's Office and the High Anti-Corruption Court of Ukraine (HACC). Implementation of the subsequent Strategy on the Development of the Justice System and Constitutional Proceedings (2021-2023) was disrupted by Russia's full-scale invasion of Ukraine in February 2022.

The impact of these reforms on Ukraine's performance in relation to the rule of law was gradual and relatively limited. According to the Rule of Law Index (RLI), Ukraine's overall score increased from approximately 0.47 in 2015 to 0.51 in 2021, with the country ranking 74th out of 139 countries in 2021, five positions higher than in 2020 (WJP, 2025[16]), before declining slightly following the start of Russia's full-scale invasion in 2022 (Figure 2.2).

Figure 2.2. Ukraine's overall Rule of Law Index compared to the OECD average (2015-2025)



Note: Under the RLI methodology, a higher score indicates stronger adherence to the rule of law.
Source: (WJP, 2025[16]), elaboration by the authors.

As part of the RLI, improvements were recorded in areas such as civil justice, regulatory enforcement and open government, including stronger enforcement in civil justice, lower levels of perceived corruption and improper influence in courts, improved complaint mechanisms and better public access to laws and government data (WJP, 2025[16]). While Ukraine's overall RLI score on the absence of corruption remained broadly stable, the score relating specifically to corruption in the judicial branch improved from 0.42 to 0.48 between 2015 and 2021, indicating modest progress in judicial integrity (WJP, 2025[16]). A similar trend is reflected in Transparency International's Corruption Perceptions Index, where Ukraine's score improved from 26 in 2014 to 32 in 2021 and further by 2025 (TI, 2026[17]).[2] Nevertheless, Ukraine's RLI scores remained significantly below the OECD average across all rule-of-law dimensions throughout the period.[3]

2.3.3. Rule of law, resilience and accelerated integration since 2022

Following the beginning of Russia's full-scale invasion of Ukraine in 2022, the operating environment changed, although it did not bring reform to a halt. Ukraine's justice sector remained functional and continued to provide public services, although unevenly across institutions. In the judiciary, after a period of suspension, the HQCJ resumed the selection and qualification evaluation of candidates to the HACC with the participation of the Public Council of International Experts, while the audit of the e-judiciary system was completed.

Wartime conditions placed significant pressure on rule-of-law performance. Ukraine's overall RLI score fell from 0.500 in 2022 to 0.485 in 2023 and remained below the 2022 level in 2024 and 2025 (Figure 2.2) (WJP, 2025[16]). The decline was driven mainly by deterioration in public order and safety, as well as weaker performance in rights and constraints on government powers, including indicators related to freedom of expression and oversight by independent supervisory and audit bodies (WJP, 2025[16]). Restrictions associated with martial law likely contributed to these trends (see Box 2.1).

Box 2.1. Martial Law in Ukraine since February 2022

Ukraine introduced martial law on 24 February 2022 following Russia's full-scale invasion of Ukraine and has periodically extended it ever since. Under these conditions, the President adopted temporary measures affecting the information space and political landscape, including the consolidation of national television broadcasting into a single platform and the suspension of several political parties due to their ties with the Russian government.

The European Commission's 2023 assessment noted that martial law has resulted in temporary and proportionate limitations on certain fundamental rights. These include restrictions on privacy, freedom of movement, property rights and certain forms of economic activity. Martial law has also enabled the establishment of military administration tasked with functions normally carried out by regional or local self-government bodies.

At the same time, the practice of the Supreme Court of Ukraine (SC) indicates that, notwithstanding wartime constraints, the functioning of justice and access to court have been maintained as core guarantees. The SC has emphasised, for instance, that proceedings should not be suspended solely due to a party's mobilisation where this would unjustifiably delay adjudication, thereby reinforcing the principle of effective access to justice even under martial law (SC, 15 August 2023, case No. 174/760/21). It has also confirmed the continued jurisdiction of Ukrainian courts in sensitive matters arising from displacement, including family and child residence disputes involving persons abroad, ensuring continuity of judicial protection despite wartime disruptions (SC, 11 December 2023, case No. 607/20787/19).

Source: (European Commission, 2023[18]; Urkevych, 2024[19]).

Despite continued reforms, implementation has been hindered by institutional bottlenecks, staff shortages in the justice sector, instances of corruption and periods of slowed reform (European Commission, 2025[20]). Delays in judicial selection procedures led to the suspension of the work of the Grand Chamber and the Second Senate of the Constitutional Court of Ukraine and incomplete recruitment for positions at the HACC (ALI et al., 2025[21]). Moreover, large-scale corruption schemes emerged in the justice sector, including at the SC.

While these gaps contributed to stagnation in some indicators related to the rule of law, broader assessments point to the resilience of Ukraine's public governance reforms during the war. In the 2026 Bertelsmann Transformation Index, Ukraine ranked 17th out of 137 countries in governance performance

(Bertelsmann Stiftung, 2026[22]).[4] Perceptions of corruption also continued to improve slightly. Ukraine's Corruption Perceptions Index score further improved – from 32 in 2021 to 36 in 2025 (TI, 2026[17]). OECD analysis similarly indicates that Ukraine's strategic framework for anti-corruption and public integrity in the justice sector is comparatively strong, although implementation gaps continue to hinder progress in areas such as prosecutorial autonomy and judicial integrity, independence and accountability (OECD, 2025[23]; OECD, 2026[24]), as further discussed in this report.

With broad international support, Ukraine also advanced its external integration in justice and public governance. After applying for EU membership in February 2022, Ukraine was granted candidate status in June 2022 and accession negotiations formally opened in June 2024. Ukraine's participation in international justice instruments also expanded. The Istanbul Convention entered into force for Ukraine in November 2022. Ukraine also ratified the 2019 Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters and the Rome Statute, which entered into force for Ukraine on 1 January 2025.

Given the importance of EU integration, Ukraine's ongoing public governance and justice reforms are now being structured more explicitly through accession planning. As further analysed in Chapter 3, the Rule of Law Roadmap, prepared within the EU negotiation process, is currently the main strategic framework for reforms under Chapters 23 and 24 of the EU acquis. It sets out priorities in several key areas, including the judiciary, anti-corruption, fundamental rights, security and law enforcement. Its approval by the Cabinet of Ministers of Ukraine in 2025 provided a clearer framework for implementing justice reforms under wartime conditions. The central challenge is no longer defining the direction of reform, but sequencing, financing and sustaining reforms while institutions continue to operate under the pressures of war.

2.3.4. Pressures on justice governance, service delivery and access to justice

Making the rule of law work for people requires attention to how it is expressed in law and, above all, how it operates in daily life (OECD, 2025[1]). The rule of law is realised in practice through people's ability to understand their rights, navigate services and institutions and obtain fair and timely outcomes. Justice systems play a central role in this process: they are the means through which rights are translated into tangible outcomes. When people, communities and businesses cannot obtain information, challenge decisions, settle disputes or secure remedies in a fair and timely way, the rule of law weakens as a lived experience (OECD, 2025[1]).

Russia's full-scale invasion of Ukraine in 2022 has affected the practical operation of the rule of law and access to justice. Damage to infrastructure, displacement and disruptions to institutional functioning have created additional challenges for justice service delivery, particularly in temporarily occupied and frontline areas, while also increasing and diversifying legal needs related to housing, documentation, family separation and access to remedies and protection. These developments have further widened the gap between formal legal guarantees and people's ability to resolve justice problems in practice, at a time when demand for legal assistance has increased alongside constraints affecting staffing, infrastructure, security and service delivery (see Chapter 6).

The war has also affected the governance and functioning of the justice system. Courts and the prosecution service continue operating under constraints arising from damaged infrastructure, security risks, displacement and increased operational demands, including investigations of war-related crimes. Justice services have adapted through expanded digital tools, remote service delivery and community-based outreach, while legal aid providers have experienced increased demand from war-affected populations. At the same time, alternative dispute resolution mechanisms and multidisciplinary justice service centres remain unevenly available and limited in scale, which highlights the importance of investing in more integrated and accessible justice pathways, as discussed in Chapter 6.

2.3.5. Justice as a public service: A people-centred justice system in times of war

Responding to these challenges requires viewing justice as a public service. From this perspective, justice encompasses the full range of interactions through which people access rights, obtain information, receive support and resolve problems. It extends beyond courts to include administrative bodies, legal aid providers and other public and non-public actors. Justice, in this sense, is a cross-cutting public service responsibility that requires co-ordinated, accessible and responsive delivery and governance across the state, even under disruption, in line with the OECD Recommendation on Human-Centred Public Administrative Services [OECD/LEGAL/0503] and the OECD Recommendation on Access to Justice and People-Centred Justice Systems [OECD/LEGAL/0498]. Justice as a public service also recognises that people experience legal problems in interconnected ways. For example, issues related to housing, employment, family or income often overlap. Effective justice systems are therefore organised around user pathways, prevention and early intervention and proportionate responses, rather than institutional silos.

This framing is particularly relevant for Ukraine, where legal and administrative challenges arising from the war are closely linked across sectors such as housing, employment, social protection, veterans' affairs and compensation for loss. Addressing these interconnected needs requires adaptive and co-ordinated public services across central and local levels, simplified administrative processes and effective referral pathways so that people and businesses understand how to interact with and navigate public authorities (OECD, 2026[25]; Business at OECD, 2026[26]).

The justice system in Ukraine therefore faces a dual challenge: maintaining ordinary justice functions under wartime conditions while responding to emerging needs linked to the war. This includes addressing everyday legal problems and emerging needs of underserved populations and ensuring accountability for war crimes and other war-related violations. These functions are interrelated, as individuals affected by the war may require support across multiple legal and administrative pathways at the same time.

Ensuring that justice functions effectively as a public service also depends on strong integrity and accountability frameworks. The legitimacy of these functions depends on safeguards for independence, the integrity of decision-making and credible, consistent accountability mechanisms (OECD, 2025[23]) (see Chapter 4). A people-centred justice system therefore complements institutional safeguards by linking justice governance with the way people experience rights, remedies and public authorities.

Under conditions of martial law, Ukrainian authorities have prioritised the investigation and prosecution of war crimes and other violations, increasing the workload of prosecutors and justice institutions more broadly. Civil society organisations have also played an important role in documenting violations, collecting testimonies from victims and witnesses and supporting accountability processes, which may contribute to future truth-seeking, reparations and memorialisation (Sherpa and Van der Lugt, 2024[27]).

In war-affected settings such as Ukraine, ordinary justice and transitional justice mechanisms must operate simultaneously and coherently throughout the war and recovery phases. Victims and affected communities may need to engage with courts, reparations mechanisms, accountability processes and administrative services at the same time, which may create governance and co-ordination challenges. Integrating transitional justice mechanisms – including truth-seeking, accountability, reparations and guarantees of non-recurrence – with ordinary justice institutions can help support coherent pathways to redress, continuity of legal protection and institutional trust. Evidence from other war-affected contexts also highlights the importance of integrated approaches across the humanitarian-development-peace nexus. In Ukraine, this underscores the need to align justice responses with broader public governance reforms and service delivery, while adopting a people-centred approach to transitional justice that recognises victims and survivors not only as recipients of justice, but also as participants in the design, implementation and oversight of justice responses (OECD, forthcoming[28]).

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Notes

[1] The Revolution of Dignity (also known as the Euromaidan movement) was a series of nationwide protests that began in November 2013 following the government's decision to suspend preparations for signing an Association Agreement with the EU. The protests broadened into a larger civic movement calling for democratic governance, respect for fundamental rights, the rule of law and addressing systemic corruption. The events culminated in early 2014 with a change of political leadership and a renewed strategic commitment to EU integration, which subsequently shaped Ukraine's reform agenda across multiple policy areas.

[2] In the Corruption Perceptions Index, scores range from 0 (highly corrupt) to 100 (very clean). Higher scores indicate lower perceived levels of corruption.

[3] The RLI comprises eight core factors: constraints on government powers, absence of corruption, open government, fundamental rights, order and security, regulatory enforcement, civil justice and criminal justice.

[4] In the Bertelsmann Transformation Index ranking, countries are ordered from best to worst governance performance, with rank 1 indicating the strongest performance and rank 137 the weakest.

3 Systemic reframing: Enhancing governance, planning and co-ordination in the justice system

This chapter examines how governance, strategic planning and co-ordination are organised within Ukraine's justice system. It outlines the institutional framework, including the distribution of roles and responsibilities across the justice sector, and the arrangements that underpin independence, accountability and management of the system. It also analyses strategic planning in the justice sector, including key reform strategies and policy documents, and looks at how these are developed, aligned and implemented across institutions. Finally, it describes the mechanisms for co-ordination and co-operation, covering interactions within government, across justice institutions and with civil society and international partners.

3.1. Introduction

Sound governance of the justice system requires institutional independence, clarity of mandates, effective co-ordination and coherent strategic planning. In line with the OECD Recommendation on Access to Justice and People-Centred Justice Systems ('OECD Recommendation') [OECD/LEGAL/0498], governance frameworks should combine safeguards for independence with strong horizontal and vertical co-ordination across justice institutions and government more broadly. This chapter examines how governance, planning and co-ordination are organised within Ukraine's justice system. It analyses the institutional architecture of the justice sector, including the distribution of roles and responsibilities, judicial and prosecutorial governance arrangements, and mechanisms for co-ordination and co-operation across institutions, government and civil society. It also assesses the strategic planning framework for justice reform, including the alignment, implementation and monitoring of key reform strategies and the extent to which governance arrangements support a coherent, co-ordinated and people-centred justice system.

3.2. Governance of the justice system

3.2.1. Baseline framework: separation of powers

Several core principles are essential to upholding the rule of law and enabling an effective people-centred justice system. Among these are the protection of fundamental rights and the doctrine of the separation of powers, which supports the former by maintaining a distinction between the executive, legislative and judicial branches of government. The effective separation of powers involves dividing institutions according to their respective powers and distinguishing the functions performed and the personnel involved in exercising each power (Waldron, 2012[1]). Within this framework, a sufficient level of checks and balances between the branches of government not only prevents one branch from dominating another but also supports the effective functioning of government at large.

Constitutional framework for the separation of powers

Having superseded the 1978 Constitution of the Ukrainian Soviet Socialist Republic, the current Constitution of Ukraine, adopted in 1996, has undergone several amendments, reflecting the evolving political landscape and aspirations of the country (Repetska and Burdyak, 2020[2]). Ukraine is currently governed by a semi-presidential system in which a directly elected president and a government accountable to parliament share executive authority. Pursuant to Article 6 of the Constitution of Ukraine, state power in Ukraine is divided into the legislative, executive and judicial branches, which act within the limits established by the Constitution and laws of Ukraine (VRU, 2020[3]). Box 3.1 summarises the constitutional allocation of powers between the executive, legislative and judicial branches of power. The following sections then examine the institutional architecture of the justice system in greater detail.

Box 3.1. Separation of powers in the Constitution of Ukraine (1996)

Executive power

President of Ukraine:

- appoints key figures within the judiciary including one-third of judges in the Constitutional Court of Ukraine (CCU) (Article 106 (22); Article 148), judges of ordinary courts upon submission by the High Council of Justice (HCJ) (Article 128), as well as the Prosecutor General, subject to approval by the Verkhovna Rada of Ukraine (VRU) (Article 106(11); Article 131)
- plays a key role in the formation of the judicial system, including submitting draft laws on establishing or reorganising courts (Article 125).

Cabinet of Ministers of Ukraine (CMU):

- constitutes the highest executive body and is charged with implementing laws, directing national policies and ensuring the functioning of public administration (Articles 113-117).

Legislative power (Verkhovna Rada of Ukraine):

- adopts laws, amends the Constitution and determines state policy in legislation (Articles 75-92)
- appoints select state officials and exercises parliamentary oversight (Article 85)
- performs constitutional appointment and dismissal functions, including consenting to the appointment and dismissal of the Prosecutor General (Article 85(25)) and appointing one-third of judges in the CCU (Article 85(26))
- provides oversight in the field of human-rights monitoring via the Ukrainian Parliament Commissioner for Human Rights (UPCHR) (Article 101).

Judicial power

High Council of Justice:

- safeguards judicial independence and oversees judicial governance in accordance with the functions set out in Article 131.

Courts:

- administer justice independently and exclusively under the law, and exercise judicial control over acts and omissions of public authorities (Articles 55, 124 and 129).

Constitutional Court of Ukraine:

- decides on the compliance of laws and other legal acts with the Constitution and provides official interpretations binding on all subjects of constitutional legal relations (Articles 147-151).

Note: The Constitution of Ukraine defines the President as the head of state rather than as part of the executive branch. Nevertheless, within Ukraine's semi-presidential system, the President exercises significant executive authority, particularly in the areas of foreign affairs, national security, defence and appointments of public officials.
Source: (VRU, 2020[3]).

Constitutional safeguards for judicial independence

In order to prevent unwarranted interventions from the executive and legislative powers in the work of the judiciary, judicial independence must be safeguarded and enshrined in constitutional provisions (ENCJ, 2017[4]). Consistent with practices in most OECD countries, the Constitution of Ukraine includes provisions aimed at safeguarding the independence of the judiciary and individual judges across structural, functional and financial dimensions (see Box 3.2). The Law on the Judiciary and the Status of Judges (LJSJ) further operationalises these safeguards. In this regard, Ukraine demonstrates comparatively strong alignment with OECD Public Integrity Indicators relating to the judicial integrity framework, including formal guarantees for judicial independence.

Box 3.2. Provisions on judicial independence in the Constitution of Ukraine (1996)

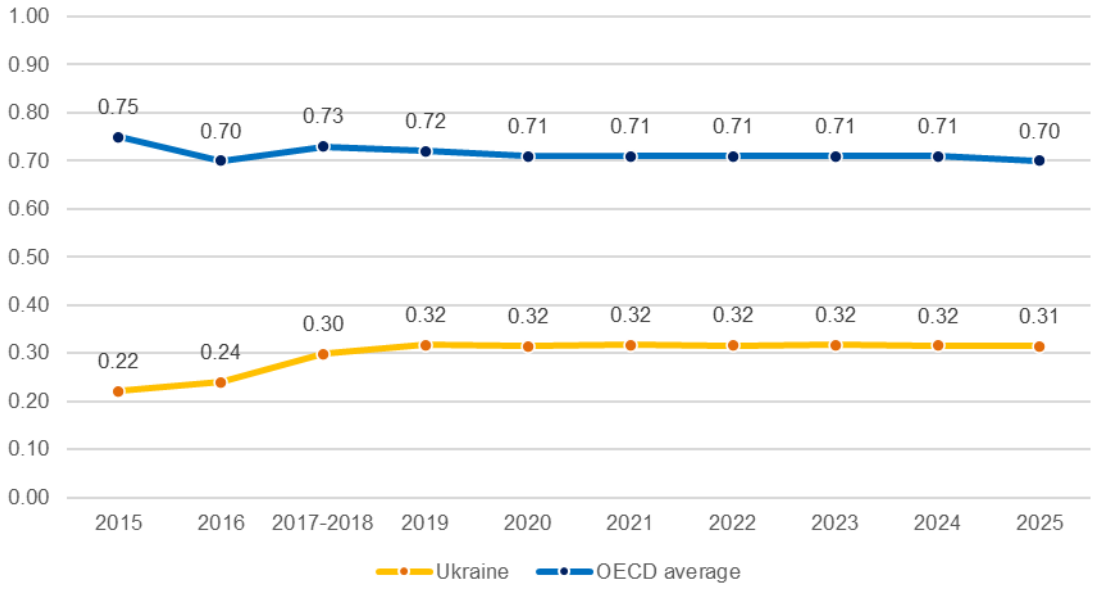
The Constitution of Ukraine contains several provisions relating to the independence of judicial power:

- **Article 125.** The judicial system in Ukraine shall be based on the principles of territoriality and specialisation and shall be determined by law. The court shall be formed, reorganised and liquidated by law, the draft of which is submitted to the Verkhovna Rada of Ukraine by the President of Ukraine after consultations with the High Council of Justice.
- **Article 126.** The independence and immunity of judges shall be guaranteed by the Constitution and the laws of Ukraine. Any influence on judges shall be prohibited. (…)
- **Article 129.** When administering justice, judges shall be independent and abide only by law.
- **Article 130.** The State shall ensure funding and proper conditions for the functioning of courts and the activity of judges. Expenditures for the maintenance of courts shall be allocated separately in the State Budget of Ukraine, considering proposals of the High Council of Justice.
- **Article 130[1].** A judicial self-government system shall operate in accordance with the law to protect the professional interests of judges and resolve issues pertaining to the internal operations of courts.

Source: (VRU, 2020[3]).

Despite a solid legal framework, challenges in the system of checks and balances persist. The Rule of Law Index (RLI) factor on judicial constraints on government power provides one way to assess whether formal independence translates in an effective separation-of-powers function. As Figure 3.1. illustrates, Ukraine showed gradual improvement in the indicator between 2015 and 2025, from 0.221 in 2015 to 0.317 in 2019, before stabilising and declining slightly to 0.314 by 2025 (WJP, 2025[5]). Despite this progress, the indicator remains low in comparison with the OECD average.

Figure 3.1. Judicial constraints on government power in Ukraine compared with the OECD average



Note: RLI factor 1.2 Government powers are effectively limited by the judiciary. Under the RLI methodology, a higher score indicates stronger judicial constraints and adherence to the rule of law.
Source: (WJP, 2025[6]), elaborated by the authors.

This suggests that justice sector reforms since 2014 have strengthened the role of the judiciary in public governance, but have not yet resulted in the consolidation needed for it to operate as a robust check on government power. Recent stagnation may also reflect the impact of martial law and the expanded role of the executive branch during Russia's full-scale invasion. This assessment is broadly consistent with the findings of the follow-up monitoring report prepared within the framework of the Fifth Round of Monitoring under the Istanbul Anti-Corruption Action Plan, which reflected progress on formal institutional design of judicial independence alongside persistent implementation gaps (see Chapter 4) (OECD, 2025[7]).

Related RLI factors capturing the degree of improper government influence in civil and criminal justice in Ukraine remain relatively weak, fluctuating between 0.26 and 0.38 between 2015 and 2025 (WJP, 2025[5]). These scores remain above the regional average but below the OECD average of 0.72 (2025) and suggest that concerns regarding undue influence over judicial decision-making persist.

3.2.2. Mapping the justice system: Main institutions and functions

Within the constitutional framework, justice governance in Ukraine is carried out through a complex institutional ecosystem involving judicial governance bodies, executive institutions, prosecutorial bodies, the VRU, anti-corruption institutions and professional self-governance organisations.

The OECD Recommendation [OECD/LEGAL/0498] instructs that a justice system that is effective in addressing legal needs and justice problems of people and businesses must be holistically designed. It needs to account for the wide range of stakeholders and institutions engaged in shaping justice policy, allocating resources and designing and delivering justice services. To ensure that justice services are responsive to people's needs, the system should accommodate trade-offs, make efficient use of synergies and systematically engage people in the design of services.

Annex 3.A outlines the institutional architecture of the justice system in Ukraine, detailing the main institutions involved in justice policy, administration, accountability, and service delivery. It also outlines the core functions and responsibilities of each institution.

Judicial governance institutions

The HCJ is the highest body within the judicial governance structure, tasked with safeguarding the judiciary's independence and ensuring the accountability and efficiency of justice in Ukraine. The HCJ is responsible for appointing, transferring, suspending and dismissing judges, including through the Disciplinary Inspectors Service, its subordinate body responsible for administering disciplinary proceedings (VRU, 2025[8]).

The High Qualification Commission of Judges (HQCJ) is responsible for a broad range of functions related to judicial appointments, career management and professional evaluation (VRU, 2025[8]). Its responsibilities include maintaining records on judicial positions and vacancies; conducting the selection of candidates for judicial office, including qualification examinations and special background checks; carrying out qualification evaluations of judges; maintaining judicial dossiers and candidate files; and submitting recommendations to the HCJ regarding judicial appointments and transfers, except where transfers are imposed as disciplinary sanctions (VRU, 2025[8]).

Judicial administrative and support bodies

The State Judicial Administration (SJA) provides organisational and budget support while handling essential tasks for the effective functioning of the judiciary (VRU, 2025[8]). The SJA reports directly to the HCJ and is structured according to territorial departments (VRU, 2025[8]). It also ensures proper working conditions for the courts, the HQCJ, the judicial self-governance bodies and the National School of Judges (NSJ) (VRU, 2025[8]).

The Court Security Service provides security for court infrastructure and staff, and maintains public order in the courts (VRU, 2025[8]).

The NSJ provides professional training for judges and judicial personnel (VRU, 2025[8]).

Judiciary self-governance bodies

Three bodies are responsible for the internal organisation of court activities in Ukraine. These include meetings among the judges of the local courts, the appellate courts, the high specialised courts, as well as the plenum of the SC; the Council of Judges of Ukraine (CJU); and the Congress of Judges of Ukraine (VRU, 2023[9]).

The Congress of Judges of Ukraine is the supreme body of judicial self-governance. It adopts decisions binding on all bodies of judicial self-governance and judges, and hears reports from the CJU and the SJA, as well as information from the HQCJ and the HCJ on their activities (VRU, 2025[8]).

Prosecution service

The Office of the Prosecutor General (OPG) is the central authority in Ukraine's prosecution system, overseeing prosecutorial activities, establishing reporting procedures and evaluating performance of prosecutors.

The prosecution service is responsible for state prosecutions. Regional offices of the public prosecution and district prosecutors prosecute cases for the state. The OPG supervises regional offices, while the regional offices supervise the district offices (VRU, 2026[10]).

Other prosecutorial bodies

The All-Ukrainian Conference of Public Prosecutors (AUCPP) and the Council of Prosecutors (CoP) serve as self-governance bodies for the prosecution (VRU, 2026[10]). The Qualification and Disciplinary Commission of Prosecutors (QDCP) assesses the professional qualifications of candidates seeking appointment as prosecutors and oversees key aspects of prosecutorial career management. Its functions include decisions related to the disciplinary liability, transfer and dismissal of prosecutors (VRU, 2026[10]). Prosecutor's Training Centre of Ukraine provides training to prosecutors (VRU, 2026[10]).

Court system

Regular courts

The court system is composed of three tiers. At the lowest level are the local courts, of which there are three types – general courts, commercial courts and administrative courts (VRU, 2025[8]).

General appellate courts, commercial appellate courts and administrative appellate courts sit over the local courts (VRU, 2025[8]). Appellate courts also hear, as first-instance courts, specific case types determined by law (VRU, 2025[8]).

As of May 2026, Ukraine's court network officially comprises 758 local courts and courts of appeal. As indicated in Table 3.1, of these, 582 courts (around 77%) are currently operational (CJU, 2026[11]). The remaining courts are not functioning due to the temporary occupation of parts of the country, notably in the Autonomous Republic of Crimea and in Donetsk and Luhansk oblasts, following Russia's invasion of Ukraine in 2014 and the subsequent full-scale invasion in 2022.

Table 3.1. Number of local and appellate courts in Ukraine

Type of court	Number of courts established by law	Number of operational courts	Percentage of operational courts
Local general courts	663	501	75.57
Local administrative courts	27	23	85.19
Local commercial courts	27	23	85.19
General courts of appeal	26	22	84.62
Administrative courts of appeal	8	7	87.50
Commercial courts of appeal	7	6	85.71
Total:	**758**	**582**	**76.78**

Source: (CJU, 2026[11]).

During Russia's war of aggression against Ukraine, the territorial jurisdictions of over 160 local courts and courts of appeal have changed (Ukraine Facility, 2024[12]). In particular, between 2014 and 2024, the jurisdictions of 84 local courts and courts of appeal, including 36 courts from the Autonomous Republic of Crimea and the city of Sevastopol, 31 courts of the Donetsk Oblast and 17 courts of the Luhansk Oblast, were transferred to non-occupied territories (Ukraine Facility, 2024[12]). In the future, the number of local courts is expected to decrease as they are consolidated into district courts as part of the judicial map reform (see Chapter 6).

The third and highest tier of Ukraine's judicial system is the SC. The SC is composed of a Grand Chamber, the Cassation Administrative Court, Cassation Commercial Court, Cassation Criminal Court and Cassation Civil Court (VRU, 2025[8]).

Specialised courts

To ensure the effective handling of specialised cases, Ukraine has complemented its system of general, commercial and administrative courts with several specialised courts, including the High Court on Intellectual Property (HCIP) and the High Anti-Corruption Court (HACC) (VRU, 2023[9]). Two new administrative courts formally established in 2025 – the Specialised District Administrative Court (SDAC) and the Specialised Administrative Court of Appeal (SACA) – are also being developed (see Box 3.3).

Box 3.3. Establishment of new specialised administrative courts

Background

Until its dissolution in 2022 due to concerns regarding ethics and integrity, the District Administrative Court of Kyiv (DACK) acted as the primary court for administrative disputes involving citizens or businesses and central executive authorities. Following its liquidation, the cases previously heard by the DACK have been temporarily reassigned to the Kyiv District Administrative Court, resulting in a significant increase in workload and growing case backlogs.

To fill this gap, the establishment of the SDAC and the SACA is progressing. The legislative acts providing for their creation came into force in October 2025, and an open competition is currently ongoing for 17 judgeships at the SDAC and 10 at the SACA. This reform is necessary for Ukraine to fulfil the demands outlined in the European Union's (EU) Ukraine Facility Plan and conditions set by the International Monetary Fund in the Extended Arrangement under the Extended Fund Facility.

Mandate and jurisdiction of the SDAC and the SACA

Under the legislative framework, the SDAC will hear administrative claims against public authorities whose jurisdiction extends to the entire territory of Ukraine, including the CMU, central executive bodies, the National Bank of Ukraine, the National Anti-Corruption Bureau of Ukraine (NABU), the Specialised Anti-Corruption Prosecutor's Office (SAPO), the National Agency on Corruption Prevention (NACP) and high-level selection commissions. The SACA will serve as the exclusive appellate instance for cases heard by the SDAC. Territorial jurisdiction is nationwide, with both courts to be seated in Kyiv. The laws introduce eligibility criteria and a two-tier selection mechanism of judges featuring an Expert Council, composed of three international experts with a casting vote and three Ukrainian judges, to vet integrity and competence.

The legislative creation of these courts is only the first step of the reform. As the establishment of the SDAC and the SACA progresses, it will be essential to ensure integrity- and merit-based selection of judicial candidates. Equally important will be securing adequate resourcing and professional staffing to enable their effective functioning once operational. Without these elements, the courts may fill the formal institutional gap without fully restoring the capacity lost after the elimination of the DACK.

Source: (ALI, 2024[13]; European Commission, 2024[14]; 2025[15]; ACCU, 2025[16]; OECD, 2025[17]; VRU, 2025[18]; 2025[8]; IMF, 2026[19]).

The HCIP was formally established in 2017 as part of broader efforts to align Ukraine's intellectual property framework with EU standards in the context of the EU accession process. However, the HCIP has not yet become operational. While HQCJ initiated a competition for judicial positions at the HCIP, the process was interrupted following the suspension of the HQCJ's activities in 2019.

According to the authorities, further progress on the selection process remains contingent on the adoption of the necessary legislative and procedural framework to ensure the HCIP's effective functioning. As of May 2026, the HQCJ had not adopted decisions on the continuation of the competition process. At the

same time, the National Programme for the Adaptation of Ukrainian Legislation to European Union Law, approved in April 2026, identifies the adoption of amendments necessary for the effective functioning of the HCIP as a priority measure (VRU, 2026[20]).

In the past, specialised military courts were responsible for many case types involving service members. With the 2010 judicial reforms all military courts were abolished, and courts of general jurisdiction now examine cases previously handled by military garrison courts and military courts of appeal.

Constitutional Court of Ukraine

The CCU is the body of constitutional jurisdiction responsible for ensuring the supremacy of the Constitution in Ukraine. It reviews the constitutionality of laws and other legal acts, provides official interpretation of the Constitution and considers constitutional complaints alleging that a law applied in a final court decision is inconsistent with constitutional guarantees (VRU, 2020[3]). Through these functions, the CCU plays a central role in safeguarding the rule of law, separation of powers and the protection of fundamental rights in Ukraine.

The executive branch

President of Ukraine

The President of Ukraine has a defined constitutional role in the justice system, mainly through appointment powers and legislative initiative. The President appoints judges upon submission by the HCJ, appoints two members of the HCJ and appoints six judges to the CCU. The President also submits draft legislation to the VRU on the establishment, reorganisation or dissolution of courts, giving the office a role in shaping the institutional architecture of the judiciary.

The Office of the President of Ukraine (OPU) is a standing advisory body of the President of Ukraine. In the justice sector, its role is mainly linked to the President's constitutional functions, including legislative initiatives, the appointment of judges upon submission of the HCJ and the establishment of courts in the manner prescribed by law (VRU, 2026[21]). The OPU therefore provides the organisational, advisory and co-ordination support through which the President engages with justice reforms, judicial appointments and related processes. In recent years, the OPU has also played a co-ordinating role in the strategic direction of justice reform, including through the preparation of the draft Strategy for the Development of the Justice System and Constitutional Justice for 2025-2029 (OPU, 2024[22]).

Cabinet of Ministers of Ukraine

The CMU is the highest body in the system of executive power. It is responsible for safeguarding the state sovereignty and economic independence of Ukraine, developing and implementing domestic and foreign policies, executing the Constitution, laws of Ukraine and the acts issued by the President of Ukraine, and adopting documents relevant to the justice sector, including strategies and action plans (VRU, 2020[3]). In this role, the CMU approved the Rule of Law Roadmap. The CMU also holds the constitutional right of legislative initiative, enabling it to submit draft laws directly to the VRU and play an active role in shaping legislation (VRU, 2020[3]).

The Secretariat of the Cabinet of Ministers of Ukraine (SCMU) supports the CMU in carrying out these functions by providing methodological guidance for the development of strategies initiated or approved by the CMU, preparing draft materials for consideration at CMU meetings and providing expert opinions on draft government acts, including those related to the justice sector. For example, the Strategic Planning Directorate of the SCMU provided support and comments during the development of the National Strategy for Children's Rights in the Sphere of Justice.

Ministry of Justice

The Ministry of Justice (MoJ) is a central executive body within the Government of Ukraine, tasked with developing and implementing state legal policies across the justice sector. It is responsible for the formation and implementation of state legal policy and state policy on bankruptcy issues, preventing insolvency of debtors, the organisation of the profession of notaries public and the execution of court decisions and/or decisions of other State agencies. The MoJ handles state registrations, such as the registration of civil acts, property rights, real estate, legal entities and individual entrepreneurs. In the criminal law arena, it is also responsible for the execution of criminal sentences, probation and the detention of prisoners of war.

Unlike in many OECD countries, the MoJ in Ukraine does not exercise a central governance role over the judiciary or prosecution service. Instead, its role in the justice sector includes legislative development, policy co-ordination and support for strategic planning, often alongside the OPU. The forthcoming OECD Public Governance Review of Ukraine further identifies the MoJ as one of the key institutions in the whole-of-government strategic planning system, specifically in its role of reviewing the legal conformity of draft strategic documents submitted to the CMU (OECD, forthcoming[23]).

Legislative branch

Within the legislative branch, the VRU holds the legislative authority in Ukraine. The UPCHR controls the protection of human and constitutional rights and freedoms (VRU, 2020[3]).

The Parliamentary Committee on Legal Policy (PCLP) is an essential parliamentary body dedicated to strengthening the legislative framework for judiciary governance and justice administration.

Specialised anti-corruption institutions

The SAPO supervises the observance of laws through operational and investigative activities, and pre-trial investigations conducted by the NABU. The NABU is the state law enforcement body tasked with the prevention, detection, investigation and solution of corruption offences under its jurisdiction, as well as the prevention of corruption. The NACP is a central executive body which develops and implements the State anti-corruption policy. The HACC, established in 2019, administers justice as the first instance and appellate court in high-level corruption cases.

Professional associations

Several professional associations also exist in Ukraine's justice field. The Ukrainian National Bar Association (UNBA) is a public, self-governing institution that ensures the provision of legal defence, representation and other types of legal assistance. The National Association of Mediators regulates the profession of mediators. The Ukrainian Judges Association, an association of CCU judges and an Association of Prosecutors are responsible for the protection of legal interests and rights of their members.

3.2.3. Enhancing judicial governance

A common approach to strengthening the organisational and functional independence of the judiciary is to grant judicial institutions responsibility for court administration, judicial careers, training, discipline and, in some systems, budget management. Several OECD countries have established autonomous judicial councils or equivalent bodies entrusted with governance, human resources (HR) and administrative responsibilities (ENCJ, 2017[4]; CCJE, 2021[24]). Box 3.4 below, offers examples of judicial governance models in OECD countries.

Ukraine has a hybrid model of judicial governance involving several institutions with distinct but interconnected responsibilities. The HCJ plays the central role in judicial governance and integrity, while the HQCJ is responsible for judicial selection and qualification procedures. The CJU serves as the executive body of the Congress of Judges of Ukraine, while the SJA manages administrative and financial

operations. While this institutional framework is intended to safeguard judicial independence through distributed responsibilities and checks and balances, some aspects of the system remain comparatively complex. In particular, the roles of the HCJ, the HQCJ and the SJA could be assessed further to identify potential overlaps and opportunities to strengthen co-ordination and operational efficiency.

Box 3.4. Models of judicial governance in OECD countries

Judicial governance arrangements differ considerably across OECD countries and legal traditions, reflecting varying constitutional structures, legal cultures and approaches to safeguarding judicial independence.

One common distinction concerns the principal institution responsible for judicial administration. Comparative analyses identify several models, including ministry-led systems (e.g. Austria, Germany), judicial council models (e.g. France, Lithuania, Poland), courts service models (e.g. Denmark, Sweden) and hybrid arrangements (e.g. Estonia, Iceland). Even in systems without judicial councils, the judiciary – particularly presidents of supreme and appellate courts – often remains involved in strategic and administrative decision-making for the judiciary.

Among EU-OECD countries with judicial councils, two broad governance approaches are often distinguished. In Southern European systems (e.g. France, Italy, Spain), councils primarily focus on appointments and discipline to safeguard judicial independence. In Northern European systems (e.g. Belgium, Ireland, the Netherlands), councils often also perform administrative, managerial and budgetary functions.

Non-European OECD countries also apply diverse governance models. In East Asia, Japan continues to vest judicial administration primarily in the Supreme Court, while Korea combines Supreme Court oversight with consultative conferences of judges. In the Americas, several countries, including Colombia and Costa Rica, have established judicial councils with varying degrees of authority, while other systems continue to evolve through constitutional reform processes.

Overall, there is no universally applicable model of judicial governance. Institutional arrangements continue to reflect different legal traditions, constitutional frameworks and political contexts. Nevertheless, many countries, including Ukraine, have gradually expanded the judiciary's role in managing its own administration and resources as part of broader efforts to strengthen judicial independence and accountability. The OECD Recommendation similarly emphasises the importance of coherent, effective and independent governance frameworks supporting people-centred access to justice.

Source: (Albers and Voermans, 2003[25]; Bobek and Kosař, 2013[26]; UN Special Rapporteur on the Independence of Judges and Lawyers, 2018[27]; Korean Law Information Centre, 2023[28]; Government of Chile, 2024[29]; OECD, 2026[30]).

Ukraine's justice system distributes responsibilities for judicial careers, administration, budgeting, operations and self-governance across multiple institutions. This structure reflects important principles such as separation of powers, institutional specialisation and checks and balances. At the same time, intersecting responsibilities – particularly regarding judicial appointments, qualification and administration – can create operational fragmentation.

Ukraine's judicial governance framework also places strong emphasis on judicial independence. Key institutions, notably the HCJ and the HQCJ, are composed predominantly of judges or former judges, helping to insulate decisions relating to judicial careers, discipline and court administration from undue external influence. The framework is further supported by institutions such as the SJA, the NSJ and judicial self-governance bodies, including the CJU, which plays an important role in court organisation, budget execution and reform discussions.

Ukraine's judicial governance system remains comparatively complex relative to many OECD countries. Intersecting responsibilities across governance bodies – particularly regarding judicial appointments, qualification, administration and oversight – may complicate co-ordination, lengthen decision-making and contribute to fragmented accountability and reform implementation, especially under wartime conditions and persistent staffing pressures. Table 3.2 illustrates selected areas of overlap across the HCJ, the HQCJ and the SJA and highlights areas where the current model may create duplication or operational inefficiencies despite strengthening independence safeguards.

A dedicated functional audit, as envisaged in the Rule of Law Roadmap, could help distinguish necessary institutional safeguards from avoidable overlap, clarify mandates and identify opportunities to strengthen the efficiency and coherence of judicial governance while preserving judicial independence. In the longer term, Ukraine may also assess whether selected governance functions could benefit from greater institutional streamlining, including within prosecutorial self-governance arrangements, subject to careful impact assessment and broad consultation.

Table 3.2. Mitigating institutional complexity in judicial governance

Areas of overlap or interface	Potential consolidation measures
Judicial careers: The HQCJ conducts selection, evaluation and recommends candidates, while the HCJ reviews and takes final decisions on appointments, dismissals and secondments.	Streamline the judicial career pipeline by reducing duplicative stages of review and introducing more integrated workflows.
Integrity and vetting processes: The HQCJ and HCJ engage in integrity verification activities, including reviewing declarations and conducting integrity checks. During qualification assessments for sitting or candidate judges, the HQCJ receives non-binding opinions from the Public Integrity Council (PIC) regarding ethics and integrity. The PIC examines public resources or registers of state bodies, such as the NABU registers concerning judicial candidates or sitting judges to determine if they comply with ethical and integrity standards.	Consolidate data collection and verification systems by developing shared databases and unified registers to avoid duplication, reduce administrative burden and improve consistency of assessments.
Judicial secondments: The HQCJ prepares submissions, the HCJ adopts decisions and the SJA contributes to the regulatory framework.	Clarify ownership and sequencing by streamlining roles across institutions and simplifying workflows for judicial secondments.
Court network planning and resource allocation: The SJA prepares proposals on judicial staffing, infrastructure and budgets, while the HCJ approves parameters such as the number of judges and allocation of resources.	Strengthen the role of the SJA as the lead body for planning, budgeting and resource allocation in the judiciary, while maintaining the HCJ's leading role in strategic oversight.
Administrative rule-setting and operational regulation: The SJA drafts operational regulations, which the HCJ must approve, resulting in shared responsibility for setting the norms.	Rationalise regulatory drafting processes by clarifying the distinction between technical preparation (SJA) and governance-level approval (HCJ) and reducing iterative revisions.
Administrative and support functions: Functions such as HR administration, information technology (IT) operations, statistics and procurement are distributed across institutions, notably the SJA and the HCJ.	Expand shared models and infrastructure for administrative functions, including in the areas of HR, IT and judicial statistics, to improve efficiency and reduce duplication.

Source: (VRU, 2025[8]), developed by authors.

3.2.4. Strengthening prosecutorial governance

Unlike the judiciary, whose independence is generally more clearly defined and constitutionally protected, prosecution services across OECD countries follow a wider range of institutional and governance models. At the global level, public prosecutors' offices exhibit greater institutional diversity than judicial systems, reflecting a wide range of governance models and political contexts (Voigt, 2021[31]).

In hierarchical systems, prosecution services are often institutionally situated within the executive branch, while safeguards are maintained to preserve the functional autonomy of prosecutors. In many OECD countries, for example, laws seek to prevent or limit arbitrary instructions from supervising prosecutors or interventions from other branches of government in specific investigations and prosecutions (CCPE, 2018[32]).

In systems based on a judicial model, prosecution services operate with greater institutional independence as part of the judiciary, which may also reduce their vulnerability to corruption (Voigt, 2021[31]). Regardless of the institutional model adopted, safeguarding prosecutorial autonomy remains important given the central role of prosecutors in ensuring effective access to justice and the effective functioning of the justice system (OECD, 2020[33]).

Section VII of the 1996 Constitution of Ukraine established the prosecutor's office as a separate institution, reflecting the historically influential role of the prosecution service in the Soviet legal system. The 2016 constitutional amendments moved the prosecutor's office into Section VIII on "Justice", signalling closer alignment with a judicial model of prosecution service governance (VRU, 2016[34]). The amendments also narrowed prosecutorial functions by abolishing the broad supervisory role previously exercised by the prosecution service and limiting its mandate primarily to pre-trial investigations, public prosecution and representation of the state's interests in court proceedings.

Despite these constitutional changes, the prosecution service in Ukraine continues to operate as a hierarchical system characterised by vertical subordination rather than a structure equivalent to the judiciary (Lapkin, 2022[35]). As a result, the governance framework combines elements of institutional autonomy with concentrated influence in the upper levels of the prosecution service.

The highest administrative organisation in the prosecution service of Ukraine remains the OPG. This office oversees the work of regional and territorial prosecutor offices, co-ordinates prosecutorial activity and develops methodological guidelines. Several bodies have also been established to supervise appointments, transfers, promotions and disciplinary matters, including the CoP, the AUCPP and the QDCP. The CoP ensures the independence of prosecutors, addresses issues relating to their legal and social protection, examines complaints regarding threats to their independence and monitors the implementation of decisions taken by the prosecutorial self-government body. The AUCPP elects members of the HCJ and approves the Code of Professional Ethics and Conduct for Prosecutors. The QDCP is responsible for determining the level of professional training required for prospective prosecutors; it also decides on prosecutors' disciplinary liability, promotion, transfer and dismissal.

This architecture reflects a gradual attempt to move prosecutorial governance towards a more rules-based and professional model. Competitive selection, recertification and the opening of prosecutorial careers to candidates from outside the traditional pool were important early steps in that direction. The re-certification process launched in 2019-2021 reshaped the prosecution service and appears to have improved selectivity, particularly at the level of the OPG and regional offices. At the same time, the model remains institutionally uneven. The hierarchy sits alongside self-governance bodies whose practical capacity and institutional weight are still limited. Given the CoP's important role in safeguarding prosecutorial independence and self-governance, operating pro bono may limit its capacity and long-term commitment to reforms.

The key governance challenge lies in ensuring that institutional design supports professionalism, predictability and independence. Stronger and more stable support for self-governance bodies, reducing influence over appointments and ensuring disciplinary accountability would all go a long way to advancing these goals. In this context, the reform priorities agreed upon by Ukraine and the EU in December 2025 are particularly relevant. Priority 3 calls for a comprehensive review of the selection and dismissal procedure of the OPG, aligned with European best practices and prepared with the involvement of the Venice Commission (European Commission, 2025[36]). Priority 4 calls, in turn, for legislation to ensure transparent, merit-based selection, appointment and transfer procedures for managerial and other prosecutorial positions across the OPG and regional and district offices, along with clear criteria and competence and integrity assessments (European Commission, 2025[36]). These priorities underscore that the next stage of reform should strengthen institutional guarantees for resilient prosecutorial governance and protection against undue influence.

Strengthening prosecutorial governance in Ukraine thus requires both institutional and operational follow-through. In the medium term, increasing operational support, creating durable budgeting mechanisms and, where appropriate, professional membership arrangements, would help reinforce prosecutorial self-governance. Reforms should aim to ensure that appointments, promotions and transfers across the prosecution service are governed by stable, transparent and competitive procedures that support professional quality and institutional independence.

3.2.5. Alternative Dispute Resolution

Ukraine's legal framework for alternative dispute resolution (ADR) has developed progressively and now supports multiple ADR mechanisms, including mediation, judge-led dispute resolution and international commercial arbitration. Mediation is currently the most developed and promoted ADR mechanism, though its use remains limited. Arbitration remains concentrated primarily in commercial and investment disputes. In parallel, certain restorative justice and diversion programmes have also been piloted, particularly for minors in conflict with the law.

In 2016, amendments to the Constitution of Ukraine established that the law may require a pre-trial dispute resolution procedure (VRU, 2016[34]). In 2017, Ukraine introduced a new ADR procedure of dispute resolution with the participation of a judge (Chapter 4, Civil Procedure Code). In this process, the judge acts as a mediator, holding both joint and separate meetings with each party to encourage a peaceful settlement (VRU, 2026[37]).

The 2021 Law of Ukraine on Mediation established a framework for mediation as a voluntary process with legally recognised and enforceable agreements. It outlines key principles such as voluntary participation, confidentiality and impartiality (VRU, 2021[38]). Separate norms regarding mediation are also included in the Civil Procedure Code, the Commercial Procedure Code, the Code of Administrative Procedure and other laws. In addition, the National Mediation and Reconciliation Service performs a distinct role in the prevention and settlement of collective labour disputes.

Arbitration is primarily regulated by the 1994 Law on International Commercial Arbitration and the Civil Procedure Code, developed in line with international standards. These laws enable dispute resolution in commercial and investment matters, with arbitration decisions enforceable both domestically and internationally.

Box 3.5. Overview of ADR in Ukraine

Mediation services are provided primarily by individual mediators and civil society organisations (CSOs), notably the Ukrainian Academy of Mediation (UAM), which has operated court-based mediation offices in Odesa since 2018 and delivers training, awareness-raising and professional development activities. Many mediators work on a pro bono basis, often through mediation networks or donor-supported initiatives.

Arbitration functions mainly in the commercial and investment sphere through the International Commercial Arbitration Court and the Maritime Arbitration Commission at the Ukrainian Chamber of Commerce and Industry.

Despite this range of mechanisms, ADR services remain concentrated in larger urban centres, public awareness is low and usage is limited across all types of mechanisms – challenges that have been further compounded by the war. Chapter 6 analyses these constraints in detail.

Source: Developed by authors.

Despite gradual development of the ADR system in Ukraine, its governance remains fragmented. Responsibility is distributed across several actors, without a single institution responsible for policy development, co-ordination and oversight. The MoJ plays an important role in designing the legal and policy framework for ADR. At the same time, the practical development of mediation services has been driven largely by CSOs and professional mediation networks. CSOs, notably the UAM, have contributed to the development of professional practice, training and raising awareness around ADR. Current arrangements have supported the development of mediation in specific areas. However, they have also produced a dispersed governance landscape, with uneven standards, limited co-ordination and no comprehensive approach across the wider ADR system.

Moreover, mediator registers are decentralised and managed by several organisations. Separate registers are maintained by the UAM, the National Association of Mediators, the Centre for Mediation and Dialogue, the Association of Family Mediators of Ukraine, the legal aid system, the Intellectual Property Office and the Kyiv Chamber of Commerce and Industry. This creates a patchwork system marked by inconsistent verification and complaint procedures, and weak overall visibility.

To address this fragmentation, the MoJ prepared a draft reform concept. It envisages the establishment of a single register linked to common standards for admission, training, quality assurance and handling of complaints. The concept note gives particular attention to the creation of a self-governing model centred on a National Association of Certified Mediators of Ukraine (NACMU), which would act as the core professional governance body for the sector (MoJ, 2026[39]). Under such an approach, NACMU could maintain the unified register, oversee certification and professional standards, handle complaints and disciplinary matters and generate more reliable information on the functioning of mediation (MoJ, 2026[39]). The MoJ, in turn, could retain a co-ordinating role by setting the regulatory framework, managing the transition into the new model and ensuring that mediation governance supports broader objectives related to access to justice (MoJ, 2026[39]).

The model proposed by the MoJ offers a promising route for strengthening the governance of mediation in Ukraine. A self-governing structure, supported by a regulatory and co-ordinating role for the MoJ, could help improve the consistency of professional standards, registration, quality assurance and complaints handling across the sector. A key issue moving forward will be the financing of this reform. The implementation of any more coherent governance model, including the establishment of supporting administrative and oversight functions, will require predictable resources if it is to be carried through effectively in the coming years. OECD countries typically centralise their mediator registers, as shown in Box 3.6.

Box 3.6. Centralised registers of mediators in OECD countries

National Register of Mediators, Poland

While Polish law already regulates who may be a permanent mediator, the country is currently developing the National Register of Mediators to unify dispersed lists of mediators and professionalise mediation. A corresponding pilot project co-financed by the European Social Fund ran from January to December 2024 under which the Polish Ministry of Justice tested information systems, examined data security and collected feedback.

During the pilot phase, the possibility of applying to the list of mediators was restricted to already registered permanent mediators (for civil cases) or mediators included on the lists of institutions and persons authorised to mediate in criminal cases. Applications were submitted through an interactive form between January and June 2024 and the Minister of Justice decided on entries within 30 days.

Lists include mediators' names, education, training, specialisation and contact details. The president of the district court enters mediators on the list and may remove them for failure to meet eligibility criteria or for improper conduct.

National Register of Mediators, Türkiye

In Türkiye, a central national register of mediators exists under the country's Law on Mediation in Civil Disputes and provides an exhaustive overview of mediators that are allowed to provide court-ordered mediation services. Only mediators included in the register are allowed to conduct court-ordered mediation. Settlement agreements concluded through a registered mediator are enforceable. Parties may either choose a mediator from the register themselves, or the court might do so in case of disagreement between the parties.

Within Türkiye's framework, approved mediators are required to use the national judicial informatics system to record their activities and send information on outcomes to the Ministry of Justice, which administers the register. Mediators must also notify the Ministry of changes in their status and periodically engage in activities aimed at advancing their professional development. The registry is public and parties are encouraged to consult it.

Source: (Ministry of Justice of the Republic of Poland, n.d.[40]; ISAP, 2024[41]; ADR Istanbul, 2020[42]).

Recent justice reform strategies included measures to promote pre-trial and out-of-court dispute resolution, including mediation, arbitration and restorative approaches. However, the practical availability, accessibility and use of ADR services remain uneven across Ukraine, particularly outside major urban centres. Chapter 6 further examines the functioning of ADR services in practice, including issues related to geographical coverage, public awareness, legal aid integration and user access.

3.3. Strategic vision, planning and reform co-ordination in the justice system

Effective justice systems require a long-term, unified and agile vision. Instead of focusing solely on ad hoc institutional reviews and strengthening the capacity of justice institutions, it requires a coherent and strategic whole-of-state and whole-of-sector approach to planning, implementation and monitoring.

In Ukraine, strategic planning in the justice sector has evolved through successive waves of reform since independence, particularly following the 2013-2014 Revolution of Dignity and the acceleration of EU integration efforts. Since 2014, justice reforms have focused on strengthening judicial independence, accountability, integrity, digitalisation and institutional capacity, while also modernising prosecution services, enforcement systems and legal professions. These reforms intensified following Russia's full-scale invasion of Ukraine in 2022, which increased pressure on justice institutions while simultaneously reinforcing the strategic importance of rule-of-law reforms for recovery, resilience and EU accession.

Successive justice strategies have reflected these evolving priorities. The Strategy for the Reform of the Judiciary, Legal Proceedings and Related Legal Institutions (2015-2020) focused on judicial independence and accountability, reform of prosecution services, optimisation of the judicial system and the expansion of e-justice tools (VRU, 2015[43]). It also introduced significant constitutional and institutional reforms, including the simplification of the court system and changes to judicial governance arrangements. The subsequent Strategy on the Development of the Justice System and Constitutional Proceedings (2021-2023) built on these reforms by strengthening judicial governance and integrity mechanisms, promoting ADR, improving judicial administration and introducing additional reforms concerning constitutional justice, disciplinary systems and legal professions (VRU, 2021[44]). However, implementation gaps persisted across both strategies, particularly regarding judicial governance reform, court remapping, judicial staffing,

enforcement of court decisions and integrity-related reforms. Following Russia's full-scale invasion in 2022, several planned reforms were delayed or suspended due to operational disruption, including interruptions affecting the HCJ and the HQCJ.[1]

Against this backdrop, the current reform framework continues a longer reform trajectory but places much stronger emphasis on EU accession and institutional alignment with the EU acquis. In the absence of an adopted overarching justice strategy, the Rule of Law Roadmap approved by the CMU in May 2025 functions as the central framework for ongoing and planned reforms across Chapter 23 (Judiciary and fundamental rights) and Chapter 24 (Justice, freedom and security) of the EU acquis (VRU, 2025[45]). The Roadmap contains 124 strategic outcomes and 529 reform measures to be implemented by the end of 2027 across four thematic areas: judiciary, fundamental rights, justice/freedom/security and anti-corruption. It therefore acts not only as an accession instrument but also, in practice, as the interim framework for sequencing and monitoring justice reforms until a new justice strategy is formally adopted.

The Rule of Law Roadmap reflects a broader and increasingly integrated understanding of justice reform. In addition to judicial governance, integrity and court performance, it includes reforms concerning digitalisation, legal education, ADR, prosecution services and the Bar. The Roadmap also places greater emphasis on implementation, interoperability and institutional co-ordination. Measures concerning IT governance, judicial statistics, case management systems and legal education indicate recognition that sustainable justice reform requires institutional capacity across the wider justice ecosystem and not only within courts. Box 3.7 provides more details on the Roadmap's provisions in the area of the judiciary.

The EU accession process has also strengthened the role of the Deputy Prime Minister for European and Euro-Atlantic Integration and the Government Office for Co-ordination of European and Euro-Atlantic Integration in steering cross-government reform priorities. This development is directly relevant for justice sector planning. In December 2025, several reform priorities for 2026 were agreed upon between the Deputy Prime Minister and the European Commissioner for Enlargement. Priority reform plans concern criminal procedure, prosecutorial governance, appointments to the CCU and the HCJ, extension of international experts' involvement in the HQCJ Selection Commission and integrity declarations for judges (European Commission, 2025[36]). This parallel agreement underlines the need to align MoJ-led sectoral planning, OPU-led strategic initiatives and justice institutions' reform commitments with the EU accession co-ordination architecture.

Box 3.7. Measures in the Rule of Law Roadmap ('Judiciary' part)

The 'Judiciary' section of the Rule of Law Roadmap outlines a broad reform agenda with targeted measures seeking to address structural weaknesses in judicial governance, capacity, integrity, performance and service delivery across the justice sector.

General reforms

General reforms included in the Roadmap pertain to strategic planning in the justice sector and institutional restructuring, including a new justice strategy, optimisation of court network, stronger resource planning and reviews of the roles and functioning of judicial governance and self-governance bodies.

Independence and impartiality

This area addresses core safeguards for fair and independent decision-making. It focuses on judicial appointments, career progression, integrity checks and disciplinary liability. It also seeks to reduce risks of interference and strengthen the credibility of judicial and prosecutorial governance.

Quality and efficiency of justice

Measures in this area include the reduction of court backlogs, further procedural reforms, improvement of judicial statistics, ensuring a more active role for the SC in promoting coherence and implementing reforms to improve access to justice in specific areas.

Digitalisation of justice

Digitalisation reform in the Roadmap is treated as an enabler of wider institutional change. The Roadmap connects IT governance, case and document management, judicial dossiers and data integration with a broader objective of advancing efficiency, transparency and oversight of the justice system.

Training of judges and prosecutors

This area seeks to align professional development more closely with the evolving needs of the justice system and with European standards. It places particular emphasis on ethics, integrity, EU law, groups with vulnerabilities, digitalisation and the institutional capacity of training providers.

Legal education reform

The Roadmap treats the reform of legal education as a long-term foundation of justice reform. Envisaged measures aim to improve the quality and integrity of legal education, strengthen the links with professional requirements and enhance standards for entry into legal professions.

Other components

Reforms included in the Roadmap are not confined to formal justice institutions. The inclusion of the Bar and ADR indicates a broader view of justice system performance, including the enforcement of rights and the availability of more accessible and effective mechanisms for settling disputes.

Source: (VRU, 2025[46]).

Several complementary strategic documents continue to operate alongside the Roadmap (Table 3.3). These include the draft Strategy for the Development of the Justice System and Constitutional Justice (2025-2029), the Comprehensive Strategic Plan and Action Plan for Law Enforcement Reform (2023-2027), the Roadmap for the Development of IT Solutions in the Judiciary (2024-2029), the Concept for the Unified Judiciary Information and Technology System (UJITS; 2025-2027), the National Strategy for Protecting Children's Rights in the Justice System (2025-2028) and sectoral strategies related to anti-corruption, human rights and enforcement of court decisions.

Table 3.3. Overview of strategic documents for the justice system

Strategy name	Timeline	Lead entity(ies)	Thematic area	Status
Rule of Law Roadmap	2025-2027	MoJ	EU accession (Chapters 23 and 24 of EU acquis)	Approved by the CMU in May 2025; de facto in implementation
Strategy for the Development of the Justice System and Constitutional Justice	2025-2029	MoJ, OPU	Overall sectoral strategy	Developed; pending adoption
Comprehensive Strategic Plan and Action Plan for Law Enforcement Reform	2023-2027	OPG, Ministry of Internal Affairs	Prosecution and broader law enforcement reforms	In implementation
Roadmap for the Development of IT Solutions in the Judiciary	2024-2029	SJA	Digitalisation	In implementation
Concept for UJITS	2025-2027	SJA	Digitalisation	In implementation
National Strategy for Protecting Children's Rights in the Justice System	2025-2028	MoJ	Child-friendly justice	In implementation
Anti-Corruption Strategy	2026-2030	NACP	Anti-corruption and public integrity	Developed; pending adoption
Action Plan for the National Human Rights Strategy	2021-2023	CMU, UPCHR	Human rights protection, especially in wartime	Elapsed
Strategy for the Development of Judicial Education	2026-2030	NSJ	Legal education for judges	In implementation
National Strategy for Resolving the Problem of Non-Enforcement of Court Decisions	2020-2025	MoJ	Enforcement of court decisions	Elapsed

Source: Developed by authors.

In particular, the draft Strategy for the Development of the Justice System and Constitutional Justice (2025-2029) was developed in the context of both the unrealised objectives of previous reform strategies and the growing importance of EU accession requirements (OPU, 2024[47]). As such, it seeks to consolidate ongoing reforms across the justice sector while addressing persistent structural challenges affecting judicial governance, integrity, staffing, constitutional justice and court administration. The draft Strategy continues several reform priorities already identified under the 2021-2023 strategy, including measures related to judicial accountability and integrity, digitalisation, court performance and judicial governance, while also introducing a stronger focus on higher legal education reform and the functioning of constitutional justice.

A dedicated section of the draft Strategy concerns reform of the CCU, including measures aimed at strengthening the continuity and institutional capacity of the CCU, improving constitutional proceedings, developing the constitutional complaint mechanism, ensuring implementation of CCU decisions and reinforcing integrity safeguards for CCU judges. The draft Strategy also reflects several recommendations linked to Ukraine's EU accession process, including the continued involvement of foreign experts in appointments to the CCU through the Advisory Group of Experts, further digitalisation of justice services and measures to improve court efficiency (European Commission, 2024[14]). In addition, comments from CSOs were reportedly taken into account during drafting, contributing to improvements in the structure and coherence of the document.

The draft Strategy illustrates several broader challenges affecting strategic planning in the justice sector. Many reform measures repeat priorities identified in previous strategies, reflecting persistent implementation gaps rather than entirely new reform directions. Several institutional and operational issues also remain insufficiently addressed, including the organisational independence of the OPG and prosecutorial self-governance bodies, the backlog of disciplinary complaints against judges, corruption risks affecting the SC, the need to strengthen prosecutors' self-governance arrangements and reforms

concerning periodic judicial evaluation and prosecutorial disciplinary systems. Despite the inclusion of e-justice reforms, further improvements remain necessary regarding automated allocation of cases within the renewal of the UJITS, as well as sustainable investment in court infrastructure and IT systems (European Commission, 2024[14]), among others.

Moreover, financing remains one of the principal implementation challenges for the draft Strategy. Several envisaged reforms, particularly modernisation of UJITS and broader digitalisation measures, require substantial long-term investment. Given the parallel implementation of the Rule of Law Roadmap, the effectiveness of the future Strategy will therefore depend on its alignment with the Roadmap, clearer prioritisation, sequencing and implementation arrangements, and stronger links between strategic planning, financing and monitoring. As of April 2026, however, the Strategy has not yet been formally adopted. Consequently, the Rule of Law Roadmap currently functions as the de facto framework for sequencing and monitoring justice reforms.

The Comprehensive Strategic Plan and Action Plan for Law Enforcement Reform (2023-2027) complements the broader reform architecture by focusing on the strategic and operational capacity of law enforcement agencies and the prosecution service (CMU, 2024[48]). The Strategic Plan includes several elements aligned with a people-centred justice approach, including measures aimed at strengthening accountability, protecting human rights, improving interaction with civil society and enhancing protection and support for victims and witnesses. It also promotes alternative responses within criminal proceedings, including diversion, mediation and restorative justice mechanisms, alongside broader digitalisation and results-based management reforms.

The Strategic Plan is relatively comprehensive within the law enforcement sphere, particularly in relation to criminal policy, digitalisation, civil oversight and victims' issues. However, it is not designed to function as a substitute for a broader justice-sector strategy and therefore works best as a complementary pillar within the wider reform architecture. Its effectiveness will largely depend on how coherently it is aligned with the Rule of Law Roadmap, future strategies for the justice sector and related reforms concerning enforcement, digitalisation, anti-corruption and human rights. Box 3.8 highlights the main priorities of the Strategic Plan.

Box 3.8. Priorities of the law enforcement reform strategy

The Comprehensive Strategic Plan and Action Plan for Law Enforcement Reform (2023-2027) sets out the following reform priorities:

- improving the effectiveness and efficiency of law enforcement through various activities such as the development of international co-operation, harmonisation with EU legislation and strengthening interaction with civil society
- creating consistent criminal policies and strategic plans through the development and execution of a national plan for crime prevention, setting priority areas for combating crime and the introduction of a unified media policy for the criminal justice sector
- improving the efficiency of criminal proceedings through the development of alternative measures for resolving criminal cases and the introduction of restorative justice mechanisms, ensuring the legal certainty of the functions of the prosecutor in organising pre-trial investigations
- creating a results-based management system through the strengthening of the co-ordinating role of the OPG, defining key performance indicators to measure the performance of law enforcement agencies and prosecution service

- advancing digital transformation through innovative IT solutions, including the implementation of an electronic criminal proceedings management system, improving the accessibility of law enforcement agents and prosecutors to State registers and databases
- strengthening the mechanisms of democratic civil control through promoting active interaction between civil society, law enforcement agencies and the prosecutor's office.

Source: (ESBU, 2023[49]; UNBA, 2023[50]).

3.3.1. Governance and implementation challenges

The current strategic planning landscape therefore remains fragmented. Different strategies operate under separate timelines, governance arrangements and implementation cycles. While institution-specific strategies may strengthen ownership among lead institutions, fragmentation may also reduce the consistency and continuity of reform implementation across the sector.[2] In practice, consultation processes during strategy development remain largely ad hoc and institution-specific, often taking place through written consultations rather than through standing planning and co-ordination mechanisms. This limits opportunities for longer-term prioritisation, integrated planning and sequencing of reforms across the sector.

This challenge is particularly important because the strategic direction of justice reforms has so far been mainly shaped by the OPU, in co-ordination with the MoJ and key justice institutions, including the HCJ, the HQCJ, the SJA, the OPG and judicial self-governance bodies. The OPU's role reflects the political and strategic significance of justice reforms, particularly in the context of EU accession and wartime recovery. However, the absence of a clearly formalised institutional framework means that co-ordination, prioritisation and accountability continue to depend significantly on political practice rather than stable institutional arrangements.

Clarifying the respective roles and co-ordination arrangements of the OPU, the CMU, the MoJ and other relevant actors within the strategic planning framework for the justice sector would strengthen continuity and coherence across justice reforms. Clearer arrangements would support the development and monitoring of justice reform strategies and alignment of the justice strategy with other key national reform and governance priorities, while preserving institutional independence, ministerial responsibility and the constitutional balance between institutions. The purpose of such formalisation should not be to centralise implementation authority or interfere with institutional autonomy, but rather to clarify co-ordination functions, responsibilities and reporting arrangements across the justice sector. Safeguards such as transparent mandates, clearly defined institutional roles, regular reporting on implementation and continued involvement of the CMU, the MoJ and independent governance bodies would be important to maintain this balance.

A more integrated strategic planning framework would also improve temporal coherence across reforms. In recent years, strategic documents concerning justice, prosecution, law enforcement, anti-corruption, digitalisation and enforcement of court decisions have often operated under different timelines or expired without full implementation. This reduces opportunities to leverage synergies, creates uncertainty for implementing institutions and risks weakening reform momentum. Better alignment of timelines, implementation cycles and monitoring frameworks would therefore support more sequenced and mutually reinforcing reforms.

Moreover, while existing strategies broadly identify institutional reform priorities, they do not yet articulate a fully coherent people-centred vision for the justice system. In line with the OECD Recommendation [OECD/LEGAL/0498], future strategies could more explicitly identify the legal needs and justice problems of individuals and businesses, explain how institutional reforms will improve justice outcomes and link reform priorities to implementation, financing and measurable indicators. This would help move from

institution-centred planning towards a more integrated and people-centred justice reform cycle. Costa Rica's judiciary provides one example of how strategy, implementation, financing and monitoring of reforms can be linked in practice (see Box 3.9).

Box 3.9. Strategic planning in the judiciary: The example of Costa Rica

The judiciary of Costa Rica offers an example of how strategic planning can be institutionalised within the justice system while preserving judicial independence. The judiciary is organised across three spheres: the Judicial Sphere, the Auxiliary Sphere of Justice and the Administrative Sphere. Within this structure, the Planning Directorate provides technical stewardship across planning cycles.

Key features of the strategic planning model include:

- **Linking strategy to implementation:** The Institutional Strategic Plan 2025-2030 sets the medium-term objectives and priorities for the judiciary, which are translated each year into an Annual Operational Plan with specific targets, activities and responsible actors.
- **Connecting plans and budgets:** The Annual Operational Plan forms the basis for budget preparation, helping ensure that resources are linked to operational targets and planned activities.
- **Maintaining permanent planning capacity:** The Planning Directorate provides a standing technical function for strategic planning, reducing reliance on ad hoc initiatives or externally funded support.
- **Supporting management and monitoring:** A Strategic Management Model guides implementation of institutional priorities, while Annual Operational Plan targets are monitored on a half-yearly and annual basis to identify deviations and support course correction.

Costa Rica's experience shows how judicial planning can connect long-term priorities, annual targets, resources and monitoring in a single cycle. For Ukraine, this example may offer a useful lesson for strengthening implementation of future justice strategies, linking reforms to resources and improving monitoring across the justice sector.

Source: (Judiciary of Costa Rica, 2026[51]).

A key dimension of this shift is connecting strategic planning to the actual distribution of legal needs and justice services across the territory of Ukraine. Strategies focused primarily on institutional reform – judicial governance, prosecution structures, legislative alignment – do not yet systematically address where people encounter justice problems, which services exist in specific regions and where access gaps are most acute. In line with the approach set out in Chapter 6, future planning cycles could draw on regular legal needs and justice problems surveys to ground reform priorities in evidence about people's lived experiences, and should be supported by a national justice services map that covers not only courts and prosecution offices but also legal aid, ADR, Community Justice Centres (CJCs), victim support services and relevant administrative entry points (see Chapter 6). This kind of territorial, needs-based approach to planning would allow Ukraine to design a justice system whose service footprint responds to demand – including in war-affected, frontline and remote areas – rather than being shaped primarily by existing institutional geography. It would also strengthen the basis for resource allocation decisions and help identify which services need to transition from financing by international donors or CSOs to sustainable domestic funding as recovery progresses.

3.3.2. Evidence-based justice planning and evaluation

Robust justice planning and evaluation require a combination of different types and sources of evidence, used regularly across all stages of reform design, implementation and monitoring. This includes institutional performance data, disaggregated administrative data, legal needs surveys, user feedback, service-level evaluations and information from related sectors such as social protection, health and local governance. Combined, these sources can help assess not only institutional outputs, but also whether justice services are accessible, timely, fair, cost-effective and capable of producing meaningful outcomes for users.

In Ukraine, there is scope to strengthen the regular and transparent collection and use of such evidence in justice sector planning. This includes building a clearer understanding of legal needs and assessing whether the current service offer – including courts, legal aid, ADR, CJCs and other providers – responds to those needs efficiently and fairly. Periodic evaluation of individual services could help identify gaps in coverage, quality, accessibility and outcomes, while also supporting better allocation of resources across the justice system.

These evidence streams should feed directly into reform monitoring, including under the Rule of Law Roadmap, where the scale and complexity of the reform agenda make continuous evaluation particularly important. Evaluations of previous strategies have been limited and have not systematically informed subsequent reform cycles. Strengthening the evidence-based approach would require institutionalising evidence collection and evaluation as regular functions, supported by transparent reporting, clear indicators and mechanisms for using findings to adjust implementation over time.

3.4. Co-ordination and co-operation in the justice system

3.4.1. Horizontal co-ordination and co-operation

Effective justice systems require sound governance, incorporating a whole-of-state approach and supported by participatory co-ordination mechanisms.

At the central level, horizontal co-ordination in Ukraine's government is guaranteed in the Constitution, which describes the roles and responsibilities of the CMU (VRU, 2020[3]). The CMU ensures state sovereignty and economic independence, the execution of the Constitution and the acts of the President. It also directs and co-ordinates the operation of ministries and other bodies of executive power (VRU, 2020[3]).

Governmental policies related to EU integration and strategic policy development guide efforts toward horizontal co-ordination. As mentioned earlier, in the process of creating a new justice strategy, the OPU consults various justice stakeholders such as the MoJ, the HCJ, the SJA, the OPG, judicial self-governance bodies, CSOs and donor representatives. This creates opportunities to receive input from government and the public. However, reportedly, the PCLP was not involved in these consultations or in drafting the new strategy, which may undermine co-operation between the Government of Ukraine and the VRU in the judicial reform process.

Co-ordination often takes place at a more operational level. For example, the Coordination Centre for Legal Aid Provision, justice institutions and the Ministry of Internal Affairs (MIA) have collaborated to expand access to mediation and restorative justice for juveniles (ALI et al., 2024[52]). Moreover, co-ordination often occurs as part of dedicated working groups (see Box 3.10). This practice suggests that co-operation might be more effective where roles are concrete, with clearly defined delivery chains and where multiple stakeholders co-ordinate on a specific reform or service. While this practice broadens communication and perspective, it does not guarantee co-ordinated implementation. When multiple partners engage on overlapping agendas, the absence of a formal framework can result in duplication and uneven follow-through.

Box 3.10. Co-ordination of justice sector reforms through working groups

Justice reforms in Ukraine have been supported through thematic working groups, including related to:

Strengthening judicial independence

A working group was established in 2023 by the HCJ to support the fulfilment of its constitutional mandate of safeguarding judicial independence. It brought together representatives from the HQCJ, the PIC, the CJU, the OPG and the UNBA.

Addressing staffing and operational capacity under martial law

In 2024, the HCJ convened a working group focused on staffing challenges during martial law and the post-war period. Its mandate includes developing standards for court staffing, as well as financial, logistical and operational support. Participants include representatives from the European Commission for the Efficiency of Justice (CEPEJ), the SC, the SJA and the CJU.

Developing integrity and ethics standards for judges

A dedicated working group was formed in 2024 to elaborate unified criteria for assessing judicial integrity and professional ethics. It includes members of the HCJ, the HQCJ, the CJU and the PIC, as well as judges and representatives of international projects, notably supported by the EU, the Council of Europe (CoE) and the United States Agency for International Development.

Preparing for EU accession negotiations (Chapter 23)

Also in 2024, a working group was established to prepare Ukraine's participation in negotiations with the European Commission on Chapter 23 (Judiciary and fundamental rights). The group brings together representatives from the MoJ, the HCJ, the HQCJ, the SC, the CCU, the HACC, the SJA, the OPG, the NACP and the Ministry of Education and Science. While the MoJ co-ordinates the process, the HCJ serves as the lead institution for the working group.

Harmonising legislation with international criminal law standards

The OPG has established an interagency working group to support the alignment of Ukraine's legislation and law enforcement practice with the Rome Statute of the International Criminal Court (ICC; entered into force in January 2025). The group focuses on identifying operational and legal challenges, analysing compliance with international law and preparing proposals to harmonise national legislation. It also facilitates targeted engagement with international experts and organisations to draw on comparative experience in implementing the Rome Statute.

Source: (BIICL, 2024[53]; UNBA, 2024[54]; ALI et al., 2024[52]; CMU, 2025[55]).

Furthermore, co-ordination does not always function effectively in practice. CSOs point to weaknesses in co-ordination between the state authorities and judicial institutions, parallel reform processes undertaken by different teams without sufficient alignment and limited analysis of earlier reforms (ALI et al., 2024[52]). For example, not all draft CMU acts prepared by the SJA are considered by the CMU as the SJA is not designated in CMU Regulations as a developer of draft acts. Therefore, the SJA recommended the adoption of a draft resolution of the CMU "On Amendments to the Regulations of the Cabinet of Ministers of Ukraine", according to which the SJA of Ukraine would be able to properly exercise the powers defined by law.

During the drafting of the Strategy for the Development of the Justice System and Constitutional Justice for 2025-2029, the OPG submitted consolidated proposals to the OPU setting out priorities for strengthening the role of the prosecution service within the justice system. These proposals called for the full integration of the prosecution into the justice system in accordance with Section VIII of the Constitution, including adequate organisational, financial and logistical support for prosecution bodies and a non-discriminatory remuneration framework for prosecutors. The OPG also proposed strengthening the effectiveness of the prosecution's constitutional functions, introducing a system of random case allocation among prosecutors based on clear, objective and specialisation-based criteria, and developing a framework for assessing the quality of prosecutors' work (Government of Ukraine, 2025[56]). The OPG noted that these proposals aimed to be consistent with, and complementary to, the Comprehensive Strategic Plan for Reforming Law Enforcement Agencies (2023-2027), which forms part of the broader architecture for modernising the law enforcement and prosecution sector in line with EU membership requirements.

As strategies such as the Rule of Law Roadmap and donor-supported initiatives take root, the justice system would benefit from a systemic method for monitoring activities, financing and institutional responsibilities against reform priorities. Institutionalising such a mechanism could help reduce duplication and identify areas to enhance efficiency.

This is particularly relevant given the level of international support to Ukraine's justice sector. Donor-funded initiatives have been critical to maintaining reform momentum, supporting digitalisation, strengthening institutional capacity, enhancing integrity and sustaining service delivery during the war. However, this support operates within a wider recovery architecture affected by fragmented co-ordination, parallel engagement channels and multiple aid-tracking tools. A dedicated donor dashboard for the justice sector, linked to Ukraine's broader aid-tracking and recovery co-ordination mechanisms, the Roadmap and other justice reform strategies could help address these risks. Such a dashboard could map donor-funded projects and technical assistance against reform priorities, EU accession commitments, responsible institutions and timelines to identify overlaps, financing gaps and areas where donor-supported reforms should transition to domestic financing or institutional ownership.

Box 3.11 offers some examples of co-ordination that Ukraine's justice sector institutions engage in during wartime.

Box 3.11. Wartime justice co-ordination: war crimes investigations and international support

Russia's war of aggression has intensified the need for co-ordination between justice institutions, law enforcement, international organisations and development partners, including in the investigation and prosecution of war crimes. The OPG has established an interagency working group of prosecution and law enforcement actors to co-ordinate the recording and investigation of war crimes. The working group includes the heads of the Security Service of Ukraine, the MIA, the National Police of Ukraine, the Ministry of Defence of Ukraine, the General Staff of the Armed Forces of Ukraine and intelligence agencies. According to the Prosecutor General, its current priority is collecting, systematising and analysing data to facilitate its transfer to a future Special Tribunal. More than 44 terabytes of information have already been stored in a centralised digital repository, and a new strategic plan for the prosecution of international crimes is being developed for 2026-2028.

This domestic co-ordination is closely linked to international justice co-operation. Justice institutions in Ukraine, including the prosecution service, co-operate with Eurojust, Europol and the ICC. In March 2023, the OPG signed a co-operation agreement establishing an ICC country office in Ukraine. Ukraine also receives technical, policy and financial support from – among other organisations – the EU, the CoE, the UNDP, the World Bank and the OECD, including through initiatives such as the EU-funded Pravo-Justice project, support for constitutional justice, the Register of Damage for Ukraine and work related to the creation of a Special Tribunal.

In most forms of international co-ordination, the OPU and the CMU play central roles. Depending on the subject matter, other justice institutions may also be involved, including the MoJ, the HCJ, the HQCJ and the OPG. The example illustrates both the value of Ukraine's wartime co-ordination arrangements and the need to connect operational, donor-supported and EU accession-related work through clearer institutional responsibilities and monitoring mechanisms.

Source: (ICC, 2023[57]; CoE, 2025[58]; 2025[59]; EBRD, 2025[60]; EU Pravo Justice, 2025[61]; Government of Ukraine, 2025[56]; OPG, 2026[62]).

3.4.2. Vertical co-ordination and co-operation

Vertical co-ordination may be challenging as it requires structured communication between institutions with substantial autonomy (Adam et al., 2019[63]), which is a particular characteristic of the justice sector.

In Ukraine's judiciary, the LJSJ structures relations between courts, bodies of judicial governance, judicial self-governance bodies and administrative support institutions. Vertical co-ordination concerns judicial staffing, selection and qualification procedures, the distribution of judges across courts, disciplinary and integrity-related processes, and the administrative and financial support necessary for courts to function (VRU, 2025[8]). For example, the HCJ and the HQCJ co-ordinate on matters related to judicial selection, qualification assessment and other career-related decisions (VRU, 2025[8]). The HCJ and the courts interact on disciplinary and integrity-related matters, while the CJU engages with courts on issues of judicial self-governance and the internal organisation of courts (VRU, 2025[8]). The SJA, in turn, works with the HCJ and the courts on court administration, staffing, budgeting and logistical support (VRU, 2025[8]).

In the prosecution service, the Law of Ukraine on the Prosecutor's Office defines co-ordination between the OPG, lower-level prosecutors and bodies of prosecutorial self-governance. In practice, vertical co-ordination concerns the organisation and direction of prosecutorial work, the allocation of authority across levels of the prosecution service, appointments to administrative positions, personnel management, disciplinary processes and the resolution of internal institutional matters (VRU, 2026[10]). Within this framework, the OPG co-ordinates with prosecutors at lower levels on the implementation of prosecutorial functions and the organisation of work across the system (VRU, 2026[10]). Moreover, the OPG interacts

with the CoP on matters affecting the functioning of the profession, while the AUCPP and the CoP contribute to the resolution of internal governance, professional and organisational issues within the prosecution service (VRU, 2026[10]).

The budgetary process for the judiciary, further analysed in Chapter 5, offers a good example of vertical co-ordination. The budgets of local and appellate courts are prepared by the SJA with input from individual courts. Monitoring budget execution is left to judicial self-governing bodies. For example, the Head of the SJA reports to the CJU about the execution of the judicial budget. The HCJ participates in determining the allocation of the State Budget for the maintenance of courts, as well as justice system bodies and institutions, and approves redistributions of budget expenditures between courts, excluding the SC.

3.4.3. Co-ordination with CSOs

Often focused on local issues, CSOs can make a useful contribution to the resolution of legal needs and the promotion of important social values (Rajabi, Ebrahimi and Aryankhesal, 2021[64]). Given the budgetary constraints in the public sector and broad expertise of CSOs in addressing social and justice problems, the already important role of CSOs in Ukraine has increased since the beginning of the war in 2014.

Several channels exist for co-ordination between the Government of Ukraine, the justice sector and CSOs in the process of planning and, in some cases, implementing justice services. State authorities and CSOs co-ordinate in a wide range of policy areas. As a result of the consultative process, for example, the development of the Rule of Law Roadmap was co-ordinated between state authorities, CSOs and international technical assistance projects (ALI et al., 2024[52]). The Law on Public Consultation from June 2024 is expected to further strengthen participation of CSOs in policymaking (European Commission, 2024[14]), although it will enter into force only after the end of martial law (European Commission, 2024[14]).

At the same time, there are reports that co-ordination is not consistently conducted in a transparent manner (ALI et al., 2024[52]) and often dependent on ad hoc arrangements. This can limit opportunities for more systematic engagement of CSOs in the design and delivery of justice-related reforms and services. Given the role CSOs play in areas such as advocacy, outreach, service delivery, documentation and community engagement, more structured forms of co-operation could help strengthen continuity, clarify expectations and support information exchange. For example, memoranda of understanding or similar instruments could systematise CSOs' input while preserving their independence. Box 3.12 offers an example of how the judiciary co-ordinates with CSOs as part of the PIC.

Box 3.12. Public Integrity Council as an example of civil society involvement in the judiciary

The PIC was created in 2016 to assist the HQCJ in determining whether judges or judicial candidates meet standards of professional ethics and integrity. It consists of 20 members, serving two-year terms, appointed by CSOs that are active in the areas of anti-corruption, human rights or institutional reform.

To fulfil its tasks, the PIC can participate in interviews with candidates for the judiciary and present its conclusions on the integrity of candidates to the HQCJ. In August 2025, 20 new members of the PIC were elected. Most were representatives of CSOs and the UNBA.

The establishment of the PIC has become an important element of the institutional framework for ensuring judicial integrity. The HQCJ's procedure has granted full access of PIC members to judicial dossiers and dossiers of candidates for judicial office. Further strengthening of the PIC's role may primarily concern its analytical capacity and resource support.

Source: (PIC, 2020[65]; Venice Commission, 2021[66]; HQCJ, 2025[67]; HQCJ, 2025[68]; European Commission, 2025[15]).

3.5. Recommendations

In view of the assessment, Ukraine may wish to consider the following recommendations:

1. Strengthen sectoral governance of the justice system. This could include:

Key recommendations

- **Conducting an independent functional audit of judicial governance arrangements**, as envisaged in the Rule of Law Roadmap, notably the HCJ, the HQCJ and the SJA, to map mandates, decision-making powers and accountability arrangements and identify opportunities to strengthen coherence, co-ordination and operational efficiency while preserving safeguards for independence. This could include consideration, in the longer term and subject to broad consultation and careful impact assessment, of whether selected governance functions may benefit from greater institutional streamlining.
- **Streamlining roles and decision-making powers across judicial governance bodies**, through targeted legislative amendments informed by the functional audit, focusing on eliminating duplicated competences and clarifying accountability across these institutions.
- **Completing the establishment of specialised administrative courts** by securing sustainable resourcing and staffing of the SDAC and the SACA to strengthen the administrative justice system and improve access to justice for complaints against executive authorities.
- **Clarifying the respective roles and co-ordination arrangements of the OPU, the CMU, the MoJ and other relevant institutions in developing and monitoring the implementation of justice reform strategies**, ensuring coherence between the justice strategy and other key national reform and governance priorities.

Supporting recommendations

- **Clarifying institutional responsibilities, financing arrangements and governance frameworks for CJCs** within the justice system
- **Professionalising the CJU and the CoP** by reviewing membership rules, introducing full-time membership where appropriate, ensuring sustainable budgets and improving transparency of selection and decision-making.

2. Advance strategic planning for the justice system. This could include:

Key recommendation

- **Using the Rule of Law Roadmap as the basis for sequencing and monitoring reforms, ensuring ownership and managing risks related to budget allocations**, until a new justice strategy is adopted, while enabling the development of a justice service map that links planning to legal needs, service distribution and performance outcomes.

Supporting recommendations

- **Strengthening the link between strategic planning, performance management and justice outcomes** by developing more integrated planning approaches across the justice system and aligning institutional priorities, resource allocation and service delivery with identified legal and justice needs. This could include greater use of data and legal needs evidence to support planning of the overall justice service offer, including courts, legal aid, ADR and community-based services.
- **Aligning future strategies for the development of the justice system and constitutional justice with strategies on law enforcement and prosecution, enforcement of court decisions, digitalisation and human rights** to identify synergies and ensure co-ordinated strategic planning for the justice sector.
- **Sequencing justice sector reforms in line with institutional absorption capacity, operational continuity and available financial and human resources**, including through periodic assessment of implementation burdens and sustainability risks.

3. Enhance justice sector co-ordination and co-operation. This could include:

Key recommendations

- **Strengthening the co-operation between the MoJ and providers of justice and legal services at the community level** through more systematic engagement of CSOs in outreach, legal empowerment and feedback on the services provided, including in areas affected by the war.
- **Tracking justice reform initiatives financed by international partners and the broader donor support for justice reforms** by developing a dedicated justice sector dashboard, as a module of Ukraine's broader aid-tracking and recovery co-ordination architecture. The dashboard could map projects and funding sources against justice sector priorities, EU accession commitments, responsible institutions, timelines and expected results. It would thus help to assess the extent to which justice sector reforms rely on external funding and provide guidance on dependencies and sustainability risks.

Supporting recommendations

- **Creating an Inter-Agency Data Governance Board, led by the MoJ and aligned with cross-government data governance initiatives**, to develop the justice data dictionary for the sector, set interoperability and quality standards, oversee ethics, security and data-sharing protocols and align open justice initiatives.
- **Strengthening partnerships between the government and CSOs, including for pilot projects**, to extend impact, strengthen legitimacy and test reforms before their implementation.
- **Assessing long-term financial sustainability and institutional ownership of externally supported justice reforms**, including operational, staffing and maintenance implications beyond donor funding cycles.

4. Strengthen evidence-based planning and evaluation. This could include:

Key recommendations

- **Strengthening evidence-based planning and evaluation across** the justice sector through the systematic use and combination of data, such as administrative data, legal needs information, user feedback and service performance assessments to support better prioritisation, resource allocation and improvement of justice outcomes.
- **Monitoring user satisfaction with the justice system through surveys and feedback mechanisms** across courts and other justice service providers.
- **Monitoring the accessibility, continuity and effectiveness of justice pathways**, including referral systems, territorial accessibility, digital accessibility and user experiences across institutions and justice service providers.
- **Using people-centred and territorial data for strategic planning** by systematically applying evidence on legal needs, accessibility, satisfaction and trust to inform long-term strategies, reforms of judicial and prosecution maps and resource allocation.

Supporting recommendations

- **Integrating cross-government evidence** by combining justice, health and other social and administrative data to inform policy responses to the ongoing war, displacement and changing socio-economic conditions.
- **Developing interoperable and people-centred data systems** capable of supporting integrated planning and co-ordination across justice, social, administrative and victim-support services.
- **Consolidating war-related justice data** by systematically documenting war crimes and victim-related information to track cases and needs, supported by joint training for CSOs and justice professionals on data collection and verification.

Annex 3.A. Brief description of roles of justice institutions

Institution	Brief description of role in justice system
JUDICIARY	
COURTS	
Courts of general jurisdiction	• are organised in a three-tier structure comprising local courts, appellate courts and the Supreme Court • specialise in civil, criminal, commercial and administrative cases, as well as cases of administrative offences • administer justice on the basis of the rule of law, independence, impartiality, fairness, openness and access to justice.
Supreme Court of Ukraine	• acts as the highest court in the court system of Ukraine • acts as a court of cassation and, where procedural law provides, also as a court of first or appellate instance • ensures the stability and uniformity of case law • analyses judicial statistics and summarises case law • provides opinions on draft legislation concerning the judiciary, judicial procedure, the status of judges and enforcement of judgments • provides methodological information to appellate and local courts.
High Anti-Corruption Court	• acts as a high specialised court for categories of corruption cases assigned to it by law • hears cases as a court of first and appellate instance • includes an appellate chamber within the court. *The appellate chamber operates on the basis of institutional, organisational, personnel and financial autonomy. Cassation review is exercised by the SC in accordance with procedural law.*
High Court on Intellectual Property[1]	• acts as a high specialised court established by law to hear intellectual property cases • hears cases as a court of first and appellate instance in categories defined by procedural law • may include first-instance judicial chambers and an appellate chamber.
Specialised District Administrative Court[1]	• acts as a specialised first-instance administrative court • has nationwide jurisdiction over categories of disputes defined by special legislation, notably disputes involving central public authorities.
Specialised Administrative Court of Appeal[1]	• serves as the exclusive appellate instance for cases decided by the SDAC • has nationwide jurisdiction.
JUDICIAL GOVERNANCE BODIES	
High Council of Justice	• acts as Ukraine's central judicial governance body • appoints, transfers, suspends, dismisses and carries out disciplinary proceedings concerning judges • approves the arrest of judges • issues advisory opinions on draft legislation affecting the judiciary • plays a role in judicial budgeting and administration • appoints the Head of the SJA.
High Qualification Commission of Judges of Ukraine	• maintains records of vacant judicial positions • conducts the selection of candidates for judicial office and carries out their qualification evaluation • organises special background checks of candidates in accordance with the law • administers qualification examinations • conducts qualification evaluations of judges • maintains judicial dossiers and dossiers of candidates for judicial office • submits recommendations to the HCJ regarding the appointment and transfer of judges.
Congress of Judges of Ukraine	• acts as the highest body of judicial self-governance • elects judicial members of the HCJ and the CJU • appoints judges to the CCU • adopts binding decisions regarding matters of judicial self-governance.
Council of Judges of Ukraine	• constitutes the executive body of the Congress of Judges of Ukraine • promotes the independence of judges and courts • addresses conflicts of interest • oversees organisational and social matters affecting judges • represents the judiciary in institutional dialogue.

Institution	Brief description of role in justice system
JUDICIAL SUPPORT BODIES	
State Judicial Administration	• provides organisational, financial and technical support to courts and judicial self-governance bodies • manages court infrastructure, staff administration, judicial statistics, budget preparation and execution as well as the maintenance of court registries • supports the digitalisation of judicial processes, including the implementation of the UJITS and the Unified State Register of Court Decisions.
Court Security Service	• ensures safety, public order and security in court buildings and judicial institutions • protects those participating in legal proceedings as well as judges and court staff • prevents the disruption of hearings.
National School of Judges of Ukraine	• acts as a state institution with special status in the justice system • provides initial and periodic training for judges • provides training for judges elected to administrative positions • provides training and qualification enhancement for court staff • conducts research on court organisation, the status of judges and the administration of justice • studies international experience and provides methodological support to courts, the HQCJ and the HCJ.
CONSTITUTIONAL COURT	
Constitutional Court of Ukraine	• decides on constitutionality of laws and other legal acts of the VRU, acts of the President of Ukraine, acts of the CMU and legal acts of the Verkhovna Rada of the Autonomous Republic of Crimea • handles constitutional complaints • provides official interpretations of the Constitution • rules on the constitutionality of international treaties • confirms results of elections and national referenda • issues final and binding decisions.
PROSECUTION SERVICE	
Office of the Prosecutor General	• acts as the highest authority of the prosecution service • organises and supervises prosecutorial activity nationwide • manages the Unified Register of Pre-Trial Investigations • co-ordinates regional and district prosecutor's offices • oversees compliance with the law during pre-trial investigations • represents state interests in the context of legally specified court case categories.
Specialised Anti-Corruption Prosecutor's Office	• constitutes the prosecutorial authority that is responsible for procedural supervision of investigations and conducting public prosecution work regarding high-level corruption cases • ensures the legality of investigative actions • represents the interests of the state or citizens in corruption-related hearings, including cases on unjustified assets and their recovery to state revenue.
Qualification and Disciplinary Commission of Prosecutors	• acts as a collegial body dealing with prosecutorial qualification and discipline • keeps records of vacant and temporarily vacant prosecutorial positions • conducts competitions and selection procedures for prosecutorial posts • considers disciplinary liability of prosecutors.
Prosecutors' Training Centre of Ukraine	• provides professional development for prosecutors and civil servants of the prosecution authorities, as well as initial training for trainee prosecutors of district prosecution offices; operates under the OPG.
PROSECUTORIAL SELF-GOVERNANCE BODIES	
All-Ukrainian Conference of Prosecutors	• acts as a supreme body of prosecutorial self-governance • approves the Code of Professional Ethics for Prosecutors • hears reports of the CoP on the fulfilment of the tasks of prosecutorial self-governance bodies, and the status of financing and organisational support for the activities of the prosecution service • elects prosecutorial members of the HCJ • adopts binding decisions regarding prosecutorial self-governance.
Council of Prosecutors	• operates between sessions of the AUCPP • works on safeguarding prosecutorial independence • reviews threats to prosecutors • participates in the appointment of prosecutors in managerial positions • represents prosecutorial interests in institutional dialogue • addresses conflicts of interest.

Institution	Brief description of role in justice system
EXECUTIVE POWER	
President of Ukraine	• appoints key figures of the justice system, including judges upon submission by the HCJ, two members of the HCJ and six judges to the CCU • submits draft legislation on establishment, reorganisation or dissolution of a court to the VRU.
Office of the President of Ukraine – Legal Policy Directorate	• supports the President in exercising constitutional powers as part of the OPU • contributes to justice reform strategies • proposes legislative initiatives • supports constitutional and judicial policy development.
Cabinet of Ministers of Ukraine	• acts as Ukraine's highest executive authority • develops and implements state policy • prepares and executes the state budget • ensures the enforcement of laws and court decisions • co-ordinates ministries and executive bodies.
Secretariat of the Cabinet of Ministers of Ukraine	• provides organisational, legal, analytical, documentary and methodological support to the CMU • supports the preparation of Cabinet decisions • assists co-ordination across central executive bodies, including in the development and monitoring of government strategies • co-ordinates EU-related reforms, including through the Government Office for Coordination of European and Euro-Atlantic Integration, which is structurally part of the SCMU.
Ministry of Justice	• acts as the central executive body responsible for shaping and implementing state policy in justice-related areas outside the courts proper • oversees policies on bankruptcy, notarial services and enforcement of court decisions • oversees state registration functions • administers criminal punishments and probation policy • promotes legal awareness and public legal education • shapes policy in archival affairs and record keeping • oversees the free legal aid system through subordinate institutions and territorial branches.
Coordination Centre for Legal Aid Provision	• co-ordinates Ukraine's system of free secondary legal aid • oversees legal aid centres and service delivery • supports access to defence and legal representation • develops operational standards for legal aid • co-ordinates legal aid delivery nationwide, including criminal defence and access to related justice services • provides guidance to executive and local authorities on matters relating to the provision of free primary legal aid.
SPECIALISED ANTI-CORRUPTION BODIES	
National Anti-Corruption Bureau of Ukraine	• acts as a central executive law-enforcement body with special status • holds a mandate to prevent, detect, investigate and uncover high-level corruption offences • has jurisdiction over crimes committed by senior state and local officials that pose a threat to public interest or national security • carries out pre-trial investigations • works in close alignment with the SAPO and the HACC • operates through a central office complemented by regional branches.
National Agency on Corruption Prevention	• constitutes a central executive body with a mandate focused on prevention and policymaking in the field of anti-corruption • promotes integrity across the public sector • administers the asset declaration system • develops and implements the National Anti-Corruption Strategy.
LEGISLATIVE POWER	
Verkhovna Rada of Ukraine	• acts as the sole legislative authority • adopts laws • exercises parliamentary oversight • approves the state budget • appoints members of key judicial institutions • plays a role in constitutional justice processes.
Parliamentary Committee on Legal Policy	• focuses on justice-related legislative work • reviews the constitutional compliance of draft laws • oversees justice reforms

Institution	Brief description of role in justice system
	• monitors the execution of judgments of the European Court of Human Rights • supports the alignment of draft legislation with EU standards.
Parliamentary Committee on Law Enforcement	• focuses on criminal justice and law-enforcement legislation • reviews draft laws concerning prosecution, criminal procedure and law-enforcement bodies • exercises parliamentary scrutiny in its area of competence.
Ukrainian Parliament Commissioner for Human Rights (Ombudsperson)	• monitors violations of constitutional rights and freedoms as an independent body • examines complaints regarding rights violations • conducts visits to places of detention • issues recommendations • promotes human rights education • may submit constitutional complaints to the CCU.
THE BAR	
Ukrainian National Bar Association	• represents the UNBA in interactions with government institutions, CSOs and international organisations • defends the professional rights of lawyers and ensures guarantees for the independent practice of law • ensures a high professional standard among lawyers in Ukraine • ensures access to and transparency of information regarding lawyers in Ukraine.

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Notes

[1] Examples include institutionalising the PIC, creating a separate chamber in the Criminal Court of Cassation to review decisions of the HACC, improving enforcement of court decisions and advancing legal education reform (DEJURE, 2021[69]). Moreover, in early 2022, both the HQCJ and the HCJ were unable to obtain the necessary quorum to operate properly. Therefore, several reform measures for streamlining the process of selection, appointment, promotion, transfer and discipline of judges were put on hold (DEJURE, 2021[69]).

[2] This challenge is not unique to the justice sector. The OECD Public Governance Review of Ukraine identifies comparable fragmentation at the whole-of-government level, where the absence of a formal hierarchy of planning documents and clear coordination mechanisms results in strategies operating in silos across ministries (OECD, forthcoming[23]).

4 Strengthening trust through the application of justice values

This chapter examines the application of justice system values in Ukraine, highlighting how independence, integrity, accountability and transparency shape procedural justice, legitimacy and public trust. Set against the context of war, recovery and European Union (EU) accession, it analyses institutional safeguards, reform trade-offs and implementation challenges, showing how people's experience of justice is central to rebuilding confidence and upholding the rule of law.

4.1. Introduction

The effective functioning and legitimacy of the justice system depend on the application of mutually reinforcing principles, notably independence, impartiality, integrity, accountability and transparency. These principles shape both the operation of justice institutions and public confidence in the justice system.

In Ukraine, public confidence in the judiciary remains limited despite successive judicial reforms. Survey evidence points to persistent concerns regarding corruption, impunity, limited transparency and the integrity of judges. For example, at the end of 2023, more than 68% of Ukrainians reported distrust in the Supreme Court of Ukraine (SC), while only 16% expressed confidence in it (DEJURE, 2025[1]). Other surveys similarly suggest a gap between strong demand for justice, accountability and reparations and comparatively low confidence in justice institutions (Pravo-Justice, 2023[2]; Vinck et al., 2024[3]).

These findings suggest that the key challenge lies less in the existence of formal safeguards than in whether they are perceived as being applied consistently, transparently and fairly in practice. This issue is particularly important in Ukraine given the legacy of politicised justice, successive reform efforts and the additional pressures created by Russia's war of aggression.

This chapter therefore examines how safeguards relating to judicial independence, accountability and integrity operate in practice in Ukraine. It assesses the functioning of judicial and prosecutorial governance arrangements, disciplinary and integrity mechanisms, and the operational conditions affecting the credibility, transparency and effectiveness of justice institutions. This chapter refers to selection, evaluation, promotion, discipline and transfers only insofar as they raise integrity, accountability or independence concerns. The workforce, staffing, competency and operational implications of these processes are examined in Chapter 5.

4.2. Strengthening independence and impartiality in the justice sector

Independence of the judiciary has two primary dimensions: institutional independence and the individual independence of judges to perform their functions with discretion and impartiality. Institutional independence can be mainly framed by constitutional, organisational and financial autonomy. Individual independence, in turn, requires that judges be free from interference in their decision-making, that the material conditions of their work be satisfactory and that legal safeguards ensure impartial adjudication is possible.

4.2.1. Institutional independence of the judiciary

Constitutional and legal guarantees

Institutional independence of the judiciary concerns the extent to which the judicial branch is systemically protected from undue influence by other branches of power and supported by an adequate legal framework and appropriate financial resources. In line with European and international standards, this form of independence requires formal guarantees of autonomy, as well as funding arrangements that enable courts and justice institutions to function independently and effectively. Box 4.1 outlines the key international standards related to judicial independence.

Box 4.1. International and regional standards on judicial independence

United Nations Basic Principles on the Independence of the Judiciary

The UN Basic Principles set out the key guarantees for judicial independence. They provide that the independence of the judiciary should be guaranteed by the state, secured in the constitution or in law and respected and observed by all public authorities and institutions. They also provide that courts should decide matters impartially, based on facts and the law, free from restrictions and – direct or indirect – improper influence, pressure, threats or interference. Moreover, the Principles underline that courts should have authority over matters of a judicial nature, that judicial decisions should not be subject to revision outside established legal processes and that adequate resources should be provided to the judiciary so it can perform its functions effectively.

OSCE Kyiv Recommendations on Judicial Independence in Eastern Europe, South Caucasus and Central Asia

The Kyiv Recommendations emphasise that the administration of courts and of the judiciary should support independent and impartial adjudication. They stress that arrangements for judicial governance and court administration should be designed in a manner consistent with due process and the rule of law and should not be used to influence the substance of judicial decision-making. The Recommendations also emphasise the importance of transparency in judicial administration, recognising that clear and open governance is an important safeguard against undue influence and a condition for public confidence in the justice system.

Commonwealth (Latimer House) Principles on the Three Branches of Government

The Latimer House Principles present an independent, impartial, honest and competent judiciary as a central pillar of the rule of law and public confidence in justice institutions. They underline the importance of ensuring transparent and merit-based judicial appointments, security of tenure and protection of remuneration. Furthermore, they emphasise the need to provide sufficient resources for the judiciary so it can operate effectively. The principles also recognise that relations between the judiciary and the executive should be framed so that necessary interaction does not compromise judicial independence.

OSCE Recommendations on Judicial Independence and Accountability (Warsaw Recommendations)

The Warsaw Principles place judicial independence within a broader framework of the rule of law focused on institutional resilience, accountability and responsiveness to people's needs. They highlight the importance of appropriate checks and balances and the separation of powers, and independent, open and effective justice systems. They also emphasise the importance of the protection of lawyers and professional associations from harassment or improper interference and the value of co-operation in advancing the rule of law. The Warsaw Recommendations therefore connect judicial independence not only to institutional design, but also to people-centred justice, democratic values and societal resilience.

Note: Other European standards are also relevant. Article 6 of the European Convention on Human Rights (ECHR) anchors judicial independence in the right to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. The Council of Europe (CoE) Recommendation of the Committee of Ministers to member states on judges further stresses that judicial independence is not a privilege of judges, but a guarantee of fair trial rights, public confidence and the impartial administration of justice.
Source: (UN, 1985[4]; OSCE/ODIHR, 2010[5]; Commonwealth Parliamentary Association, 2009[6]; OSCE/ODIHR, 2023[7]).

As outlined in Chapter 3, the Constitution of Ukraine establishes a framework for upholding the independence of the judiciary. It explicitly guarantees the independence and immunity of judges and prohibits any form of undue influence on judicial decision-making (VRU, 2020[8]). These constitutional guarantees of judicial independence have been examined by the Constitutional Court of Ukraine (CCU). In its jurisprudence, the CCU interpreted Article 126 of the Constitution of Ukraine, which states that "any influence on judges shall be prohibited," as a guarantee of judicial autonomy in the administration of justice (CCU, 2004[9]). This provision, according to the CCU, prohibits any actions directed at judges, regardless of their form, from government bodies, institutions, organisations, local self-governments, officials and private individuals or entities that may interfere with judges' professional duties or attempt to coerce them into delivering unjust verdicts (CCU, 2004[9]).

Building on the constitutional framework, the Law of Ukraine on the Judiciary and the Status of Judges (LJSJ) sets out core principles safeguarding judicial independence, including the prohibition of unlawful influence or interference in the administration of justice (VRU, 2025[10]). It bars state authorities and officials from actions or statements that could undermine judicial independence, limits liability of judges to proven criminal or disciplinary offences and subjects their arrest or detention to strict legal procedures involving the High Council of Justice (HCJ) (VRU, 2025[10]). In 2014, the Verkhovna Rada of Ukraine (VRU) enacted the Law on Restoration of Trust in the Judicial Power in Ukraine, marking an early effort to address concerns about judicial integrity through an extraordinary review mechanism (VRU, 2025[10]). Subsequent reforms increasingly shifted towards more institutionalised safeguards relating to judicial appointments, discipline and integrity screening.

Thus, in broad terms, and as discussed in Chapter 3, when assessed against European standards and compared with frameworks in OECD countries, Ukraine's constitutional and legislative frameworks provide extensive formal safeguards for judicial independence and are broadly aligned with international standards. This corresponds with the findings of the OECD Fifth Round of Anti-Corruption Monitoring Report, which notes that Ukraine has established an extensive legal and institutional framework for judicial independence and integrity, while challenges remain regarding implementation, institutional trust and operational effectiveness (OECD, 2025[11]).

Similarly, as discussed in Chapter 3, Ukraine has developed a comparatively extensive institutional architecture aimed at safeguarding judicial independence. Its constitutional status, unified court system, prohibition of extraordinary and special courts, judicial self-governance arrangements and dedicated governance bodies create a framework intended to protect the judiciary from ad hoc political intervention. Findings from OECD Public Integrity Indicators (PIIs) point in the same direction: overall Ukraine fulfils formal judicial integrity criteria relating to merit-based and objective procedures for the selection and promotion of judges, objective grounds for dismissal, ethics standards, conflict-of-interest and incompatibility rules, asset and interest declarations and whistleblower channels in the judiciary (OECD, 2026[12]).

However, concerns regarding judicial independence persist, indicating that recent and ongoing reforms have not yet fully translated into consistently improved professional perceptions or institutional trust. In the 2025 survey of European judiciaries conducted by the European Networks of Councils for the Judiciary (ENCJ), judges in Ukraine raised concerns regarding institutional independence within the judiciary.[1] The overall perception of judicial independence among judges in Ukraine remained comparatively low, with judges assessing judicial independence at 5.9 on a 10-point scale, compared with an overall average of around 8.5 across the surveyed countries (ENCJ, 2025[13]). The survey also suggested that concerns extend beyond isolated pressure at the level of individual cases to broader institutional conditions affecting independence, including perceptions regarding respect for judicial independence by government and parliament, working conditions, remuneration, workload and the role of judicial governance bodies (ENCJ, 2025[13]). These perceptions should be interpreted in the context of continuing wartime pressures, staffing shortages and ongoing institutional reform processes affecting the justice sector more broadly.

Several factors could affect perceived and actual institutional judicial independence. First, international evidence suggests that institutional independence depends not only on formal safeguards, but also on the quality, credibility and coherence of judicial governance arrangements in practice. In systems where judicial councils and self-governing bodies exercise significant responsibilities over appointments, discipline, transfers and institutional administration, as in Ukraine, their transparency, integrity, accountability and operational capacity become important components of the effective protection of judicial independence. In Ukraine, this means that institutional independence is closely linked to whether the HCJ, the High Qualification Commission of Judges of Ukraine (HQCJ) and related bodies are both perceived as and operate as impartial, professionally capable and resilient to undue influence, including from within the justice system itself.

Yet, the 2025 ENCJ survey indicates that levels of confidence in the HCJ among judges remain comparatively moderate, with judges rating the independence of the HCJ at around 5.5 on a 10-point scale, whereas judicial councils in several higher-performing systems were commonly rated above 8 (ENCJ, 2025[13]). Such perceptions are significant given the central role judicial councils play in safeguarding judicial independence, including through decisions relating to judicial appointments, discipline, career progression and responses to reported interference. In addition, as highlighted in the Fifth Round Monitoring Report, some civil society organisations (CSOs) continue to raise concerns regarding the transparency of appointment procedures and the limited share of non-judicial members within the HCJ, arguing that these factors may affect perceptions regarding pluralism, external oversight and institutional independence in practice (OECD, 2025[11]). At the same time, stakeholders acknowledged positive developments such as the participation of the Ethics Council and the inclusion of non-judicial members in the HCJ's renewal processes.

In parallel, to enable the effective exercise of judicial independence, international standards emphasise the importance of adequate and stable funding of the judiciary. Among other standards, the United Nations Basic Principles and the Kyiv and Warsaw Recommendations stress that sufficient resources and protection of remuneration are necessary to safeguard courts from undue influence and to support impartial adjudication (UN, 1985[4]; OSCE/ODIHR, 2010[5]; OSCE/ODIHR, 2023[7]) The ENCJ sets out further practical benchmarks for funding arrangements that support judicial independence (ENCJ, 2017[14]) (see Box 4.2).

Box 4.2. ENCJ Guidelines for the Funding of the Judiciary

The ENCJ recommends that judicial funding be based on objective and transparent criteria and protected from inappropriate political interference. Courts should not be funded solely on an annual basis, but should benefit from longer-term financial stability.

The Council for the Judiciary, or an equivalent body, should be closely involved at all stages of the budgetary process, and the judiciary should also play an active role in defining budgetary priorities and managing allocated resources. Court funding should be sufficient to support an effective and efficient justice system, including the capacity to manage caseloads properly.

The ENCJ also underlines that funding should support key conditions for judicial independence and quality, including judicial remuneration, training and the broader functioning of the courts.

Source: (ENCJ, 2017[14]).

At the national level, Article 130 of the Constitution of Ukraine establishes a clear obligation for state authorities to ensure adequate funding and appropriate conditions for the functioning of the judiciary (VRU, 2020[8]). The framework provides that court financing derives from the State Budget of Ukraine, while the Government is responsible for ensuring sufficient allocations to justice institutions. The LJSJ establishes

more detailed principles and procedures governing the allocation and management of judicial resources (VRU, 2025[10]). Findings from OECD PIIs support this assessment of the formal framework: Ukraine fulfils criteria requiring judicial authorities to be consulted regarding resource allocation according to publicly available criteria and requiring the judiciary's budget to be approved directly by parliament (OECD, 2026[12]).

As further elaborated in Chapter 5, the management of court funding in Ukraine is distributed across several institutions. The State Judicial Administration of Ukraine (SJA) serves as a central budget holder for the general court system, the HQCJ, the National School of Judges of Ukraine (NSJ) and the Court Security Service (CSS). Separately, several institutions act as independent budget holders, including the HCJ, the SC, the CCU and specialised courts: the High Anti-Corruption Court of Ukraine (HACC), the High Court on Intellectual Property (HCIP), the Specialised District Administrative Court (SDAC) and the Specialised Administrative Court of Appeal (SACA). Therefore, institutional independence is accompanied, in certain cases, by direct budgetary responsibility, which enhances the financial independence of such institutions as the HCJ and the SC.

Nevertheless, justice sector representatives voiced concerns regarding the practical dimension of judiciary's financial autonomy. Already before Russia's full-scale invasion of Ukraine, courts and prosecutors' offices were grappling with securing adequate funding to fulfil their mandates. The war has exacerbated these challenges and diminished revenue streams to Ukraine's budget. Data reveals that only 63.4% of the courts' operational expenses were covered in 2022, plummeting to 51.4% in 2023 (Pravo-Justice, 2023[2]). In 2022, the SJA estimated financial needs of the judiciary at approximately UAH 26.7 billion (around EUR 685.5 million), while actual allocations amounted to about UAH 16.9 billion (around EUR 433.9 million), indicating a substantial gap between identified needs and available funding for the effective functioning of the judicial system (Pravo-Justice, 2023[2]).

As such, Ukraine does not fulfil the PII practice criterion concerning the absence of reported funding shortfalls or budget reductions (Pravo-Justice, 2023[2]). This illustrates the continuing gap between formal budgetary safeguards and operational resource constraints. The Fifth Round Monitoring Report similarly notes that resource limitations, staffing shortages and operational pressures continue to affect the functioning and resilience of justice institutions despite legal safeguards (OECD, 2025[11]). Resource constraints affecting judges and court staff, including remuneration and working conditions, may create risks for institutional resilience, staff retention and public confidence in the justice system. These issues are examined in greater detail in Chapter 5 as part of the justice sector's broader challenges related to human resources management (HRM) and workforce capacity.

4.2.2. Individual independence and impartiality of judges

International standards require judges to decide cases impartially, based solely on the facts and the law, and free from any direct or indirect interference or pressure (UN, 1985[4]). The Venice Commission emphasises that reporting illegal interference should be a legal obligation, not merely an ethical one (Venice Commission, 2025[15]). Judges should report both actual and apparent interference, with competent authorities responsible for determining whether further action is warranted (Venice Commission, 2025[15]).

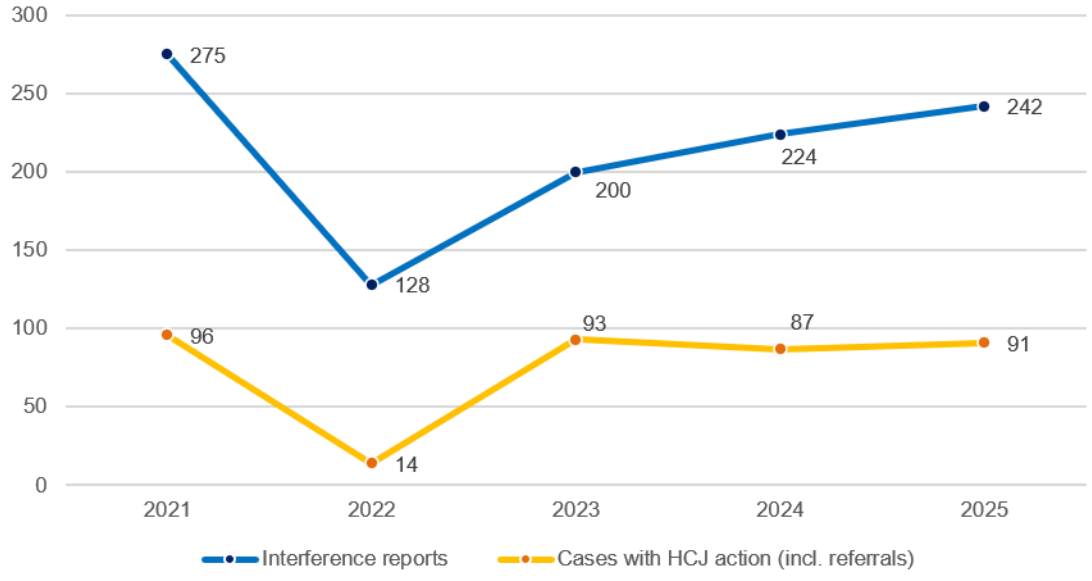
Similar to most OECD countries, Ukraine's legal framework prohibits any external influence over judges, including through contemptuous acts or disseminating information intended to undermine judicial authority (VRU, 2025[10]). Judges are required to report any interference to the HCJ and the Office of the Prosecutor General (OPG) within five days of becoming aware of the incident, and failure to do so may result in disciplinary consequences (VRU, 2025[10]). Violations of these provisions also carry defined legal consequences and liability against individuals who attempt to influence judges' decision-making.

Despite these formal guarantees, safeguarding individual judicial independence and impartiality in practice has remained a longstanding challenge in Ukraine. Concerns regarding political and institutional interference in judicial decision-making were already identified in the 1992 Concept of Judicial and Legal Reform, which recognised the absence of genuine judicial independence as a structural weakness of the justice system (VRU, 1992[16]). The persistence of these concerns suggests that, alongside the existence of formal safeguards, effective implementation, institutional culture and confidence in accountability mechanisms remain important factors affecting perceptions of judicial independence in practice.

Indeed, recent evidence confirms the continued relevance of these concerns. Around 12% of responding judges in Ukraine reported having experienced inappropriate pressure in individual cases, compared with an overall average of around 6% across the surveyed countries (ENCJ, 2025[13]). Particularly notable were comparatively low levels of judges' confidence regarding respect for judicial independence by government institutions: only around 10% of responding judges in Ukraine considered that their independence was respected by government, compared with an average of around 51% in the survey (ENCJ, 2025[13]). These findings point to continuing concerns regarding the institutional environment in which judges exercise their functions, although they should also be interpreted in the context of wartime pressures, ongoing reforms and broader institutional challenges affecting the justice sector.

Stakeholder interviews suggested a range of factors that may contribute to the gap between the legal framework and perceptions of practice. These factors relate not only to allegations of direct interference in adjudication, but also to broader institutional, disciplinary, operational and informational pressures that may affect how judges perceive their ability to act independently and impartially.

Figure 4.1. Interference reports and cases resulting in HCJ action (2021-2025)



Source: (HCJ, 2022[17]; HCJ, 2023[18]; HCJ, 2024[19]; HCJ, 2025[20]; HCJ, 2026[21]).

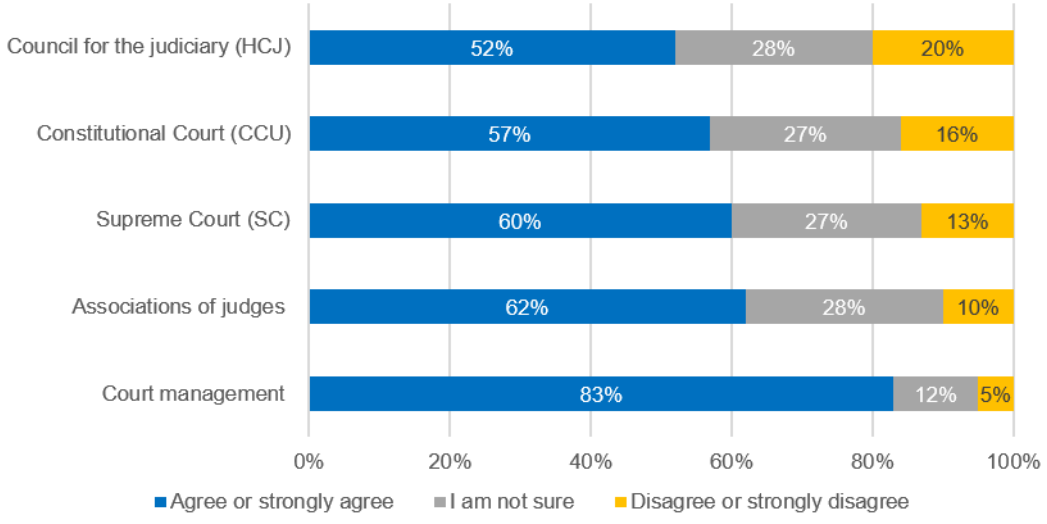
First, although mechanisms exist for judges to report interference with their official duties, questions remain regarding the practical effectiveness and visibility of follow-up measures. Under the LJSJ, judges must report any interference to the HCJ and OPG. As highlighted in Figure 4.1, between 2021-2025, the HCJ received 1 069 reports of alleged interference in judges' duties (HCJ, 2022[17]; HCJ, 2023[18]; HCJ, 2024[19]; HCJ, 2025[20]; HCJ, 2026[21]).[2] However, publicly available information regarding subsequent investigations, sanctions or other follow-up actions remains limited. This may affect perceptions regarding

the effectiveness and deterrent value of existing safeguards. In practice, reporting mechanisms alone may therefore be insufficient to ensure confidence in the protection of judicial independence unless accompanied by clear, timely and transparent institutional responses.

There also appears to be a gap between formal safeguards and professional perceptions regarding disciplinary accountability. While the Constitution and the LJSJ aim to protect judges from liability for judicial decisions except in cases of crime, disciplinary offence, intentional legal violation or improper performance of duties, 39% of judges in Ukraine responding to the ENCJ survey reported that disciplinary proceedings, or the possibility of such proceedings, had affected their independence (ENCJ, 2025[13]). In most other surveyed countries this figure ranged between 5% and 10% (ENCJ, 2025[13]). This finding does not necessarily indicate that disciplinary mechanisms are excessive or improperly applied. Rather, it suggests that the design, implementation and perceived predictability of disciplinary arrangements may influence whether they are experienced as legitimate accountability safeguards or as potential sources of institutional pressure. Section 4.3 examines these issues in greater detail.

Another important dimension of the protection of individual judicial independence is the extent to which judges are shielded from undue influence within the judiciary itself, including from court management, higher courts and judicial governance bodies. Some stakeholders identified the internal election of court presidents as a potential source of informal influence within the judiciary, particularly in smaller courts where limited competition and the use of secret voting procedures may reinforce existing administrative hierarchies or informal arrangements (OECD, 2025[11]). As shown in Figure 4.2, Ukrainian judges responding to the ENCJ survey reported the highest levels of perceived respect for their independence from direct court management (83% positive responses), followed by associations of judges (62%)[3], the SC (60%) and the CCU (57%) (ENCJ, 2025[13]). The HCJ received the lowest rating (52%) in terms of influence on the individual independence of judges (ENCJ, 2025[13]).

Figure 4.2. Perceived respect for individual judicial independence, by source of influence



Note: The figure shows the responses of judges in Ukraine to the statement: "During the last three years I believe that my independence as a judge has been respected by [actor]." Results are presented as the share of respondents who agree or strongly agree, are not sure or disagree or strongly disagree with the above statement. The number of judges responding to the questions covered in the figure varied across items, ranging from 337 to 374 judges.
Source: (ENCJ, 2025[13]), elaborated by authors.

Confidence in the HCJ as the principal guarantor of judicial independence remains mixed among judges and external stakeholders (as shown in Figure 4.2), despite acknowledgement of important recent reforms and institutional renewal efforts. This finding is particularly significant given the HCJ's central role in safeguarding judicial independence and administering disciplinary procedures. Thus, the comparatively limited confidence expressed by judges may reflect broader concerns regarding the predictability, transparency and effectiveness of disciplinary and governance arrangements in practice.

Judicial independence also requires that judges have adequate, stable and predictable resources to perform their functions safely, effectively and without undue pressure. In the ENCJ survey, around 69% of judges in Ukraine reported that remuneration negatively affects their independence, compared with an average of 21% (ENCJ, 2025[13]). Judges from Ukraine participating in the survey also identified workload and broader resource constraints as related concerns (ENCJ, 2025[13]). As further highlighted in Chapter 5, these findings are significant because inadequate remuneration and difficult working conditions may affect morale, recruitment, retention and overall institutional resilience of the judiciary.

Finally, as in many other countries, challenges to individual independence of judges are compounded by a polarised information environment, including reputational attacks amplified through media and social media channels. Digital and media environments can, including inadvertently, facilitate the spread of false or misleading information targeting judges and questioning their integrity. In this regard, 48% of judges from Ukraine reported that judicial decisions are affected by media influence, compared with an average of 19%, while 40% reported influence from social media, compared with 12% on average (ENCJ, 2025[13]). These findings suggest that judges in Ukraine perceive themselves as operating in a particularly challenging informational environment, where heightened public scrutiny and reputational pressures may affect perceptions surrounding independent decision-making.

4.2.3. Functional autonomy of prosecutors

As stressed in Chapter 3, the organisation and autonomy of prosecution services vary considerably across jurisdictions, including among OECD countries. Regardless of whether prosecution services are situated within the executive, linked to the judiciary or constituted as separate institutions, adequate safeguards are required to protect prosecutors from undue influence and ensure autonomous decision-making (OECD, 2020[22]). The OECD has further underlined that the status, organisation, powers and accountability arrangements of prosecution services should be established by law and implemented in a manner that protects prosecutors from undue pressure or interference (OECD, 2020[22]).

In formal legal terms, Ukraine has established a framework intended to protect prosecutorial activity from ad hoc political influence while maintaining a unified institutional structure. Reforms introduced during the past decade aimed to strengthen safeguards against both external political interference and undue internal influence within the prosecution service (Khotynska-Nor et al., 2024[23]). The Law on the Prosecutor's Office in turn establishes formal safeguards relating to legality, political neutrality, transparency, ethics and protection from unlawful interference (VRU, 2026[24]).

This broadly corresponds with the findings of the OECD Fifth Round of Anti-Corruption Monitoring Report, which notes important progress in strengthening the legal and institutional framework governing prosecutorial autonomy and integrity, while identifying continuing implementation and governance challenges (OECD, 2025[11]). In particular, since prosecutorial self-governance mechanisms in Ukraine were introduced within a traditionally centralised system (Khotynska-Nor et al., 2024[23]), functional autonomy operates under a vertically organised institutional structure rather than independently from it. OECD analysis has long noted that the key issue is not solely the institutional position of the prosecution service, but also the extent to which internal governance structures appropriately balance managerial supervision with prosecutorial autonomy in individual cases (OECD, 2020[22]). The OECD has also stressed the importance of balancing review by superior prosecutors with safeguards supporting impartial and independent decision-making (OECD, 2020[22]).

Moreover, stakeholder interviews and existing analyses suggest that the practical role and institutional capacity of prosecutorial self-governance bodies, particularly the Council of Prosecutors of Ukraine (CoP), remain evolving, including regarding their ability to contribute to safeguards for professional autonomy and accountability within the prosecution service.

Furthermore, OECD findings indicate that several longstanding governance issues remain unaddressed. In particular, Ukraine has not yet fully addressed longstanding recommendations concerning the appointment and dismissal framework for the Prosecutor General, particularly regarding the establishment of transparent, merit-based selection procedures and objective grounds and safeguards governing dismissal (OECD, 2026[25]). The Fifth Round Monitoring Report emphasises that strengthening predictability, transparency and safeguards in these procedures remains important for reinforcing prosecutorial autonomy and public confidence in prosecutorial governance arrangements (OECD, 2025[11]).

The Monitoring Report also emphasises the importance of transparent appointment procedures, objective career management frameworks and institutional safeguards supporting prosecutorial integrity and autonomy in practice (OECD, 2025[11]). In Ukraine, although some appointments within the prosecution service have involved competitive procedures, OECD analysis indicates that many managerial positions continued to be filled through direct appointment mechanisms (OECD, 2025[11]). In practice, this may affect perceptions regarding transparency, predictability and effective access within prosecutorial career governance and managerial oversight arrangements. Similarly, according to the 2026 OECD PIIs relating to justice and disciplinary systems, Ukraine does not fulfil certain criteria concerning merit-based and objective procedures for the selection and promotion of prosecutors, public announcement of prosecutorial vacancies and objective grounds for dismissal (OECD, 2026[12]).

In addition, the Monitoring Report also highlights the importance of transparent and objective case allocation procedures within the prosecution service as a safeguard supporting impartiality, professional autonomy and protection against undue influence in sensitive cases (OECD, 2025[11]). In Ukraine, prosecutorial decision-making continues to operate within a hierarchical institutional structure in which superior prosecutors retain important managerial and supervisory powers, including in relation to case assignment and redistribution. While such hierarchical arrangements are common in many prosecution systems and may support consistency and co-ordination, international standards increasingly emphasise the importance of ensuring that internal allocation decisions are governed by clear, objective and transparent criteria. In practice, the absence of sufficiently transparent or automated allocation mechanisms may affect perceptions regarding the predictability and impartiality of prosecutorial case management, particularly in high-profile or politically sensitive proceedings. Strengthening safeguards surrounding case allocation could therefore further support confidence in the fairness, professionalism and institutional independence of prosecutorial decision-making in practice.

The measures set out in the Rule of Law Roadmap aim to address several of these governance and institutional issues. The Roadmap envisages a comprehensive review of the selection and dismissal procedures for the Prosecutor General, including with reference to European standards and the involvement of the Venice Commission (VRU, 2025[26]). In the longer term, and subject to evaluation of institutional and financial sustainability, further measures are also planned to strengthen the institutional capacity and operational autonomy of the CoP, introduce more transparent and merit-based procedures for appointments to managerial prosecutorial positions and conduct an independent functional review of prosecutorial self-governance bodies (VRU, 2025[26]). Consistent with the Fifth Round Monitoring Report, these reforms may contribute to strengthening institutional transparency, professional autonomy and accountability within the prosecution service, while preserving coherent managerial oversight and prosecutorial effectiveness (OECD, 2025[11]).

4.3. Enhancing accountability in the justice sector

Accountability plays a central role in maintaining trust in justice institutions by ensuring that misconduct is identified, addressed and sanctioned, while also safeguarding integrity, procedural fairness and protection against abuse of power. In the justice sector, accountability frameworks must operate in a manner that reinforces, rather than undermines, independence, impartiality and institutional legitimacy. In Ukraine, this balance is particularly important given longstanding concerns relating to corruption, politicisation and public trust, as well as the additional pressures created by wartime conditions and ongoing reform efforts. The following sections therefore examine how disciplinary accountability, performance evaluation and related safeguards operate in practice across the judiciary and prosecution service, with particular attention to procedural fairness, institutional credibility and the balance between accountability and independence.

4.3.1. Disciplinary accountability

Judicial accountability

Disciplinary accountability is a core component of frameworks for accountability and integrity in the justice sector, giving practical effect to professional standards, disclosure obligations and rules concerning conflicts of interest. As disciplinary systems directly affect professional security and career progression of judges, their design and implementation have important implications not only for accountability, but also for perceptions of independence, impartiality and institutional legitimacy. The OECD Fifth Round of Anti-Corruption Monitoring Report similarly emphasises that judicial accountability and integrity mechanisms must operate in ways that strengthen both public trust and safeguards for judicial independence (OECD, 2025[11]).

Ukraine's legislative framework provides for disciplinary accountability for judges, including for breaches of judicial duties, ethics or integrity rules, unjustified delays, conflicts of interest, asset declaration violations and conduct undermining public trust (VRU, 2025[10]). Sanctions may include reprimand, suspension, transfer to a lower court or dismissal (VRU, 2025[10]).

The preceding analysis showed that where disciplinary mechanisms are perceived as unpredictable, inconsistently applied or insufficiently insulated from improper influence, they may contribute to concerns regarding judicial independence. Accountability frameworks must therefore be carefully designed and implemented to ensure procedural fairness, proportionality and legal certainty, while avoiding undue discretion or ambiguity in enforcement practices.

In Ukraine, the relationship between judicial independence and accountability has been shaped by the legacy of politicised justice, systemic corruption concerns and weak public trust, as well as by successive reform efforts launched after 2014 to strengthen institutional legitimacy. As highlighted in the previous section, judges in Ukraine report comparatively high levels of perceived pressure associated with disciplinary proceedings or the possibility thereof. This suggests that the key challenge is not simply strengthening accountability mechanisms as such, but ensuring that accountability and integrity frameworks are implemented in ways that are transparent, proportionate, procedurally fair and insulated from improper influence. The central consideration is therefore how to ensure that disciplinary arrangements simultaneously reinforce integrity, preserve judicial independence and strengthen public confidence in the judiciary.

In the judicial system, the Disciplinary Inspectors Service (DIS), established within the HCJ Secretariat in late 2024, plays an important role in supporting disciplinary proceedings against judges. The DIS functions as a professional investigative authority responsible for reviewing and processing disciplinary complaints, conducting preliminary examinations, preparing conclusions and recommendations and supporting greater procedural consistency in disciplinary enforcement (VRU, 2024[27]). The establishment of the DIS also forms part of broader reform efforts aimed at strengthening the operational capacity, credibility and

effectiveness of judicial accountability mechanisms following prolonged institutional disruption. This corresponds with broader findings in the Fifth Round Monitoring Report emphasising the importance of restoring the operational effectiveness and credibility of judicial governance and accountability institutions (OECD, 2025[11]).

Comparative practice shows that inspection, investigation and disciplinary functions are not always located in the same institution. In France, for example, court inspection is located within the Ministry of Justice (Ministry of Justice of France, n.d.[28]), while the Superior Council of Magistracy is responsible for judicial evaluation and discipline (Superior Council of Magistrates of France, n.d.[29]). In Canada, judicial councils at federal and subnational levels promote professional standards and examine complaints of judicial misconduct (Canadian Judicial Council, n.d.[30]). The creation of the DIS in Ukraine also reflects broader efforts to strengthen the credibility and operational effectiveness of judicial accountability mechanisms following prolonged institutional disruption.

Due to the temporary disruption of the HCJ's work, disciplinary complaints accumulated over several years. By July 2023, the HCJ reported that more than 9 000 complaints against judges had accumulated since 2021 (HCJ, 2026[31]). Following the resumption of disciplinary review, processing capacity increased. According to the HCJ, by February 2026 the DIS had received 10 630 disciplinary complaints, of which 2 323 had been reviewed by inspectors and 1 967 submitted to the Disciplinary Chambers for decision (HCJ, 2026[31]). These developments suggest that the DIS is contributing to restoring the operational functioning of the disciplinary system. At the same time, the continued volume of complaints and existing resource constraints may continue to affect the timeliness and consistency of proceedings. In this context, further strengthening the institutional capacity and human resources within the DIS may support implementation of the Rule of Law Roadmap measure concerning the 18-month time limit for disciplinary proceedings (HCJ, 2026[31]).

Box 4.3. Relevant standards on judicial accountability

Kyiv Recommendations on Judicial Independence in Eastern Europe, South Caucasus and Central Asia

Accountability of judges and judicial independence in adjudication of disciplinary proceedings

- Disciplinary proceedings against judges shall deal with alleged instances of professional misconduct that are gross, inexcusable and bring the judiciary into disrepute and shall not extend to the content of their rulings, judicial mistakes or criticism of the courts.

Independent body deciding on discipline

- A special independent body shall transparently adjudicate cases of judicial discipline.
- The bodies that adjudicate cases of judicial discipline may not also initiate them or have as members persons who can initiate them.
- Disciplinary bodies shall provide the accused judge with procedural safeguards.
- Professional evaluation of judges should be conducted.

Warsaw Recommendations on Judicial Independence and Accountability

General principles of accountability

- Judicial Councils and other self-governing bodies, entrusted with broad powers, have a high duty to account for them and foster a culture of accountability regarding their actions.
- The decision by a judicial council or other self-governing body not to account for something should be taken only in situations where this may jeopardise judicial independence.

Accountability measures

- Judicial self-governing bodies should use various instruments to ensure their accountability.
- They should publicise as wide a range of information as feasible and make its format accessible.
- Disciplinary proceedings should be envisaged for members of judicial councils.
- Disciplinary proceedings for judicial council members should be conducted by bodies that do not contain judicial council members and include the procedural guarantees of those for judges.
- These bodies may be specially constituted by law, and their decisions should be reasoned and subject to judicial review.

Note: CoE standards on judicial accountability emphasise that disciplinary accountability must reinforce, not undermine, judicial independence. Judges should not incur disciplinary liability for the interpretation of law, assessment of facts or weighing of evidence, except in cases of malice, gross negligence, wilful default or serious misconduct. Disciplinary grounds should be clearly defined by law, proceedings should be handled by an independent authority or court with fair-trial guarantees, judges should have the right to challenge disciplinary decisions and sanctions should be proportionate.
Source: (CoE, 2010[32]; OSCE/ODIHR, 2010[5]; OSCE/ODIHR, 2023[7]; CCJE, 2024[33]).

International standards on judicial accountability, summarised in Box 4.3, point to three practical tests that are particularly relevant in the Ukrainian context: whether disciplinary proceedings are timely; whether enforcement of disciplinary sanctions is perceived as independent, fair and proportionate; and whether disciplinary grounds are formulated with sufficient clarity and precision. These considerations are directly linked to the concerns identified in the previous section regarding perceptions among judges that disciplinary mechanisms may affect their independence in practice.

On the first test, in Ukraine, timeliness and procedural effectiveness have been affected by institutional disruption and capacity limitations, including the prolonged non-functioning of the HCJ and the resulting backlog of disciplinary complaints. The establishment of the DIS may contribute to reducing delays and improving procedural consistency. At the same time, disciplinary efficiency must remain balanced with procedural safeguards and due process protections, including opportunities for defence and review. Maintaining this balance is important both for effective accountability and for confidence in the fairness and legitimacy of disciplinary enforcement. The Fifth Round Monitoring Report similarly highlights the importance of operational continuity, institutional capacity and timely procedures in strengthening the credibility of justice sector accountability mechanisms (OECD, 2025[11]). The Report also notes concerns raised by CSOs that disciplinary systems may face difficulties where institutional dysfunctions, including excessive workload, staffing shortages and underfunding, contribute to procedural shortcomings for which individual judges may nevertheless face disciplinary exposure (OECD, 2025[11]).

On the second test, questions relating to the perceived independence and proportionality of disciplinary enforcement also remain relevant. Findings from the 2025 ENCJ survey suggest that disciplinary proceedings are not always perceived by judges in Ukraine as fully predictable or proportionate. This is particularly significant given the earlier finding that a comparatively high proportion of judges reported that disciplinary proceedings, or the possibility thereof, affected their sense of independence. These perceptions suggest that the operation of accountability mechanisms may influence broader perceptions regarding professional autonomy, fairness and institutional trust within the judiciary.

The following sections further examine the third test, namely whether disciplinary grounds are formulated with sufficient clarity and precision to support fair, proportionate and predictable enforcement. This issue is particularly important because vague or overly broad disciplinary standards may create uncertainty regarding the boundaries of acceptable conduct and thereby increase perceptions of pressure or exposure to discretionary enforcement.

Secondary legislation, particularly the LJSJ, establishes a detailed framework governing judicial disciplinary liability. It defines grounds for misconduct and outlines disciplinary procedures. Grounds for liability include failure to report interference in judicial duties, breaches relating to conflicts of interest, corruption-related offences and failures to submit required declarations concerning family relations and judicial integrity (VRU, 2025[10]). The breadth of these provisions reflects legitimate integrity objectives, but also increases the importance of ensuring clarity, consistency and proportionality in their interpretation and application. The Fifth Round Monitoring Report similarly emphasises that effective integrity systems require both robust accountability frameworks and safeguards ensuring fair and predictable implementation in practice. CSOs similarly emphasised the importance of ensuring that disciplinary standards are applied in a context-sensitive and proportionate manner, particularly where delays or procedural shortcomings may be linked to broader operational constraints affecting courts during wartime conditions (OECD, 2025[11]).

Some disciplinary grounds nevertheless remain framed in relatively broad terms, which may create challenges regarding predictability and consistency of interpretation. For example, the concept of an "unreasonable" delay in considering a case or preparing a motivated decision is not defined in detail in legislation. As discussed previously, judges in Ukraine report significant concerns relating to workload, staffing shortages and wartime operational pressures. In this context, disciplinary provisions relating to delays may require careful and context-sensitive application, taking into account institutional constraints affecting case management and court operations. This illustrates the broader need to balance accountability objectives with safeguards supporting judicial independence, proportionality and legal certainty in disciplinary enforcement.

Box 4.4. Judicial accountability mechanisms in select OECD countries

Legislative Decree of 23 February 2006, Italy

In Italy, the Legislative Decree of 23 February 2006 regulates disciplinary sanctions against judges. It provides a comprehensive list of recognised disciplinary offences and differentiates between those committed in and outside the exercise of their judicial functions.

The Italian legal framework lays out general judicial duties such as impartiality, diligence, reserve and independence. These broad standards are complemented by concrete disciplinary offences concerning matters such as unjustified delays, failure to give reasons, interference with the work of other judges or conflict of interest, among other actions.

Organic Law of the Judiciary, Spain

The Spanish Organic Law of the Judiciary ranks judicial offences into three categories according to their gravity. It differentiates between minor (e.g. unjustified absence from service for one or two days), serious (e.g. obstruction of inspections, unjustified recusals) and very serious offences (e.g. abuse of authority, affiliation to political parties). The severity of legally applicable sanctions depends on the categorisation according to the gravity of a judicial breach.

California Constitution and Government Code, United States

The state of California's disciplinary architecture renders judicial accountability precise and enforceable through clearly defined procedural obligations. In this sense, offences such as judicial delays are regulated by constitutional and statutory rules. As part of this framework, compliance is ensured through mandatory salary affidavits. A judge may, for example, not receive a salary in case of non-compliance with the legally stipulated 90-day deadline for resolving cases.

Source: (CoE, 2023[34]; CoE, 2014[35]; California Commission on Judicial Performance, 2016[36]).

The LJSJ also provides that delays in producing motivated court decisions may trigger disciplinary action (VRU, 2025[10]). While reasoned decisions are essential for accountability, transparency and procedural fairness, many courts continue to face severe operational constraints linked to understaffing, wartime disruption and inadequate infrastructure. Under such conditions, judges may experience pressure to prioritise speed and quantitative output over the quality and depth of legal reasoning. This risks negatively affecting both the quality of adjudication and public confidence in the fairness of judicial decision-making.

Another disciplinary ground concerns conduct that "disgraces" the status of a judge or undermines the authority of justice (VRU, 2025[10]). While this provision reflects legitimate objectives relating to judicial integrity, ethics and public confidence, the use of broadly framed concepts may create challenges regarding consistency and predictability of interpretation. Particularly in contexts characterised by heightened public scrutiny and reputational pressure, maintaining clear guidance and consistent application of such standards becomes important for institutional trust and perceptions of fairness. In this context, some CSOs have called for clearer definitions of misconduct and stronger procedural safeguards to support predictability and consistency in disciplinary practice (OECD, 2025[11]).

Overall, disciplinary assessments should be grounded in clearly articulated ethical standards, including those reflected in the Code of Judicial Ethics and international benchmarks such as the Bangalore Principles of Judicial Conduct. The Code of Judicial Ethics in Ukraine expressly provides that breaches of ethical rules do not automatically constitute grounds for disciplinary liability (VRU, 2024[37]). Maintaining a clear distinction between ethical guidance and disciplinary offences is important for ensuring that accountability mechanisms support integrity while preserving independent judicial reasoning and legal certainty.

Clear disciplinary grounds, adequate institutional capacity, procedural fairness and transparency are all important components of an effective disciplinary framework. Disciplinary measures should be applied consistently and proportionately, while avoiding perceptions of arbitrariness or improper influence. In practice, disciplinary accountability contributes most effectively to judicial integrity and public trust where accountability mechanisms are perceived as fair, predictable and institutionally credible. Consistent with the findings of the Fifth Round Monitoring Report, strengthening confidence in disciplinary systems depends not only on formal legal safeguards, but also on transparent implementation, operational effectiveness and institutional trust in practice (OECD, 2025[11]).

Prosecutorial accountability

In Ukraine, public prosecutors are subject to disciplinary liability for a broad range of conduct, including failure to perform official duties properly, unjustified delays, unlawful disclosure of protected information, breaches of asset declaration rules, improper interference in the work of other prosecutors, staff or judges, violations of prosecutorial ethics and public statements that undermine the presumption of innocence (VRU, 2026[24]). Sanctions range from reprimand to dismissal (VRU, 2026[24]).

The accountability framework therefore has a broad substantive scope aimed at safeguarding integrity and professional standards within the prosecution service. At the same time, the breadth of disciplinary grounds increases the importance of ensuring that disciplinary proceedings are conducted in a transparent, proportionate and predictable manner. In practice, the credibility of prosecutorial accountability depends not only on the existence of disciplinary mechanisms, but also on whether they are perceived as fair, impartial and protected from undue influence.

International assessments and standards point to several continuing challenges in this regard. The Group of States against Corruption, for example, found that Ukraine had not yet implemented recommendations concerning the random allocation of cases to prosecutors and the need to define prosecutorial disciplinary offences more precisely, while extending the range of available sanctions to ensure their greater proportionality and effectiveness (GRECO, 2025[38]). More broadly, concerns have been raised regarding whether disciplinary governance arrangements provide sufficient guarantees of institutional impartiality

and independence from hierarchical or external influence in practice. CoE standards similarly emphasise that prosecutorial accountability mechanisms should be transparent, based on clear legal criteria and implemented by bodies sufficiently protected from improper political or institutional influence (CoE, 2024[39]). The Fifth Round Monitoring Report likewise stresses the importance of transparent governance arrangements, objective career management procedures and safeguards supporting both prosecutorial accountability and functional autonomy in practice (OECD, 2025[11]).

In Ukraine, prosecutorial accountability therefore depends not only on formal disciplinary grounds, but also on the credibility, effectiveness and institutional balance of the bodies responsible for applying them. The Qualification and Disciplinary Commission of Prosecutors (QDCP) and the CoP are key bodies supporting the independence, professionalism, integrity and effectiveness of the prosecution service, including through recruitment, promotion and disciplinary procedures based on merit principles (VRU, 2026[24]). Institutional performance is also monitored through annual performance reports submitted to the VRU and published online. However, according to OECD PII data, Ukraine currently does not fulfil the criterion relating to the existence of a formal evaluation procedure based on pre-determined evaluation criteria following the repeal of the previous framework in 2025 (OECD, 2026[12]). The absence of a structured evaluation methodology and objective performance criteria may affect the consistency, predictability and transparency of professional performance management within the prosecution service.

Questions regarding consistency and institutional balance are also reflected in analyses of disciplinary practice. An expert review observed that the profile of successful complainants has remained relatively stable in recent years, with heads of prosecution offices and other prosecutors accounting for a significant share of complaints leading to disciplinary proceedings, while those subject to disciplinary accountability were more frequently prosecutors without administrative functions or extensive seniority (Petrakovskyi, 2024[40]). Although these findings do not in themselves demonstrate improper disciplinary practice, they highlight the importance of ensuring that disciplinary mechanisms are applied in a manner perceived as even-handed, transparent and institutionally balanced across the prosecution service. In hierarchical institutional systems, maintaining confidence that disciplinary arrangements operate impartially and predictably is particularly important for distinguishing legitimate managerial oversight from perceptions of selective enforcement or improper pressure.

4.3.2. Performance evaluation

Performance evaluation can support professional standards, professional development and public confidence in the judiciary. However, excessive reliance on speed, volume or managerial compliance can distort incentives and create perceptions that assessments are used to exert pressure on judges rather than to improve the quality and delivery of justice services.

Guidelines of the European Commission for the Efficiency of Justice (CEPEJ) on evaluating the quality of work of judges emphasise the importance of a dual approach to performance evaluation, incorporating quantitative and qualitative criteria, with sufficient weight placed on the latter (CEPEJ, 2024[41]). This reflects the principle that judicial performance cannot be measured solely through efficiency indicators such as speed or case output, but must also account for the quality, fairness and reasoning of judicial decision-making.

From an accountability perspective, evaluation mechanisms should therefore be transparent, based on clear criteria and supported by procedural safeguards. This is particularly important where evaluation results are included in official dossiers or may influence career progression, promotion, transfers or perceptions of disciplinary risk. Judges should be able to challenge and contextualise evaluation findings so that evaluations are applied objectively, proportionately and consistently. The HRM and aspects of judicial evaluation related to professional development and workforce capacity are examined in Chapter 5.

4.3.3. Removal from office and functional immunity safeguards

Security of tenure and protection against arbitrary removal are essential components of judicial independence. International standards recognise that judges should not be removed from office except on clearly defined grounds and through procedures that guarantee due process and institutional safeguards. These protections are particularly important in contexts where judges may already perceive exposure to external pressure, disciplinary uncertainty or political interference, as discussed in the preceding sections. Without credible guarantees against arbitrary dismissal or coercive action, judges may feel constrained in their ability to decide cases independently and impartially.

The LJSJ regulates the grounds and procedures for removal from office and provides for functional immunity to protect judges from undue pressure related to their judicial decisions (VRU, 2025[10]). Judges are appointed indefinitely unless specific grounds arise for dismissal (VRU, 2025[10]). These grounds may include the inability to perform judicial duties due to health issues, violations of incompatibility standards, the commission of serious disciplinary offences, resignation or voluntary departure from the position and failure to justify the source of their assets (VRU, 2025[10]). Otherwise, a judge's tenure concludes upon reaching the age of 65, losing Ukrainian citizenship, passing away or being convicted in a court of law (VRU, 2025[10]). The existence of exhaustively defined grounds for dismissal is important because it limits the scope for arbitrary removal and reinforces institutional security for judges. However, as highlighted in the discussion on disciplinary accountability, the practical effect of these safeguards depends not only on their formal existence but also on whether related procedures are perceived as fair, proportionate and insulated from improper influence.

Importantly, the LJSJ also stipulates that a judge cannot be held personally accountable for a court decision made in the course of their judicial duties, except in instances of committing a crime or a disciplinary violation (VRU, 2025[10]). In cases where a judge is detained on suspicion of acts that may incur criminal or administrative liability, they must be released immediately once their identity has been verified, barring specific exceptions (VRU, 2025[10]). These provisions provide important safeguards supporting judicial independence. These safeguards are particularly important for protecting adjudicative independence because they reduce the risk that criminal or administrative proceedings could be used to exert pressure on judges in connection with the substance of their decisions. Functional immunity therefore serves not as a personal privilege, but as an institutional safeguard intended to preserve impartial adjudication and the rule of law.

Moreover, a judge is protected from detention or coercive transfer to any institution or authority other than a court, except as outlined in the aforementioned conditions. Only the Prosecutor General or their Deputy may notify a judge of suspicion of criminal activity (VRU, 2025[10]). A judge may be suspended from performing their judicial functions for a maximum of two months upon a justified request from the Prosecutor General or their Deputy, following prescribed legal procedures (VRU, 2025[10]). Such a decision to suspend a judge from the administration of justice requires ratification by the HCJ (VRU, 2025[10]), ensuring a balance between accountability and the safeguarding of judicial independence. This institutional involvement of the HCJ is intended to preserve a balance between accountability and judicial independence by introducing an additional safeguard against arbitrary prosecutorial or executive interference. However, as discussed earlier, perceptions regarding the independence and credibility of judicial governance institutions themselves remain important for determining whether such safeguards are fully functioning in practice. CSOs also referred to several isolated disciplinary cases involving politically sensitive associations or family ties, while the HCJ stated that sanctions were imposed only in cases involving deliberate refusal to administer justice (OECD, 2025[11]). These discussions further highlight the importance of clear legal standards, reasoned decisions and procedural safeguards in disciplinary proceedings.

4.4. Improving judicial and prosecutorial integrity

This section focuses on integrity safeguards insofar as they affect judicial and prosecutorial independence, accountability, selection, evaluation, discipline and public trust. Broader anti-corruption policies and institutions are examined in the OECD Integrity and Anti-Corruption Review of Ukraine.

4.4.1. International standards

Integrity of judges, prosecutors and civil servants in the justice sector lies at the core of the balance and interaction of justice principles. As discussed in the preceding sections, integrity is closely linked to independence, impartiality and accountability: without credible integrity safeguards, independence may be perceived as corporatism, while accountability may be perceived as selective or coercive. Integrity is also an essential element of efforts to strengthen confidence in the justice system. To be effective, it needs to be supported by a robust institutional and legal framework and strongly embedded in organisational culture and practice.

International standards on judicial integrity are outlined, among other instruments, in the Bangalore Principles of Judicial Conduct, which set out the core values of judicial integrity: independence, impartiality, integrity, propriety, competence and diligence (UNODC, 2018[42]). Other standards also require institutional and procedural safeguards to protect courts and prosecutors from improper influence and to ensure fairness, objectivity, accountability and respect for human rights in the administration of justice (UN, 1985[4]).

The OECD Recommendation on Public Integrity [OECD/LEGAL/0435] provides a further reference standard pertaining to public integrity, as measured by the OECD PIIs.[4] It extends beyond individual ethics obligations and promotes a system-wide framework for building integrity across public institutions through clear responsibilities, risk management, enforcement, transparency and organisational culture. This system-wide perspective is particularly relevant for Ukraine, where earlier analysis showed that weaknesses in appointments, disciplinary practice, resources and public communication may interact to affect both the reality and perception of judicial independence.

4.4.2. Overall state of integrity in the justice sector

In the last decade, Ukraine strengthened integrity safeguards in the judiciary and established a comprehensive system of anti-corruption institutions, including the National Anti-Corruption Bureau of Ukraine (NABU; 2015), the Specialised Anti-Corruption Prosecutor's Office (SAPO; 2015), the National Agency on Corruption Prevention (NACP; 2016) and the HACC (2019). Merit- and integrity-based procedures[5] have been introduced for the selection of judges across all court levels, including the SC, the CCU and the HACC, as well as for members of the HCJ and the HQCJ. A revised Code of Judicial Ethics was adopted in 2024, with a dedicated Commentary approved by the Council of Judges of Ukraine (CJU) in March 2026 (SC, 2026[43]). Moreover, rules on conflicts of interest and incompatibilities, as well as asset and interest declaration systems, have been established under the Law on Prevention of Corruption (OECD, 2025[44]).

Notwithstanding this progress, OECD analysis points to the need to move from the establishment of formal safeguards towards their consistent, transparent and credible implementation in practice, particularly in relation to appointments, promotion, disciplinary proceedings and institutional leadership in the justice sector (OECD, 2025[44]).

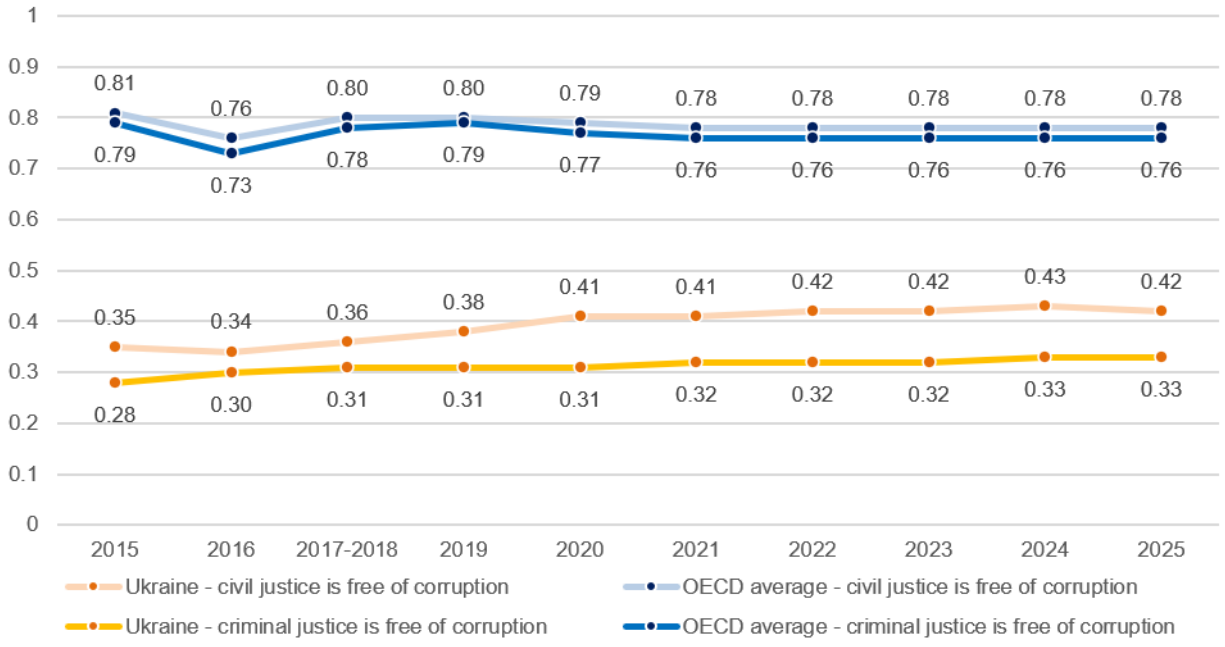
Ukraine has built comparatively strong formal frameworks for judicial and prosecutorial integrity (OECD, 2025[44]). According to the data gathered for the OECD PIIs, areas of strength in judicial integrity regulation and practice include formal integrity frameworks, interest and asset declarations, certain merit-based review procedures, disciplinary procedures and whistleblower protection within the judiciary (OECD, 2026[25]). Yet, judicial integrity reform remains incomplete, as implementation challenges affect the judicial appointment and career progression, whistleblower protection and public confidence in the justice system (OECD, 2025[44]; OECD, 2026[25]). These implementation gaps matter because they can affect not only integrity outcomes, but also the perceived impartiality and independence of judges selected, promoted or disciplined under those frameworks.

In the prosecution service, integrity indicators reveal a somewhat different situation. Ukraine has adopted regulatory safeguards relating to standards of conduct, the management of conflicts of interest, whistleblower protection for reporting prosecutorial misconduct, recruitment, discipline and professional ethics (OECD, 2026[25]). However, certain gaps remain in the regulatory framework, notably the absence of safeguards such as objective evaluation criteria and random case allocation. Furthermore, disciplinary proceedings are decided not by a court but by the QDCP, whose composition does not allow autonomous operation as less than half of its members are prosecutors elected by their peers.

In practice, the prosecution service performs relatively well in areas such as adequate budgeting, training, conflict-of-interest declarations and public reporting (OECD, 2026[25]), despite a lack of well-established institutional mechanisms for providing ethical guidance. Other challenges also remain, such as the major corruption scandal that led to the resignation of the Prosecutor General in October 2024 (European Commission, 2024[45]), which highlights the need to strengthen integrity and regulatory safeguards within the prosecution service.

Moreover, despite Ukraine's reform efforts and regulatory safeguards, the ENCJ survey suggests that integrity concerns continue to affect how judges perceive the judiciary. Only 14% of responding judges from Ukraine expressed confidence that corruption does not occur in the judiciary, while 19% considered that corruption occurs at least occasionally (ENCJ, 2025[13]). By contrast, in higher-performing systems, confidence that corruption does not occur exceeded 75% (ENCJ, 2025[13]). This reinforces the earlier argument that trust depends not only on the adoption of safeguards, but also on whether those safeguards are experienced as credible in everyday institutional practice. Ukraine appears to recognise this issue, as evidenced by its focus on improving trust in the judiciary through the National Anti-Corruption Strategy for 2021-2025.

Figure 4.3. The general public's perceived freedom from corruption in civil and criminal justice in Ukraine and the OECD average, 2015-2025



Note: Under the Rule of Law Index (RLI) methodology, a higher score indicates stronger adherence to the rule of law.
Source: (WJP, 2025[46]), elaboration by the authors.

As shown in Figure 4.3 above, there is a sizeable gap between Ukraine and the OECD average in perceptions of freedom from corruption in the areas of civil and criminal justice. Ukraine recorded gradual improvements between 2015 and 2025, rising from 0.35 to 0.42 in civil justice and from 0.28 to 0.33 in criminal justice (WJP, 2025[46]). However, these gains were not sufficient to narrow the gap with OECD countries in a meaningful way. In 2025, Ukraine's civil justice score remained 0.36 points below the OECD average, while its criminal justice score was 0.43 points lower (WJP, 2025[46]).

The RLI factors show that Ukraine's criminal justice system is perceived as more affected by corruption than its civil justice system, mirroring the pattern visible across OECD averages but at a much lower level of perceived integrity (WJP, 2025[46]). The data on perceptions suggest that, despite incremental progress, Ukraine remains well below OECD benchmarks. This underlines the need to advance reforms that connect integrity, accountability and independence in practice, rather than treating them as separate reform tracks, with the goal of bringing about a cultural shift. Further reforms may be less important than ensuring consistent implementation of the existing regulatory framework already in place and ensuring that its elements translate into a broader culture of integrity within the judiciary that will in turn inspire public confidence that judges and prosecutors perform their functions independently and with integrity.

4.4.3. Integrity safeguards in judicial selection, evaluation and career progression

Integrity safeguards in the selection of judges and members of judicial governance bodies

Judicial selection, evaluation and career progression are relevant both to workforce capacity and to the integrity of the justice system. The HRM and staffing implications of recruitment and selection are examined in Chapter 5. This section focuses on the integrity dimension: whether selection, evaluation and promotion procedures are transparent, merit-based, resistant to undue influence and capable of building public confidence in judicial governance.

Clear and objective procedures for selecting, appointing and promoting judges, supported by consistently applied integrity checks, are central to judicial independence and accountability (OECD, 2025[44]). Over the past decade, Ukraine has developed a relatively comprehensive legal framework governing judicial careers, aimed at reducing the scope for favouritism and political influence by placing key decisions on judicial careers within judicial governance bodies rather than the executive branch.

The LJSJ sets out merit- and integrity-based procedures for the selection, appointment, promotion and transfer of judges. The HQCJ assesses judicial candidates, while the HCJ takes decisions on appointment, transfer and discipline (VRU, 2025[10]). Candidates for membership of the HCJ and the HQCJ are also subject to ethics and integrity screening by the Ethics Council and the Selection Commission, respectively. Both bodies were established as part of the 2021 reform to strengthen external assurance and public confidence in judicial governance.

Russia's full-scale invasion in February 2022 interrupted the operation of the HCJ, the HQCJ and their adjacent selection bodies, delaying the application of integrity review mechanisms. The HCJ regained its full composition in January 2023 (HCJ, 2023[47]), allowing it to resume its work and enabling the Ethics Council to continue screening candidates for HCJ membership.

The Selection Commission for the HQCJ also resumed its work in early 2023 (HCJ, 2023[48]). Following the appointment of HQCJ members by the HCJ on 1 June 2023, the HQCJ became fully operational again (HCJ, 2023[49]). However, the mandate of international experts in the HQCJ Selection Commission expired on 1 June 2025, which created a risk that prospective vacancies in the HQCJ could be filled without external integrity assurance (DEJURE, 2026[50]). Recognising this risk, Ukraine and the European Commission agreed to ensure that the involvement of international experts in the Selection Commission will be extended (European Commission, 2025[51]). Maintaining credible external assurance during this phase is important not only for integrity control, but also for sustaining confidence that judicial governance bodies are capable of protecting independence rather than becoming sources of internal pressure. Stakeholders have also pointed to uneven transparency in certain judicial selection and interview procedures, including concerns regarding accelerated timelines, limited public access and the availability of recordings, which may affect perceptions of openness and effective public scrutiny (OECD, 2026[52]).

At present, certain positions in the judiciary are only partly covered by merit-based integrity arrangements. Court presidents are elected by judges within their court, but there are no defined criteria for selecting candidates nor any requirements for a competitive selection process (OECD, 2026[25]). Without the application of objective criteria or a competitive process, the appointment of court presidents may become a means of rewarding loyalty within the judicial hierarchy (OECD, 2025[44]). This risk is particularly relevant given that court management can influence working conditions, case organisation and internal judicial culture, all of which may affect the practical exercise of individual independence, as well as the reality and the perception of judicial independence.

Moreover, in recent years, the SJA has emerged as a high-risk institution as two successive SJA chairpersons were implicated in corruption-related proceedings (NABU, 2020[53]; NABU, 2023[54]). The existing requirement for a "competitive" selection procedure for the position of the SJA's chairperson is not supported by a detailed set of objective criteria or transparency safeguards. Given their influence over the functioning of the court system and public confidence in the judiciary, integrity checks should therefore also apply to court presidents and the Head of the SJA, including at promotion stage (OECD, 2025[44]). Strengthening these safeguards would help address the link between administrative governance, operational conditions and judicial independence.

In sum, Ukraine has strengthened integrity safeguards in judicial selection and governance appointments, but their credibility depends on consistent application, transparent procedures and adequate safeguards against undue influence. Remaining gaps concern the uneven coverage of integrity safeguards across judicial leadership positions, the sustainability of external assurance mechanisms and the transparency of

some selection and interview procedures. Addressing these issues would help ensure that selection and appointment processes support both judicial independence and public confidence.

Auxiliary selection bodies

In addition to the Ethics Council at the HCJ and the Selection Commission at the HQCJ, several auxiliary bodies are tasked with supporting integrity control in the judicial selection process, as set out in Table 4.1.

Table 4.1. Expert bodies supporting the selection of judges and members of the HCJ and the HQCJ

Body	Function	Composition	Impact on selection	Terms
Advisory Group of Experts	Assists appointing authorities (the President of Ukraine, the VRU and the Congress of Judges of Ukraine) in assessing the moral qualities and professional competence of candidates to the CCU	6 members (three international members as well as three national members appointed by the President of Ukraine, the VRU and the Congress of Judges of Ukraine)	Pre-selects and filters candidates before these can be considered by appointing authorities	3 years
Ethics Council	Assists the bodies that elect (appoint) members of the HCJ in assessing whether a sitting HCJ member meets professional ethics and integrity requirements or whether a candidate is compliant with the criteria for membership in the HCJ by preselecting candidates	6 members (three national experts, nominated by the CJU or legal bodies, and three international experts)	Approval of candidate pre-selection is granted by a majority of the Ethics Council. In the case of an even split the votes of international experts carry more weight	6 years without the right of reappointment
Expert Council	Supports the HQCJ in determining whether candidates for the position of judge of the SDAC or the SACA meet the criteria regarding integrity and professional competence through qualification assessments	6 members (three from the CJU and three from international organisations)	Approves the integrity of candidates by a majority of at least four members, of whom at least two need to have been nominated by international organisations. The final decision is made during a joint meeting of the HQCJ and the Expert Council where a simple majority is needed.	This approach will only be used for the first selection process (approximately 3 years) after which the HQCJ and CJU will be responsible for the competition
Public Council of International Experts	Assists the HQCJ in assessing candidates for judge positions at the HACC	6 members (international legal experts)	Has the ability to block appointments to the HACC if there are integrity concerns	18 months
Public Integrity Council	Public body facilitating the work of the HQCJ, which has the main responsibility of verifying information and delivering final conclusions for the evaluation of judges and candidates for judges	20 members, selected by CSOs active in the fields of anti-corruption and rule of law advocacy	May issue negative opinions on candidates; such opinions can be overridden by a qualified majority of HQCJ members	2 years
Selection Commission	Oversees pre-selection process of new members to the HQCJ	6 members (three members elected by the CJU and three international experts)[6]	Submits a list of eligible candidates for positions at the HQCJ	4 years

Source: (CoE, 2021[55]; AntAC, 2021[56]; AntAC, 2024[57]; CCU, 2026[58]; Venice Commission, 2021[59]; TI Ukraine, 2025[60]; ALI, 2025[61]; VRU, 2024[27]).

The gradual establishment of auxiliary selection bodies has strengthened external scrutiny, enhanced public participation, including of CSOs, and improved methodological discipline in judicial appointment processes. However, the capacity and structure, including the ratio of international experts, influence on final selection decisions and the methodologies used, vary across these bodies. As a result, structural inconsistencies may arise in the broader judicial selection system (OECD, 2025[44]). This may potentially lead to an uneven application of integrity criteria and inconsistent quality assurance within the wider judicial

selection framework. Such unevenness may also weaken confidence that judicial careers are governed by coherent merit and integrity standards, and affect perceptions of judicial independence and impartiality.

In the longer term, there may be scope to continue strengthening national ownership of the judicial selection process. However, any future reduction in the role of international experts in auxiliary selection bodies should not come at the expense of professionalism, transparency or public confidence in the process. The involvement of international experts may also entail prolonged reliance on external financing, which can be beneficial in a context of fiscal strain, but, over time, may also limit the domestic ownership of judicial selection processes. The key challenge is therefore to transition towards stronger national ownership without reducing the credibility of integrity safeguards that currently help protect judicial governance from politicisation or corporatism.

Integrity criteria and professional ethics standards

Amendments to the LJSJ adopted in 2023 sought to streamline judicial recruitment and appointment procedures while also envisaging the development of uniform integrity criteria for judges (VRU, 2023[62]). From the perspective of this chapter, the key issue is whether more efficient procedures remain accompanied by credible, transparent and consistently applied safeguards for integrity, ethics and professional conduct. The workforce-capacity implications of these reforms, including their role in addressing judicial vacancies, are examined in Chapter 5.

In November 2023, the HQCJ and the Public Integrity Council (PIC) developed an initial list of integrity indicators for evaluating the integrity and professional ethics of judges and judicial candidates (HQCJ, 2023[63]). The HQCJ–PIC indicators were subsequently revised and compiled into the list of Unified Indicators for Assessing the Integrity and Professional Ethics of a Judge, approved by the HCJ in December 2024 (Box 4.5) (HCJ, 2024[64]).

Box 4.5. Unified indicators for assessing judicial integrity and professional ethics

The Unified Indicators for Assessing Integrity and Professional Ethics of Judges and Judicial Candidates provide a common framework for assessing whether judges and candidates meet core standards of integrity, ethics and professional conduct:

- **Independence** concerns the ability to perform judicial functions and take decisions free from unlawful influence, pressure or interference. It includes both actual independence and conduct that would appear independent to an ordinary reasonable person.
- **Impartiality** relates to the ability to act without favour, prejudice or personal interest. It covers recusal and conflict-of-interest situations.
- **Observance of ethical standards and impeccable behaviour in professional and personal life** covers compliance with professional ethics and generally recognised moral standards, both in office and outside of it. It also includes civic conduct, patriotism and behaviour that does not undermine the authority of justice.
- **Honesty** concerns truthfulness, integrity and sincerity in both personal and professional life. It includes the reliability of declarations and other information provided in judicial or disciplinary procedures, as well as behaviour consistent with the rule of law and judicial status.
- **Diligence** pertains to disciplined, thorough and responsible performance of duties. It includes timely handling of cases and documents, professional motivation, continuous learning and properly reasoned decisions.

- **Incorruptibility** concerns the ability to resist undue influence and improper advantages. It includes the absence of corruption-related acts, inappropriate contacts outside of proceedings, misuse of status and tolerance of corrupt conduct by others.
- **Lawful origin of property** assesses whether the origin of rights to property and other civil-law objects of the judge or candidate and their family members, gives rise to reasonable doubt as to legality. It covers acquisition methods, pricing, disclosure and compliance with relevant legal requirements.
- **Correspondence of standard of living to declared income** examines whether a judge's or candidate's property status and expenditures can reasonably be explained by declared lawful income. It links asset declarations, expenditure patterns and market values.
- **Correspondence of lifestyle to judicial status** considers whether public and private behaviour is consistent with the standing of a judge or judicial candidate. It includes ostentatious display of wealth, inappropriate use of judicial status and public behaviour that could undermine confidence in the judiciary.

Source: (HCJ, 2024[64]).

The Unified Integrity Indicators reformulated the previous negative indicators of non-integrity developed by the HQCJ and the PIC into a more generalised and standardised framework of positive assessment criteria. Most of the issues captured in the earlier list remain covered, although often in a less explicit and less case-specific manner.

Overall, the Unified Integrity Indicators constitute a comprehensive set of criteria intended to harmonise integrity assessment standards across judicial selection processes. However, certain procedural gaps may limit their effectiveness in practice. In particular, the current framework does not allow substantiated anonymous whistleblower reports to be considered as evidence, nor does it permit previously completed integrity screenings to be reopened where new evidence subsequently emerges. These limitations may weaken the responsiveness and credibility of the integrity assessment process. To strengthen the practical value and reliability of the indicators, the procedure should therefore be amended to address these gaps.

In addition, some CSOs have raised concerns regarding the practical role and effectiveness of the PIC within judicial integrity and selection processes (OECD, 2025[11]). In particular, concerns were expressed that negative PIC opinions are, in some cases, overridden by the HQCJ without sufficiently detailed public reasoning, which may affect perceptions regarding the transparency and credibility of integrity assessments. Stakeholders also pointed to accelerated interview schedules and uneven transparency in certain selection procedures, which they argued may limit effective public scrutiny and the ability of oversight actors to provide timely input. These concerns do not necessarily indicate deficiencies in the legal framework itself, but rather highlight the importance of ensuring that integrity review mechanisms operate in a transparent, predictable and well-reasoned manner in order to strengthen institutional trust and confidence in judicial governance processes.

In 2025, the HQCJ adopted two new regulations aimed at further standardising the qualification evaluation of judges. The Regulation on the Procedure and Methodology of Qualification Evaluation introduced a presumption of integrity, under which a judge or judicial candidate is deemed to meet the integrity criteria unless this is rebutted by proper, sufficient and substantiated evidence (HQCJ, 2025[65]). The Regulation on the Regular Assessment of a Judge, in turn, introduced a new procedure for the periodic assessment of judges' professional performance, to be carried out once every three years (HQCJ, 2025[66]).

These examples illustrate a broader challenge in the justice system. Pressure to accelerate appointments, evaluation, digitalisation and case processing may improve efficiency, but these elements will only contribute to strengthening legitimacy if they preserve transparency, fairness and integrity.

In view of persistent staffing shortages and war-related disruptions, judicial transfers and temporary secondments have been deployed as mitigation measures. OECD PII findings confirm that Ukraine fulfils the formal criterion requiring judicial transfers to take place only with the judge's consent or upon their request, except for specific reasons grounded in law and on the basis of pre-determined criteria (OECD, 2026[12]). In such circumstances, the implementation of transparent criteria, procedural safeguards and effective avenues for appeal are of central importance to reduce perceptions that transfers may be used in ways that affect judicial independence or create indirect pressure within judicial hierarchies. This is especially important in a system already facing concerns about workload, institutional pressure and uneven trust in judicial governance bodies. Career decisions are also directly relevant to independence: where promotion, transfer or secondment are perceived as dependent on loyalty, informal influence or opaque criteria, they may create incentives that negatively affect judicial behaviour.

Moreover, capacity development can also strengthen integrity where training addresses professional ethics, conflicts of interest and the practical responsibilities of judicial office. This preventive function of training is key, as integrity in the judiciary also depends on the extent to which ethical principles are embedded in legal education and translated into practice through professional training (Shuklina and Ishchenko, 2025[67]) Ukraine demonstrates commitment to supporting judges in this area through the organisation of regular trainings on ethics, integrity and corruption prevention for all judicial ranks, including local judges. In 2025 alone, NSJ provided training on: conflicts of interest and procedures for the submission of declarations; preventing conflicts of interest and violations of other anti-corruption restrictions; the interest declaration process for higher ranking and specialised judges; and disciplinary liability of judges for local court judges in Lviv (OECD, 2026[25]; NSJ, 2026[68]).

4.4.4. Public integrity standards

Public integrity standards play a complementary role in guiding the conduct of judges and prosecutors. In line with the OECD Recommendation on Public Integrity [OECD/LEGAL/0435], clearly articulated codes of ethics, aligned with international standards, provide a benchmark against which the behaviour of judges and prosecutors can be assessed in a manner that supports both accountability and independence (judges) or functional autonomy (prosecutors).

In 2013, the Congress of Judges of Ukraine adopted a Code of Judicial Ethics. The Code was subsequently revised, and its updated version was published in 2024 (VRU, 2024[37]). The Code of Judicial Ethics draws on, among other standards, the ECHR, European Court of Human Rights (ECtHR) case law, the Bangalore Principles of Judicial Conduct and the European Charter on the Statute of Judges. It defines judges' public integrity obligations and provides guidelines for maintaining judicial integrity and independence, emphasising the importance of the rule of law, respect for court participants and ensuring fair and impartial legal proceedings (VRU, 2024[37]).

In March 2026, the CJU approved the Commentary on the Code of Judicial Ethics (SC, 2026[43]). The document aims to support a more uniform understanding and application of public integrity standards across the judiciary. The Commentary also places the Code in a wider constitutional and international context and underlines that judicial ethics concerns not only conduct in office but also conduct outside the courtroom (SC, 2026[43]).

The CCU also adopted a separate set of Rules of Professional Ethics for its judges in July 2025 (VRU, 2025[69]), in light of the distinct role of constitutional adjudication in Ukraine. However, external review has identified several areas for improvement of the public integrity framework. Notably, clearer rules could be developed on the appearance of impartiality, more precise limits on public statements concerning pending cases, fuller regulation of gifts and hospitality and the establishment of a confidential advisory ethics mechanism separate from disciplinary procedures (OSCE/ODIHR, 2025[70]). From the OECD's perspective on public integrity, these issues matter because ethics rules are most effective when they are operationalised through practical guidance, training and confidential advisory support, rather than

functioning only as a basis for disciplinary control. For the CCU, the priority should therefore be to translate the new ethics rules into clear, preventive guidance on impartiality, public communication, gifts and hospitality and conflicts of interest, while keeping advisory ethics support institutionally distinct from disciplinary procedures.

In the prosecution service, the Code of Professional Ethics and Conduct for Prosecutors approved in April 2017 provides a parallel integrity framework. The document sets out a broad group of principles, including legality, respect for human rights, independence, political neutrality, impartiality, confidentiality, prevention of conflict-of-interest situations, professionalism and respect for judicial independence (OPG, 2024[71]). Therefore, the regulation has a scope wider than courtroom conduct alone – it links prosecutorial ethics more explicitly to corruption prevention and to public confidence in the prosecution service.

The Commentary on the Code of Professional Ethics and Conduct for Prosecutors provides additional guidance on the application of the ethical framework. It explains the Code through examples and draws on disciplinary and judicial practice (OPG, 2022[72]), which makes the framework more operational. The Commentary also states clearly that the Code is not an exhaustive list of permitted and prohibited acts, but a set of ethical benchmarks that often go beyond minimum legislative requirements (OPG, 2022[72]). Within an already dense legal framework, such guidance can help bridge the gap between formal compliance and professional judgement. It can also support more consistent interpretation of conflicts of interest, integrity expectations and standards of conduct outside the workplace.

The adoption of integrity standards in the ordinary judiciary, the CCU and the prosecution service indicates the efforts within the justice sector to align professional standards with European and international guidelines. In practice, however, whether those standards strengthen public trust depends also on whether they are applied consistently and linked to accountability mechanisms. Such measures are vital in enhancing Ukraine's status as a democratic society governed by the rule of law.

4.4.5. Asset and interest declarations, conflicts of interest and whistleblower protection

Asset and interest declaration systems, including for judges, are a key integrity mechanism that countries can use to manage conflict-of-interest systems. To be effective, interest and asset declaration tools cannot exist in a vacuum: clear institutional mechanisms are required for providing guidance on mitigating conflict-of-interest situations, verifying declarations, investigating potentially false declarations and detecting illicit wealth. Appropriate sanctions can help ensure compliance.

The OECD has stressed that judicial integrity reform also depends on the day-to-day operation of conflict-of-interest management and whistleblower protection frameworks (OECD, 2025[44]). OECD analysis also noted that, although Ukraine has introduced important safeguards in these areas, further improvements would be necessary if integrity standards are to reinforce public confidence consistently in practice (OECD, 2025[44]).

Ukraine's judicial integrity framework set out in the LJSJ combines asset and interest declarations, disclosures of family ties, integrity declarations, lifestyle monitoring and anti-corruption checks (VRU, 2025[10]). Thus, it creates a broad framework for identifying risks of undue influence, conflicts of interest and unexplained wealth (VRU, 2025[10]). Its effectiveness, however, depends on verification capacity, institutional co-ordination and whether declared risks lead to timely preventive or corrective action.

The LJSJ also provides for lifestyle monitoring of judges in order to assess whether their standard of living corresponds to declared assets and income, and for comprehensive examination of judges' public declarations by the central anti-corruption authority responsible for checking truthfulness, asset valuation, conflicts of interest and signs of illicit enrichment (VRU, 2025[10]). In parallel, the personal file of a judge may include information on compliance with professional ethics and integrity, copies of declarations submitted under anti-corruption legislation and the opinion of the PIC (VRU, 2025[10]). Thus, integrity review is embedded in external oversight, but also in career and qualification assessments.

With regard to the regulation of conflicts of interest, the LJSJ requires judges to comply with anti-corruption legislation and to submit a declaration as a person authorised to perform state or local government functions, alongside a declaration of family ties and a declaration of integrity (VRU, 2025[10]). These instruments have been created to identify risks of undue influence, incompatible interests and hidden connections that may affect judicial impartiality in practice. OECD analysis has noted, however, that the practical effectiveness of this framework depends on disclosure and notification by judges themselves, which may leave gaps where conflicts are not reported or are difficult to detect through formal mechanisms alone (OECD, 2025[44]).

According to PIIs data, Ukraine's formal compliance with conflict of interest-related disclosures is strong (OECD, 2026[25]). The NACP has issued recommendations for the resolution of conflicts of interest in all cases detected from 2021 to 2024. The NACP also verifies interest declarations, through three primary forms of control: control of timeliness, control of correctness and completeness, and logical and arithmetic control. According to the Law on Corruption Prevention, the full verification procedure should also include checks for monitoring the lifestyle of judges and prosecutors. However, the operationalisation of this procedure is still pending until the adoption of relevant NACP regulations for the application of such controls for judicial declarations. This suggests that the reporting framework is formally established, but it does not by itself demonstrate how effective the NACP is at verifying declared information, or whether the controls are connected across institutions or translated into timely preventive action when risks arise.

Whistleblower protection is another important part of the integrity framework. It can bring to light misconduct that would not necessarily be visible through declarations, regular oversight or case-related procedures. In Ukraine, whistleblower protection has been introduced as part of broader anti-corruption reforms in both courts and the prosecution service, including safeguards for personal security, access to legal assistance and the possibility of protective measures where a whistleblower or family members face threats linked to reporting. Ukraine's whistleblower protection provides a relatively robust framework for reporting corruption (OECD, 2026[25]). Even so, effective whistleblower protection depends not only on legal guarantees, but also on trust in reporting channels, institutional co-ordination and confidence that reporting will not trigger retaliation or reputational pressure. In practice, whistleblower protection also requires clear follow-up procedures, safeguards for confidentiality and accessible support mechanisms, all placed within a broader organisational culture that encourages reporting in the public interest in the first place.

4.4.6. High Anti-Corruption Court of Ukraine

The HACC was established in 2019 as part of the broader reform that created specialised anti-corruption institutions in Ukraine. It is composed of a first-instance court and an Appeals Chamber (VRU, 2026[73]). Its jurisdiction covers criminal proceedings assigned by law to high-level corruption and related offences investigated by the NABU and prosecuted by the SAPO (VRU, 2026[73]). Basic safeguards help promote enhanced integrity for HACC judges, including integrity checks, higher ethical standards and ongoing monitoring.

The HACC provides a dedicated judicial venue for complex corruption cases that were previously adjudicated within the ordinary court system, where they often encountered institutional capacity constraints and procedural inefficiencies. Among Ukraine's specialised anti-corruption bodies, OECD noted that the HACC has become an important adjudicative component of the anti-corruption infrastructure in Ukraine (OECD, 2025[44]). The HACC also received a strong CSO assessment regarding effectiveness and independence (TI Ukraine, 2023[74]).

However, more than six years after the HACC began operating, it still lacks permanent premises that would meet the needs of both the first-instance court and its Appeals Chamber. This issue has become more acute as the number of judges and staff has increased and further recruitment has continued. The HACC raised this problem repeatedly with executive authorities, including the President of Ukraine, asking to

intervene urgently so that the court could be provided with permanent premises (Mezha, 2026[75]). In practice, inadequate and unstable working conditions are not merely an administrative inconvenience. Over time, this issue may also affect the court's institutional resilience and have implications for the conditions in which judicial independence and impartiality are exercised.

4.4.7. Integrity and professionalism across the broader justice system

The sustainability of justice reform depends not only on disciplinary and integrity safeguards within judicial and prosecutorial institutions, but also on the broader professional system through which justice actors are trained, regulated and socialised. Legal education, judicial training and governance of the legal profession directly influence professional ethics, understanding of judicial independence and the institutional culture across the justice sector at large.

In recent years, the reform of legal education in Ukraine has become tied to objectives related to the rule of law and EU accession. CSOs and international partners have raised concerns regarding fragmentation of the legal education system, uneven mechanisms for quality assurance and the continued role of institutions oriented at law enforcement in the training of legal professionals (New Eastern Europe, 2024[76]; DEJURE, 2026[77]). Critics have argued that these arrangements may hinder the development of analytical skills, professional ethics and legal culture, which are expected from EU member states (U4, 2024[78]).

Concerns have also been raised regarding the governance of the legal profession as well as its reform process. The EU has pointed to the reform of the Bar as one of the conditionalities in justice sector reforms, to "improve qualifications, admissions, disciplinary liability, financial management and continuous training systems" (European Commission, 2025[79]).

These debates suggest that challenges pertaining to integrity and independence within the justice system cannot be addressed solely through measures related to disciplinary or anti-corruption regimes for judges and prosecutors. They also depend on the quality, credibility and professional culture of the wider system. In this respect, reforms relating to legal education, judicial training and professional self-governance may have important long-term implications for public trust, institutional resilience and the sustainability of justice reforms.

4.5. Procedural justice as a foundation for legitimacy and trust

4.5.1. Fairness, voice and legitimacy

Procedural justice is an important outcome of people-centred justice systems. People's experiences of justice are influenced not only by the outcome of a case, but also by whether proceedings are perceived as fair, impartial, respectful and transparent. OECD evidence also indicates that people's sense of dignity in their interactions with public institutions is an important dimension of public governance, including the extent to which institutions treat people respectfully, respond to their needs and apply rules fairly (OECD, 2025[80]). Fair procedures influence whether people feel heard, understood and able to participate meaningfully in proceedings. In this sense, procedural fairness constitutes an important dimension of access to justice and of the quality of justice services more broadly (OECD, 2025[81]).

Procedural justice depends on the sound balance and interaction between judicial independence, impartiality, integrity, accountability and transparency. Judicial impartiality is of particular importance as proceedings cannot be perceived as fair where courts or judges are believed to be influenced by political interests, corruption, personal bias or external pressure. High risks of corruption and improper influence on judicial decision-making, evidenced by survey data (ENCJ, 2025[13]), highlight challenges for perceptions of procedural fairness in Ukraine. Conversely, stronger perceptions regarding impartiality in

criminal justice (WJP, 2025[46]) indicate that progress in strengthening fair adjudication may contribute to improving the quality and legitimacy of justice processes.

Judges' own perceptions reinforce this concern. As discussed, the 2025 ENCJ survey points to comparatively low perceived judicial independence and elevated concerns about pressure, disciplinary threats, media influence and insufficient respect for judicial independence by government. These internal perceptions matter for procedural justice because public trust is less likely to improve where judges themselves experience the institutional environment as fragile (ENCJ, 2025[13]).

Procedural fairness also requires the effective implementation of judicial accountability mechanisms. Judicial accountability frameworks, disciplinary procedures and ethical standards can strengthen fairness and consistency where they operate in a transparent, proportionate and impartial manner, while respecting judicial independence. Accountability systems that are perceived as arbitrary, politicised or inconsistently applied may undermine perceptions of fairness. Conversely, well-functioning disciplinary and integrity systems can reinforce procedural safeguards by ensuring that judges are held to appropriate professional and public integrity standards (OECD, 2025[11]). The relationship is therefore circular rather than sequential. Accountability mechanisms influence the perceptions of independence, while the perceived independence of disciplinary bodies affects the legitimacy of accountability itself.

Procedural fairness also depends on how people experience judicial processes in practice – whether court users can understand proceedings and decisions, whether hearings are conducted within reasonable timeframes, whether parties are treated respectfully and whether procedural safeguards are applied consistently. As further examined in Chapter 6, the OECD emphasises that justice systems should be designed around people's legal needs, justice problems and lived experiences, including through accessible information, people-centred procedures and mechanisms enabling meaningful participation in proceedings (OECD, 2025[81]).

Transparency directly contributes to procedural fairness. Public reasoning in judicial decisions, open hearings, where appropriate, and clear communication regarding procedural rights can strengthen perception of neutrality and fair treatment. However, transparency must be balanced with safeguards protecting privacy, judicial deliberation and procedural integrity. As noted earlier in this chapter, reforms aimed at strengthening judicial governance, ethics and disciplinary oversight are most effective where they are implemented consistently and supported by credible institutional practice.

Strengthening procedural justice in Ukraine therefore requires continued efforts to reinforce judicial impartiality, improve the consistency and fairness of accountability mechanisms, increase transparency and ensure that court processes are responsive to people's needs and experiences.

In Ukraine, perceptions of fairness are in part shaped by long-term governance legacies. Low trust in public institutions partly reflects the Soviet legacy, in which courts were often perceived as instruments of state authority rather than independent venues to protect individual rights. This reinforces the importance of visible impartiality, respectful treatment and clear reasoning in judicial proceedings. The Rule of Law Roadmap recognises and attempts to address the need to measure whether reforms improve public confidence in the judiciary. Regularly measuring public trust and perceptions of fairness could help Ukraine assess whether procedural and integrity reforms improve people's experiences, rather than only institutional outputs (VRU, 2025[26]).

Box 4.6. Interpretation of the principles of judicial independence and impartiality by the ECtHR

The right to a fair trial is intrinsically linked to judicial independence and impartiality. Only an independent tribunal can effectively fulfil the judiciary's role in protecting fundamental rights. The ECtHR has repeatedly clarified the scope of judicial independence in its interpretation of Article 6 of the ECHR, highlighting requirements such as independence from the executive and from the parties to the proceedings. These principles have been articulated in cases such as Findlay v. the United Kingdom and Maktouf and Damjanovic v. Bosnia and Herzegovina.

In **Findlay v. United Kingdom**, the ECtHR noted that to establish whether a tribunal can be considered "independent", regard must be had, inter alia, to the manner of appointment of its members and their term of office, the existence of guarantees against outside pressures and the question whether the body presents an appearance of independence. As to the question of "impartiality", there are two aspects to be considered. First, the tribunal must be subjectively free of personal prejudice or bias. Secondly, it must also be impartial from an objective viewpoint, that is, it must offer sufficient guarantees to exclude any legitimate doubt in this respect.

In **Maktouf and Damjanović v. Bosnia and Herzegovina**, the ECtHR reiterated that in determining in previous cases whether a body could be considered as "independent" – notably of the executive and of the parties to the case – it has had regard to such factors as the manner of appointment of its members, the duration of their term of office, the existence of guarantees against outside pressures and the question whether the body presents an appearance of independence.

Source: (ECtHR, 1997[82]; ECtHR, 2013[83]).

4.5.2. Fair and impartial treatment

Fair and impartial treatment before courts and tribunals is a core component of the rule of law and the protection of human rights. International standards, notably the ECHR and the International Covenant on Civil and Political Rights, guarantee the right to a fair and public hearing before a competent, independent and impartial tribunal (Human Rights Committee, 2007[84]). In Ukraine, these principles are reflected in the Constitution, which guarantees fair treatment before the law and courts (VRU, 2020[8]).

4.5.3. Access to effective remedies and enforcement

In Ukraine, ensuring access to effective judicial remedies is particularly critical given the extraordinary strain placed on the justice system by Russia's war of aggression. Legal needs have taken on added complexity, and the system's ability to provide timely redress is strained. Formal guarantees of rights are insufficient if institutions lack capacity to deliver services in line with those guarantees.

Ukraine has also expanded the use of digital tools to preserve access to justice under wartime conditions. Online justice services, electronic document management, videoconferencing and user support systems have reduced the need for physical travel and enabled more continuous contact between people and justice institutions. While these measures show adaptive capacity, they have not yet eliminated more profound barriers such as unreliable internet connectivity, electricity disruptions and uneven implementation of digital services.

As further explored in Chapter 5, a major obstacle to effective access to remedies in Ukraine is the persistent non-enforcement of court decisions. While court proceedings may result in fair and legally sound judgments, shortcomings in enforcement significantly limit their practical impact. As a result, the effectiveness of remedies is undermined and public confidence in the justice system as a whole may weaken. Public expectations, as revealed through survey data, also point toward tangible remedies. The

Ukraine Justice & Accountability Survey found that reparations were more important than trials and truth-telling, for city residents, internally displaced persons and national respondents alike (Vinck et al., 2024[3]). Thus, justice processes linked to concrete redress should be seen as high-priority reform areas.

Tension between efficiency and integrity is apparent in the access to remedies. Measures that streamline access or reduce delay are designed to improve efficiency, but they will not strengthen trust if issues relating to digitalisation, staffing shortages or uneven implementation persist. Sustaining access to effective remedies remains a central component of procedural justice and a critical determinant of public trust in the justice system. Such access depends on both formal guarantees and institutional capacity to deliver timely outcomes and enforce decisions.

4.6. Increasing transparency, participation and information integrity

4.6.1. Access to court information

Ukraine's constitutional and legal framework is designed to foster transparency and ensure access to information and judicial decisions. Constitutional guarantees of openness are supplemented by legislation governing access to court decisions and by digital tools that allow users to track proceedings and find case-related information. These mechanisms are designed to promote transparency, predictability and public understanding of judicial activity. The operation of integrity and disciplinary mechanisms also affects transparency in justice systems. Strengthening public trust requires clear communication from institutions about how complaints, misconduct and disciplinary procedures are addressed.

Public availability of justice-sector data is another important dimension of transparency. OECD PII findings indicate that Ukraine makes a range of court and prosecution data publicly available, providing a baseline for public scrutiny of justice institutions and more evidence-informed communication on performance, accountability and reform implementation (OECD, 2026[12]).

Digital tools have become critical in expanding access. Through the web portals of judicial institutions and the Unified State Web Portal of Electronic Services, as well as Diia, users can obtain information about the court handling their case, the parties involved, the subject matter of the dispute, the procedural status and the date, time and venue of hearings, subject to legal limits.

Access to judicial outcomes is further supported by the Law on Access to Court Decisions and the Unified State Register of Court Decisions. The Register provides free electronic access to court decisions while preserving safeguards for privacy and confidentiality in cases involving protected information or closed hearings. This framework contributes to legal certainty and more consistent application of judicial practice, even if implementation challenges remain.

The judiciary has increasingly embraced online justice standards, aiming to broaden access to the legal system and minimise the need for citizens to travel to court, particularly in light of the challenges resulting from the war. Citizens can file electronic complaints and request consultations. A videoconferencing system has significantly enhanced communications between parties in legal proceedings and justice authorities. By November 2024, more than 140 000 users had registered in the videoconferencing system, through which courts have conducted over 2.5 million hearings. Nevertheless, the war has created obstacles as courts grapple with unreliable internet connectivity and limited electricity supply, complicating efforts to maintain transparency.

Furthermore, according to the SJA, since the Unified State Register of Court Decisions was implemented in December 2018, more than 454 000 users, 124 000 of which are legal entities, have registered. The users have sent over 6 million applications to the courts electronically using the service (SJA, 2025[85]). These figures underscore the judiciary's dedication to adapting to the unprecedented challenges arising from Russia's war of aggression against Ukraine and ensuring that justice remains accessible and effective (HCJ, 2022[86]).

4.6.2. Public court hearings

Public court hearings play a significant role in reinforcing procedural fairness and public confidence. Ukrainian law provides for public access to court proceedings, subject to clearly defined exceptions established by procedural legislation. However, the practical operation of open justice has been shaped by wartime constraints, procedural rules and uneven digital capacity. Open justice must account for the tension between transparency and security. Public access to proceedings is vital to enhancing trust and legitimacy, but conditions of war, as well as risks to participants and infrastructure, may justify certain limits on openness. The challenge is to ensure that the limits remain proportionate and clearly explained to the public.

Ukrainian judges have used remote hearings and related tools to preserve continuity in proceedings during the war, but the absence of a clear legislative framework, combined with electricity outages and unreliable internet connectivity, has created risks for openness.

People, including media representatives, are permitted to capture photos, videos and audio recordings in courtrooms with portable devices without needing separate authorisation, although such activities are still subject to certain legal restrictions. Live broadcasting of court hearings requires prior court approval.

In criminal proceedings, the regulatory framework introduces additional complexity. While audio recording is generally permitted, photography, video recording and broadcasting are subject to judicial authorisation, taking into account the views of the parties and the need to safeguard the integrity of proceedings. In practice, judges may request formal applications in advance, which can result in missed opportunities for timely media documentation of hearings (VRU, 2025[10]).

This situation highlights a legal tension between the LJSJ and the Criminal Procedure Code. While the former provides a more permissive framework for recording court proceedings, the latter is sometimes treated as a more specialised provision, leading to inconsistent judicial practice. As a result, media access to courtrooms may depend on the individual interpretation of judges, creating uncertainty and limiting the predictability of open justice arrangements.

4.6.3. Media and communication

Effective communication is an essential component of transparency, public understanding and institutional legitimacy. In Ukraine, communication by justice institutions has gained importance in the context of the war, reforms and heightened public scrutiny. Judicial and prosecutorial institutions have undertaken efforts to enhance communication with the media and public through guidance on media access, internal policy changes and training.

However, legal frameworks governing media access in Ukraine remain uneven. As noted above, while Ukrainian law generally permits public court access and allows journalists to record proceedings, tensions persist between principles of openness and rules governing procedure, especially in criminal cases. Media access may depend on individual judge preferences rather than an equitably applied principle. Greater coherence in the framework, along with continued training and institutional guidance, could help reduce inconsistencies and support transparency and public trust.

Ukraine has introduced an innovative role to institutionalise stronger communication practices: the judge-speaker. This position is designed to act as a conduit between the judiciary and stakeholders, including the media, civil society and the public. The NSJ has incorporated the topics of judicial communication and access to information into professional training programmes. These developments indicate growing acknowledgement that transparency is not merely a legal obligation but an institutional practice requiring adequate skills, consistency and public-facing capacity.

The Rule of Law Roadmap also envisages the drafting of a General Communication Strategy for the Judiciary (VRU, 2025[26]). Its development could help make judicial communication more consistent across

courts, clarify how reforms and disciplinary processes are explained to the public and strengthen resilience against misleading narratives. Communication is also central to accountability for war-related crimes. Survey respondents identified a need for clearer information on crimes under investigation, prosecutions and support for victims and witnesses (Vinck et al., 2024[3]). This suggests that communication strategies should focus on delivering information the public needs regarding war-related crimes, including updates on investigations, prosecutions, victims' rights and available support services.

4.6.4. Civil society participation

Civil society plays an important role in enhancing transparency and accountability within the justice system. In Ukraine, CSOs contribute to oversight by monitoring judicial processes, reporting on court practices and providing feedback on institutional performance. This role appears to be particularly valuable in areas where formal accountability mechanisms remain incomplete or unevenly implemented. DEJURE, for instance, regularly publishes updates on the latest developments in judicial reform, ensuring that the public remains informed about ongoing changes (DEJURE, 2018[87]). Transparency International Ukraine has conducted successive monitoring of the HACC, including analysing hearings, organisational and functional issues, judicial decisions and how recommendations are implemented. Its most recent report identified both positive developments and unresolved problems, including procedural delays, abuse of procedural rights and the need to balance restrictions on access to court decisions with transparency in the judicial system (TI Ukraine, 2024[88]).

4.6.5. Information integrity

Co-ordinated misleading or manipulative information campaigns targeting the judiciary can distort perceptions of judicial integrity, intensify public criticism and affect confidence in court decisions. Such campaigns may focus on judges or high-profile cases and can influence broader perceptions regarding the credibility, impartiality and legitimacy of the judiciary. This tension is heightened in wartime, when the need to protect procedural security and integrity could lead to justifiable limitations on openness. Without clear information, misleading narratives can take root. Strategic transparency is not contrary to security; in fact, it is a fundamental element of maintaining trust when court users and justice service users live under insecure conditions.

For example, in a well-documented scenario, some media outlets have used misleading headlines, taken procedural details out of context or reported subjectively (Judiciary of Ukraine, 2020[89]). Such reporting can pressure parties to the proceedings and misinform the public. Observers and international groups have criticised such practices and underscored the need for careful and responsible reporting about the work of the justice system.

To build resilience against these practices, courts need to strengthen their credibility through consistent and transparent communication with the public and the media. This includes engaging through online platforms and in-person initiatives, as well as efforts to explain core judicial principles such as due process, fairness and judicial independence. Significant concrete steps Ukraine has taken include the introduction of the positions of judge-speaker and press secretary, to institutionalise accountability for clear public communication (CJU, 2016[90]; CJU, 2018[91]). By fostering dialogue and co-operation with CSOs, legal professionals and interest groups, courts can better counter the spread of false or misleading information and reinforce public trust in the justice system.

4.7. Recommendations

In view of the assessment, Ukraine may wish to consider the following recommendations:

1. Enhance the balance between independence and accountability. This could include:

Key recommendations

- **Strengthening safeguards for internal judicial independence**, including those relating to court leadership, distribution of administrative powers within courts and protection against any undue external or internal influence. This could include strengthening collegial governance arrangements and improving transparency of internal decision-making processes within courts
- **Enhancing independent disciplinary enforcement** by consolidating the DIS's role, adopting clear professional standards for inspectors and factoring in the statute of limitations in prioritising cases, to reduce disciplinary case backlogs and enhance the culture of accountability
- **Strengthening follow-up mechanisms and institutional co-ordination** in response to reported interference with judicial decision-making, including to ensure greater transparency regarding enforcement outcomes
- **Enhancing the implementation of safeguards for judicial transfers**, including on appeal rights, thereby strengthening the protection of judicial independence in practice
- **Strengthening the protection of judges, prosecutors, defence lawyers, witnesses and court staff** by adopting risk-based security protocols, mechanisms for reporting incidents and preventive measures against intimidation and interference, including in regions affected by the war

Supporting recommendations

- **Implementing tailored training on judicial independence, accountability and ethical use of artificial intelligence** in line with international standards to ensure continuous training among members of the judiciary, prosecution service, legal community and other justice professions
- **Clarifying disciplinary grounds for judges and prosecutors,** including by ensuring more precise description of offences, to support effective accountability
- **Strengthening procedural fairness, transparency and reasoning requirements across disciplinary and accountability procedures** to reinforce institutional legitimacy, legal certainty and public trust while safeguarding judicial independence and prosecutorial autonomy.

2. Increase accountability and integrity in the justice system. This could include:

Key recommendations

- **Applying integrity, transparency and merit-based safeguards consistently in the selection, promotion and tenure** of judges, SC judges and court presidents, particularly for positions associated with a high risk of corruption
- **Reviewing procedures for selection of the SJA's leadership** by introducing objective criteria and competitive, integrity- and merit-based selection procedures that include an element of external scrutiny
- **Amending Unified Integrity Indicators** to allow consideration of evidence from verifiable anonymous whistleblower reports and to enable follow-up reassessments of prior integrity screenings, particularly in high-profile cases where new information may raise concerns about integrity
- **Strengthening transparency and objectivity of prosecutorial case allocation and managerial reassignment procedures**, including through automated allocation tools, where appropriate, to reduce the risk of undue influence and promote integrity in prosecutorial decision-making

- **Strengthening procedural fairness, predictability and transparency** in disciplinary, selection and evaluation procedures for judges and prosecutors, including for decisions overriding integrity-related opinions or recommendations to support institutional credibility and trust in justice sector governance

Supporting recommendations

- **Assessing how to balance international participation and domestic ownership in auxiliary selection bodies,** while preserving integrity safeguards, institutional credibility and continuity of expertise. This may include considering the scope, sequencing and institutional conditions for any gradual adjustment in the involvement of international experts, taking into account budgetary implications and ensuring that members of auxiliary selection bodies meet high standards of professionalism
- **Expanding the use of transparent and merit-based procedures for appointments to managerial prosecutorial positions** to strengthen predictability, professionalism and institutional confidence in prosecutorial governance.

3. Improve transparency and openness of the justice system. This could include:

Key recommendations

- **Providing regular public updates on selection, evaluation, transfers and disciplinary procedures and outcomes for judges**, to support transparency and public trust
- **Strengthening institutional capacity related to information integrity and strategic communication within justice institutions**, including by monitoring and responding to misleading narratives, improving public access to legal information, engaging with media and conducting proactive outreach to support public understanding and trust

Supporting recommendations

- **Improving transparency and stakeholder engagement** by providing clearer explanations of governance, disciplinary and selection decisions and expanding public access to relevant procedural information
- **Expanding open-justice data governance** to improve the availability, clarity and accessibility of information for the public, thereby strengthening transparency and accountability across the justice system
- **Promoting procedurally fair and people-centred justice processes**, including accessible communication, respectful treatment of court users and clear information on procedural rights and remedies
- **Publishing periodic summaries and key indicators relating to disciplinary proceedings**, follow-up actions, referrals and enforcement outcomes, while respecting confidentiality and procedural safeguards where applicable.

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Notes

[1] The ENCJ survey from 2025 captures how judges perceive judicial independence in practice across Europe. The survey collected responses from 19 136 judges across 30 European countries, covering EU Member States, Moldova, Norway, the United Kingdom, Ukraine and select Western Balkan countries. Ukraine participated for the first time, with 431 responding judges. The survey measures judges' perceptions across institutional, professional and contextual dimensions of independence.

[2] The comparatively lower number of interference reports registered in 2022 should be interpreted with caution. It reflects, at least to some extent, the suspension of the HCJ's work following Russia's full-scale invasion of Ukraine, which limited the registration and examination of such reports.

[3] The ENCJ survey does not specify which association of judges is referred to in the question on perceived respect for judicial independence. In the Ukrainian context, however, this reference is understood to concern the Association of Judges of Ukraine.

[4] On 25 March 2026, the CMU approved a draft letter of adherence to the OECD Recommendation on Public Integrity (CMU, 2026[92]).

[5] Comparative literature sometimes refers to extraordinary integrity review or screening procedures for judges and prosecutors as "judicial vetting", particularly in post-transition contexts.

[6] For future compositions there will be no inclusion of international experts, with three members being selected by the CJU and one each by the Bar Council, CoP and the National Academy of Legal Sciences of Ukraine.

5 Governing for performance and agility: Strengthening strategic and operational capacity in the justice system

This chapter examines the operational resilience demonstrated by Ukraine's justice system during wartime, while assessing the constraints that limit its capacity to translate this resilience into sustained performance and reform. It analyses key management functions, including financing, workforce management, performance, digitalisation, data governance and infrastructure, and explores how these can evolve from ensuring continuity under stress to enabling a more strategic, agile and people-centred justice system.

5.1. Introduction

Ukraine's justice system has needed to sustain core operations under pressure brought about by Russia's war of aggression, while continuing to pursue ambitious reform objectives. While the system has demonstrated considerable resilience, its ability to translate that resilience into stronger performance, greater agility and the development of a people-centred justice system is constrained by fragmentation across budgeting, workforce management, performance measurement, digital systems, data governance and infrastructure.

This chapter examines resources and conditions that affect how the justice system functions, including financial resources, human resource management (HRM), information technology (IT), infrastructure and quality assurance policies focused on the people who use justice services. It assesses how courts and the prosecution service perform according to established indicators and broader inquiries into service quality, with a focus on people-centred justice. This chapter also explores issues essential to modern and resilient justice systems, including the enforcement of civil judgments, digitalisation of justice services and strengthening data governance in the justice sector. Ukraine's ability to collect, share and use justice data effectively will be critically important to advance evidence-based planning, justice sector co-ordination and the delivery of people-centred justice services.

The chapter ultimately assesses whether Ukraine's justice system possesses the financial, human, technological, informational and infrastructural capacities to continue operating under stress, modernise in line with the ambitious reform agenda and emerge from the war with a justice system that is more adaptable, modern and resilient.

5.2. Financing the system for performance and resilience

5.2.1. Financing the justice sector for performance, agility and reform delivery

The preparation, execution and allocation of the budget for Ukraine's justice sector is a complex process, which involves several judicial and prosecutorial bodies, the Ministry of Justice of Ukraine (MoJ) and other authorities. The State Judicial Administration of Ukraine (SJA) plays a vital role in the process of budget preparation and allocation of resources for local and appellate courts and certain judicial bodies. The High Council of Justice (HCJ) participates in determining the expenditures for court maintenance and judicial institutions. While the Office of the Prosecutor General (OPG) is responsible for the funding of prosecutors' offices, the Specialised Anti-Corruption Prosecutor's Office (SAPO) has its own independent budget. The MoJ also plays an important role in the budgetary process of institutions and agencies under its competence, such as legal aid, national registers, penitentiaries and bailiffs.

When budget preparation is dispersed among several institutions, it can become difficult to consolidate efforts into a single, coherent push for sector-wide needs, or to prioritise investments and resource allocation properly. In such cases, the justice sector's ability to translate strategic commitments into financed operational plans may be diminished. A more integrated budget approach that preserves institutional independence could reduce fragmentation and lead to greater stability by linking expenditures to reform priorities. Box 5.1 outlines OECD guidance for performance budgeting.

Box 5.1. OECD standards for performance budgeting and public financial management

OECD Good Practices for Performance Budgeting

- The rationale and objectives of performance budgeting are clearly documented and reflect the interest of key stakeholders.
- Performance budgeting aligns expenditure with strategic goals and priorities of the government.
- Performance budgeting systems incorporate flexibility to handle the varied nature of government activities and the complex relationship between spending and outcomes.
- Government invests in human resources, data and other infrastructure needed to support performance budgeting.
- Performance budgeting facilitates systematic oversight by the legislature and civil society, reinforcing government performance orientation and accountability.
- Performance budgeting complements other tools designed to improve performance orientation, including programme evaluation and spending reviews.
- Incentives around the performance budgeting system encourage performance-oriented behaviour and learning.

OECD Recommendation on Budgetary Governance

- Medium-term expenditure frameworks are used as a way of moving away from reactive annual budgeting.
- Participative and realistic debates are facilitated, including a wide range of groups and individuals on budgetary options.
- Performance and evaluation results should inform budgetary choices.

OECD Spending Review Framework

- Spending reviews allow for assessments of whether funds are efficiently used and informed decisions on possible resource allocation.
- Clearly specified scopes, objectives as well as transparency are necessary for spending reviews to be effective.

OECD Performance Budgeting Framework

- Performance information, including goals, outcomes, targets, indicators and benchmarks, is most effective when logically structured and benchmarked to government priorities.
- Performance budgeting benefits from an enabling environment, including factors such as programme budgeting, the use of centrally issued guidelines, capacity-building efforts, IT systems and incentive mechanisms.

Source: (OECD, 2017[1]; OECD, 2023[2]; OECD, 2024[3]; Byrom, Piccinin-Barbieri and Wells, 2024[4]).

Moreover, in the context of war and systemic shortages of staff and resources, annual budgeting alone cannot provide a sufficient basis for long-term reform implementation. Thus, a medium-term framework that looks beyond the annual cycle and facilitates stronger links between appropriation and strategic planning could build resilience and allow justice sector institutions to link reform commitments to resource needs over a multi-year period, taking into account war-related risks, investments financed by international donors and reconstruction needs.

5.2.2. Budget of the justice sector

The budget of justice institutions in Ukraine is divided into a general fund for core operating expenditures and a special fund financed by revenues earmarked for digitalisation, infrastructure projects or programmes aimed at enhancing access to justice and institutional efficiency. Table 5.1 below provides an overview of the budget allocation for Ukraine's justice sector in 2026.

Table 5.1. Budget of the justice sector in Ukraine in 2026 (thousand UAH)

Budget Holder		General Fund	Special Fund	Total by Budget Holder (General + Special)	
High Council of Justice		434 448.9	–	434 448.9	
State Judicial Administration	*Local courts, appellate courts, offices of the State Judicial Administration*	16 903 235.8	4 099 421.3	21 002 657.1	22 705 305.2
	Court Security Service	1 246 809.2	79 881.7	1 326 690.9	
	High Qualification Commission of Judges	262 511.3	15 155.4	277 666.7	
	National School of Judges	92 748.9	5 541.6	98 290.5	
Supreme Court		1 948 072.4	665 893.3	2 613 965.7	
Specialised District Administrative Court		34 308.8	–	34 308.8	
Specialised Administrative Court of Appeal		19 996.8	–	19 996.8	
High Anti-Corruption Court		510 551.8	500	511 051.8	
High Court of Intellectual Property		2 257.8	–	2 257.8	
Constitutional Court of Ukraine		344 642	–	344 642	
Office of the Prosecutor General		18 605 029.3	9 896.9	18 614 926.2	
Ministry of Justice	*Administration of the Ministry of Justice*	19 770 701	2 708 808.7	22 479 509.7	23 651 082
	Coordination Centre for Legal Aid Provision	1 171 572.3	–	1 171 572.3	
			TOTAL:	***68 931 985.2***	

Note: In the State Budget of Ukraine, the budget of the MoJ also includes expenditures related to the State Archival Service of Ukraine. As these functions fall outside the core justice sector, they are not included in this table.
Source: (VRU, 2025[5]).

In Ukraine, the budget of the justice sector is divided into several main components. It includes separate budget lines for the judiciary, covering local and appellate courts, the Court Security Service (CSS), the High Qualification Commission of Judges of Ukraine (HQCJ), the National School of Judges of Ukraine (NSJ) and the SJA consolidated under the SJA budget; the HCJ budget; the prosecution service budget under the OPG; the MoJ budget which covers penitentiaries, probation, forensic services, state bailiffs, State Archival Service of Ukraine and the free legal aid system; the budget of the Supreme Court of Ukraine (SC); the budget of the Constitutional Court of Ukraine (CCU); and separate budgets of specialised high courts, namely the High Anti-Corruption Court of Ukraine (HACC), the High Court on Intellectual Property (HCIP), the Specialised District Administrative Court (SDAC) and the Specialised Administrative Court of Appeal (SACA).

Moreover, within the broader system of justice oversight and dispute resolution, a separate budget is allocated to the Ukrainian Parliament Commissioner for Human Rights (UPCHR). In addition, under the budget of the State Administration of Affairs, separate funding is provided for the National Service for Mediation and Conciliation of Ukraine, which is responsible for the settlement of collective labour disputes. Within the wider criminal justice apparatus, the National Police of Ukraine also operates under a separate budget.

5.2.3. Spending composition and investment capacity in the justice sector

When comparing Ukraine's implemented judicial system budget with those of other European countries, exceptional circumstances imposed by Russia's war of aggression should be taken into account. As of 2024, Ukraine's judicial budget's expenditure amounted to approximately 0.62% of GDP (European Commission, 2024[6]), as compared with the 2022 Council of Europe (CoE) average of 0.31% of GDP (CEPEJ, 2024[7]). Yet, according to evidence, the funding for the judiciary is limited, as in 2024 it covered about 57% of its needs (European Commission, 2024[6]). Similarly, available data indicate that approximately 51.4% of the courts' budgetary needs were met in 2023 and 63.4% in 2022 (Pravo-Justice, 2023[8]).

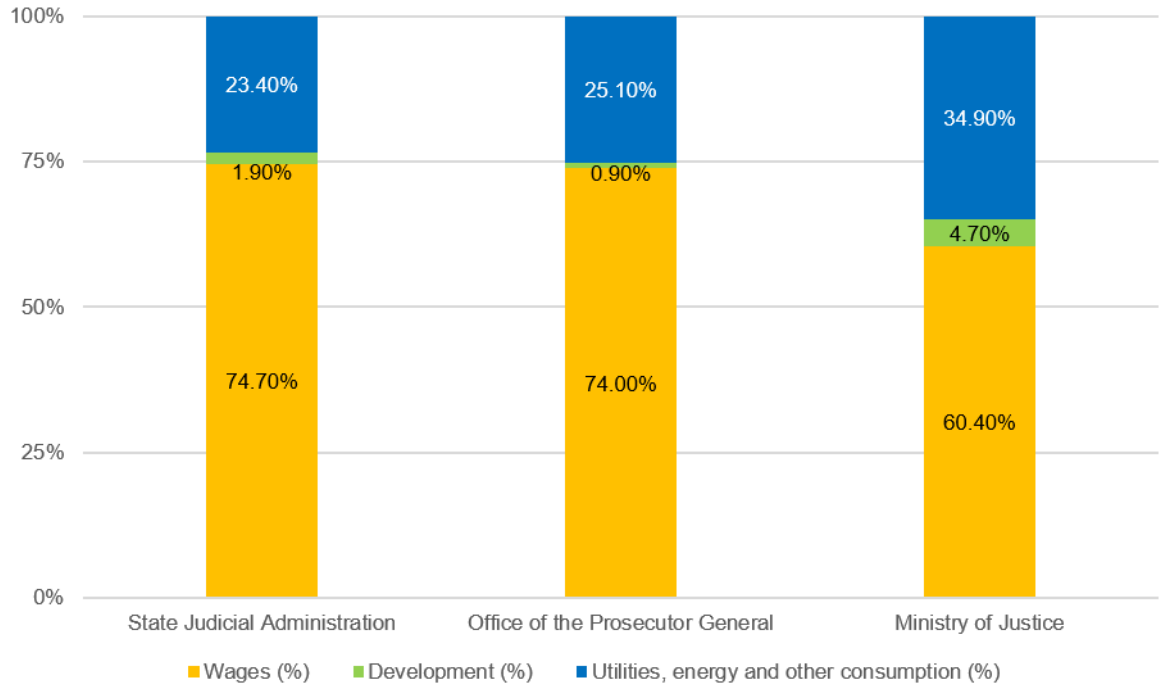
The distribution and composition of expenditures across the broader justice sector remains heavily oriented towards its core operating functions. A large share of funding is concentrated in institutions responsible for adjudication, prosecution and enforcement, notably the SJA and the courts, the OPG and the prosecution service, and the MoJ. Thus, in 2024, Ukraine allocated 55.7% of its judicial-system budget to courts, 41.2% to prosecution services and 3.1% to legal aid (CEPEJ, 2025[9]). These data show that Ukraine allocates a relatively high share of funding in the justice sector to the prosecution service, as compared with the CoE average of around 25% across surveyed countries (CEPEJ, 2024[7]; CEPEJ, 2025[9]). This may partly stem from the comparatively high number of prosecutors per 100 000 inhabitants in Ukraine (see section below on HRM).

The MoJ accounts for the largest financial allocation, largely because of expenditures linked to the penitentiary system and the enforcement of court decisions.

The overall pattern indicates that public spending in the justice sector is directed primarily towards preserving the functioning and continuity of the system. By comparison, more limited resources appear to be available for upstream and people-centred services, including legal aid.

As indicated in Figure 5.1 below, the economic structure of expenditure across the courts (the SJA), the prosecution service (the OPG) and the MoJ indicates that wage-related spending absorbs the greater part of available resources. In the case of the SJA and the OPG, it represents almost 75% of total budgets, leaving limited space for development expenditure, including capital investment, digitalisation and improvement of services.

Figure 5.1. Composition of expenditures across key justice institutions in Ukraine



Note: The SJA category covers expenditures on local and appellate courts, regional SJA offices, the CSS, the NSJ and the HQCJ. The OPG category includes prosecutorial activities, training and professional development, as well as the SAPO. The MoJ category includes central administration, the State Penitentiary Service, probation services, forensic institutions and the free legal aid system. Expenditures related to the State Archival Service of Ukraine have been excluded from the calculations.
Source: Authors' calculations based on (VRU, 2025[5]).

In a comparative perspective, in 2022, CoE countries spent on average 68.8% of their court budget on salaries. A smaller percentage was allocated to IT infrastructure (5.9%), operations and maintenance of buildings (9.4%) and construction of new buildings (1.8%) (CEPEJ, 2024[7]).

Where development spending is present, particularly within the MoJ (4.7%), it tends to be linked to one-off initiatives rather than system-wide investment. A substantial share of the MoJ's development budget, estimated at around 70%, has been allocated to the construction of a pre-trial detention centre in Martusivka, Kyiv Oblast (VRU, 2025[5]). While this investment can contribute to improving detention conditions and bringing them closer into line with CoE and European Union (EU) standards, beyond this project, the overall level of development expenditure within the MoJ's budget remains limited. For instance, the legal aid service under the Coordination Centre for Legal Aid Provision (CCLAP) has not received a dedicated development allocation for 2026 (VRU, 2025[5]). This limitation may constrain the CCLAP's ability to adapt service delivery models to evolving legal needs and justice problems, particularly in the context of displacement.

In practical terms, the current spending structure can restrict the capacity of the justice sector to improve efficiency, introduce new service models and respond to rising and more complex demand. The judiciary may find it difficult to finance critical improvements in digitalisation, infrastructure, cybersecurity and service improvements. A more strategically focused budget process could improve the accuracy of budget proposals in relation to institutional needs, and ensure that scarce resources are most appropriately allocated. This might have direct implications for the implementation of reforms foreseen under the Rule of Law Roadmap. It also affects the system's ability to adjust to the pressures generated by the war, where flexibility, innovation and cross-sector co-ordination are increasingly important.

In particular, if digital modernisation is to become more predictable, IT investment may need stronger protection within the budget architecture. This may include creating dedicated lines of funding for certain programmes, as well as the development of new data and digital infrastructure. Strategic IT investments are a critical component of a system's ability to deliver services effectively. Currently, Ukraine's justice digitalisation depends heavily on donor-funded projects and fragmented institutional financing. While this funding configuration has so far supported certain progress, it can jeopardise long-term maintenance, ownership, interoperability and cybersecurity. A protected programme line and dedicated budget code for IT in the justice sector would make digital investment more visible and predictable. It would also provide a domestic financing anchor for priority systems such as EUICS, SMEREKA, eCase, enforcement systems and justice data infrastructure, while helping connect IT spending to reform priorities and service delivery.

Resource levels can influence operational capacity and the ability of institutions to carry out their mandates effectively over time. In terms of budgetary allocations, relatively limited funding for bodies such as the HACC and the HCJ may warrant consideration in light of their roles in supporting judicial accountability, integrity and public trust. This may be particularly relevant for the recently established Disciplinary Inspectors Service (DIS), which operates within the HCJ Secretariat and is responsible for managing a substantial volume of disciplinary cases (HCJ, 2026[10]). Current financing patterns, therefore, highlight the importance of looking beyond aggregate expenditure levels. The distribution and composition of funding across the justice sector are also important considerations, as they influence institutional capacity and reform implementation.

A broader strategic review of budgeting in the justice sector could also help ensure that the composition of spending is aligned with how people experience legal and justice problems in practice. While maintaining the core functioning of courts, prosecution services and enforcement institutions remains essential, a more holistic view of justice services may help strengthen the balance between downstream adjudication functions and upstream, people-centred services such as legal aid, mediation, outreach, digital access and integrated service delivery. Such an approach could also support greater cost-effectiveness by promoting prevention and earlier resolution of justice problems, reducing unnecessary escalation of disputes and improving the overall responsiveness of the justice system to evolving legal needs.

5.2.4. Remaining challenges

Thus, the judiciary in Ukraine is facing several challenges, including in relation to the available funding to implement the measures set out in the Rule of Law Roadmap for investing in e-justice and strengthening capacity in courts and prosecution services. Despite increases in judicial funding relative to 2023 and 2024, the 2025 budget remained insufficient to fully meet operational needs of the judiciary, covering an estimated 61% of required resources. The war has affected the budgetary situation for the justice sector, due to the damage, losses and the need for repair, reconstruction and construction of justice facilities. The budgetary needs for infrastructure are explained further below.

The ability of the justice system to deliver accessible and reliable services depends on available funding but importantly on how strategically and sustainably these resources are planned, allocated and managed. Systems using traditional budgeting may be less capable of adjusting the budget in view of unexpected changes, such as a sudden increase in caseloads. Principles of performance-based budgeting as used in the Netherlands and described in Box 5.2, offer a practical and resilient model.

Box 5.2. Performance-based court budgeting in the Netherlands

After the establishment of the Council for the Judiciary in the Netherlands, a performance-based budgeting model was introduced for the preparation and execution of the budget for the judiciary. In this process, the Council plays an important role in the budget preparation. When preparing an annual budget proposal, the Council must include a forecast of the budgetary situation for the coming four years. The forecast is based on the expected inflow of cases for the coming year and subsequent years, work in progress at the start of the year of implementation and the desired level of progress made by courts in processing cases at the end of a budgetary year. Any differences between the data used by the Council in its budget proposal and those generated by the forecasting model must be explained in the budget proposal.

In the budget methodology a cost-per-case approach is used, which means that for each case type, including civil, criminal and administrative cases, there is a fixed estimated cost. This price is influenced by the price per case of that type in previous years, changes in the ratio of the number of cases per case category, workload measurements of judges and support staff and additional considerations pertaining to quality and efficiency of court services.

The total budget of the judiciary is based on the following components:

- an output-related amount
- an amount for court costs and expenses such as witnesses, interpreters and translators
- an amount for other expenses, including financial contributions to support the court process, support for large criminal case hearings and support for special chambers of the court.

Source: (Ministry of Justice of the Netherlands, 2005[11]; van Dijk, 2014[12]).

The situation of the justice sector's budget in Ukraine suggests that the country has prioritised continuity in core justice functions under wartime conditions, but current funding patterns leave little leeway for investment in reforms towards a more people-centred justice system. An important next step for Ukraine would be to strengthen both medium-term planning and prioritisation of funding, as well as connections between expenditures, performance and reforms. Ukraine has not yet implemented a full system of performance-based budgeting. Such a system could establish a link between the budget required and the planned performance, helping ensure that resources will be properly planned and allocated. In Ukraine, this flexible approach could help incorporate justice user information about legal needs and justice problems, and ensure sufficient and resilient justice sector funding mechanisms.

Given the war, Ukraine should also ensure that reconstruction of the justice sector and service redesign are linked to broader recovery co-ordination mechanisms. A dedicated donor dashboard for the justice sector could help map donor-funded infrastructure, digitalisation and service-delivery projects against justice priorities, timelines, responsible institutions and risks related to sustainability. To avoid creating a silo, such a tool should be connected to Ukraine's broader donor co-ordination architecture, including the Ukraine Donor Platform, described in Box 5.3. Multiple aid-tracking tools and overlapping donor formats could increase fragmentation. A justice dashboard would therefore add most value if it helped tag, monitor and analyse support for the justice sector within Ukraine's wider aid-tracking, Digital Restoration Ecosystem for Accountable Management and public investment architecture (OECD, 2026[13]).

Box 5.3. Ukraine Donor Platform

The Ukraine Donor Platform, launched in January 2023, serves as a high-level co-ordination mechanism intended to align international support with Ukraine's budgetary needs, reform agenda and recovery priorities. It brings together Ukraine, the EU, G7 countries, partner countries and international financial institutions and intergovernmental organisations, including the OECD.

For the justice sector, the Platform provides a broad architecture within which donor-funded reconstruction, digitalisation and service-delivery projects could be more transparently mapped. It facilitates policy dialogue, information sharing and co-ordination of external assistance.

The Platform supports the mobilisation and co-ordination of budget support and recovery and reconstruction efforts. It also promotes stronger public investment management, including through the Ukraine Government Project Preparation Facility. As a result, it could be particularly useful for rebuilding justice infrastructure and redesigning justice services, where donor support may finance refurbishment of courthouses and investment in digital tools, legal aid access points, justice service centres or new IT equipment.

Source: (UPCHR, 2026[14]; OECD, 2026[13]).

5.3. Strengthening human resource management and workforce capacity

HRM is central to maintaining the capacity, independence and resilience of justice institutions. In the justice sector, HRM goes beyond filling vacancies. It encompasses such aspects as strategic workforce planning, talent attraction and merit-based recruitment and selection. Moreover, it covers onboarding, continuous professional development, management of workload, mobility and remuneration, as well as working conditions and retention of staff. These elements are closely related to performance and access to justice, as staffing shortages, gaps in skills and difficult working conditions may negatively affect timeliness and quality of decision-making, user experience and institutional resilience in the justice sector.

This subchapter analyses judicial and prosecutorial careers from an HRM perspective. It focuses on workforce planning, staffing levels, recruitment pipelines, deployment, competencies, working conditions and retention. Integrity safeguards and accountability risks associated with these procedures are addressed in Chapter 4.

5.3.1. Recruitment, selection and competency-based assessment

Judiciary

European and international standards highlight that the recruitment, selection, promotion, evaluation and transfer of judges and prosecutors need to be based on clear procedures and objective criteria (CCJE, 2001[15]; CCJE, 2014[16]; CCPE, 2018[17]). From an HRM perspective, in Ukraine, institutional arrangements are important for maintaining workforce capacity, filling vacancies, matching skills to institutional needs and responding to staffing gaps across institutions in the justice sector.

The HCJ and the HQCJ play crucial roles in judicial career management. The HQCJ selects judicial candidates, organises competitions, conducts qualification assessments and provides recommendations for appointments, promotions and transfers. The HCJ is responsible for judicial appointments, transfers, dismissals and discipline, as well as for promoting judicial independence (VRU, 2024[18]). It also adopts model regulations on court staff, provides advisory opinions on laws related to court organisation and

judicial status, and summarises proposals on related legislation. From a workforce perspective, the capacity and continuity of the HCJ and the HQCJ directly affect the pace of recruitment, qualification evaluation, deployment and reduction of vacancies.

As discussed in Chapter 4, the 2021 reforms introduced the Ethics Council for the HCJ and the Selection Commission for the HQCJ. From an HRM perspective, their relevance lies in ensuring that the reconstitution of judicial governance bodies remains credible while allowing vacancies and qualification backlogs to be addressed in a timely manner. However, institutional disruption and the full-scale invasion delayed the reconstitution of the HCJ and the HQCJ, with significant consequences for judicial appointments, qualification evaluations and possible reduction in the number of vacancies.

Staffing shortages and delays in judicial appointments constitute an operational bottleneck in Ukraine's judiciary. These factors hinder court efficiency and constrain the capacity of justice institutions to process appointments, evaluations and disciplinary matters in a timely and consistent manner. Fewer judges and overstretched governance bodies may also lead to increased workloads, make career decisions more urgent and reduce the system's ability to implement reforms in a sustainable manner. This demonstrates the connection between workforce capacity, institutional performance and the credibility of accountability safeguards.

5.3.2. Staffing levels and deployment

As a result of the full-scale invasion, the HCJ remained non-operational for approximately one year and the HQCJ for almost three years. Although some limited functions were temporarily transferred to the SC under martial law, key constitutional responsibilities relating to judicial appointments, transfers, qualification evaluations and disciplinary procedures could not be delegated and therefore remained suspended until the HCJ resumed operations in January 2023 and the HQCJ was reconstituted in June 2023. This disruption significantly slowed the implementation of judicial reforms and contributed to growing structural pressures across the court system, including the accumulation of disciplinary cases, stalled qualification assessments and a sharp increase in judicial vacancies. As of April 2026, the number of vacant judicial positions totalled 2 293 (HQCJ, 2026[19]), indicating a 34.8% vacancy rate and increasing pressure on sitting judges and limiting the system's capacity to respond flexibly to wartime displacement, uneven caseloads and territorial disruptions. Although the resumption of operations of the HCJ and the HQCJ allowed judicial career procedures and appointments to gradually restart in 2023 and 2024, substantial backlogs and staffing shortages remain.

Given the extensive workload associated with judicial recruitment, qualification evaluation and disciplinary procedures, the effective functioning of the HCJ and the HQCJ depends heavily on adequate administrative and analytical support through their Secretariats. However, both institutions continue to face operational and human resource constraints, including limited staffing capacity and uncompetitive salaries (AntAC, 2024[20]). Important institutional improvements have nevertheless been introduced in recent years. Separate information security systems for the HQCJ were established in 2024 and 2025, and a dedicated analytical unit became operational in 2026. Further strengthening of information security arrangements and refinement of the analytical methodology governing the unit's activities may still be necessary (DEJURE, 2024[21]).

Russia's full-scale invasion of Ukraine has exacerbated pre-existing challenges in relation to court staff, as the support personnel has been displaced, left the profession or, in some cases, joined the military. The departure of qualified personnel, combined with pre-existing resource limitations, has strained institutional capacity, particularly in frontline regions where justice personnel live and work. Challenging working conditions and insufficient remuneration further deter recruitment of new court staff. The war has also imposed a human toll on the judiciary (European Commission, 2023[22]).

Staffing specialised courts and the CCU

Workforce alignment challenges also affect specialised and higher courts, raising distinct capacity concerns. As indicated in Chapter 4, special procedures have been created for the selection and appointment of new judges in specialised high courts and the CCU. CCU judges are selected in an open competition organised by an Advisory Group of Experts (AGE). For the selection process of new judges of the HACC, the Public Council of International Experts provides opinions about the ethics and professional standards of candidates. Moreover, an Expert Council has been established to support the selection of judges to the SDAC and the SACA.

Delays in the selection and appointment of CCU judges have had direct operational consequences for the CCU. After the CCU lost the quorum of its Grand Chamber at the end of January 2025, the quorum was restored only in July 2025. This meant that the CCU operated without the necessary quorum for about five months, while one of its senates had also been blocked for six months because of insufficient judicial membership (ALI, 2025[23]).

The remaining staffing gap continues to pose a risk to the functioning of the CCU. As of April 2026, five positions on the CCU remained vacant, and the VRU had still not finalised the appointment of two judges from among candidates recommended by the AGE since February 2025 (ALI, 2025[23]; DEJURE, 2025[24]). The delays are not a marginal procedural issue. A transparent and merit-based selection procedure for CCU judges, in line with Venice Commission recommendations, has been one of the priorities agreed between the EU and Ukraine in the accession process (European Commission, 2022[25]).

Judicial staffing levels

As shown in Table 5.2 below, there are 4 304 judges working in the courts across Ukraine and 2 293 judicial vacancies as of late April 2026 (HQCJ, 2026[19]).[1] These figures point to an overall judicial vacancy rate of 34.8% across all court levels, nearly three times the OECD average (12.3%) (OECD, 2026[26]).

Table 5.2. Vacant judicial positions

Court type	Number of positions	Number of judges in post	Vacant positions	Vacancy ratio (%)
Local courts	4 924	3 463	1 461	29.7
Appellate courts	1 357	655	702	51.7
Supreme Court	196	146	50	25.5
Higher specialised courts	120	40	80	66.7
Total	**6 597**	**4 304**	**2 293**	**34.8**

Note: Vacancy ratios were calculated as vacant positions divided by the total number of positions for each court type. The total vacancy ratio was calculated by dividing total vacant positions (2 293) by total positions (6 597). The table covers the ordinary judiciary only and therefore does not include the CCU.
Source: (HQCJ, 2026[19]), as of 27 April 2026.

As of 2024, Ukraine had 12.1 judges per 100 000 inhabitants (CEPEJ, 2025[9]), compared to the 2020 OECD average of 19.3 and 2022 CoE average of 21.9 (CEPEJ, 2024[7]). Ukraine's neighbouring countries also had a significantly higher number of judges per 100 000 inhabitants in 2022, including Poland (28), Slovak Republic (25.7), Hungary (27.7) and Romania (22.9) (CEPEJ, 2024[7]). These comparative figures suggest that Ukraine's judicial capacity constraints are not limited to temporary pressures of war, but reflect a structural shortage of judges, which – if unaddressed – may affect court accessibility, timeliness and the even distribution of caseloads across the system.

Court staff

Judicial capacity should not be assessed based on the number of judges alone. Court performance also depends on the availability of non-judge staff to support case preparation, administration, scheduling and communication with court users. When the number of support staff is insufficient, judge time is diverted from conducting core judicial activities and resolving disputes, leading to inefficiencies.

Ukraine's judiciary continues to face a significant shortage of court support staff. This challenge is linked to a combination of factors including low remuneration, difficult working conditions and the broader effects of Russia's war of aggression on court operations. Wartime conditions have further affected staffing capacity, including through displacement, mobilisation and other security-related impacts on court personnel (Pravo-Justice, 2023[8]).

In 2020, courts in Ukraine were supported by 72.1 non-judge staff per 100 000 inhabitants (CEPEJ, 2024[7]). While in 2022 this number fell to 57.9 (CEPEJ, 2024[7]), in 2024, the figure rose to 58.7, slightly above the 2020 OECD average of 58.2 (CEPEJ, 2025[9]), although below the 2022 CoE average of 67.9 (CEPEJ, 2024[7]). According to 2024 data, the ratio of non-judge staff per professional judge in Ukraine was 4.9 (CEPEJ, 2025[9]), a score slightly higher than the 2022 CoE average of 4.0 (CEPEJ, 2024[7]). These figures suggest that staffing challenges in Ukraine are not primarily explained by the overall number of support staff relative to judges, but may relate more to issues such as distribution, retention, remuneration and the operational impacts of wartime conditions.

In the current context, where courts continue to operate under exceptionally difficult circumstances, international experiences in addressing staffing challenges may offer useful insights. While institutional and operational contexts differ, examples from OECD countries can help inform measures aimed at maintaining court performance, supporting staff wellbeing and strengthening resilience during periods of sustained pressure (see Box 5.4).

Box 5.4. Selected reforms in OECD countries to mitigate court understaffing

Flying judge brigades, the Netherlands

To ease pressure on overburdened jurisdictions, the Netherlands has introduced a dedicated task force composed of judges and court staff to support municipal and civil divisions of courts with particularly high caseloads. The task force prepares draft decisions and supports case processing. By doing this, it frees up capacity of local courts enabling them to focus on hearings and pending decisions. This mechanism is commonly referred to as "flying judge brigades".

In addition, it is possible for courts to reassign cases to less busy jurisdictions to balance workloads. Courts can also encourage voluntary temporary or permanent redeployments or transfers of judges from less burdened to overburdened courts. These measures may be underpinned by incentives, such as salary bonuses or cost compensation, to facilitate participation of judges. The application of measures of this kind requires continuous alignment with the principles of judicial immovability and appropriate safeguards for judicial independence.

Employment of retired judges

Several OECD countries, including Belgium, Canada, Denmark, Norway and the United States, engage retired judges to help address staffing shortages and court backlogs. In Canada, judges may continue serving with reduced workloads under “supernumerary” status, while some provinces temporarily recall retired judges to support courts facing capacity pressures. Similar programmes exist in several states of the United States, where retired judges may be reassigned to courts experiencing vacancies or excessive caseloads. Comparable mechanisms are also used in some European jurisdictions through the temporary appointment of substitute or retired judges. Such solutions can increase flexibility and resilience within the judiciary, provided that appropriate safeguards preserve judicial independence and accountability.

Source: (OECD, 2023[27]).

5.3.3. Talent attraction, retention, remuneration and working conditions

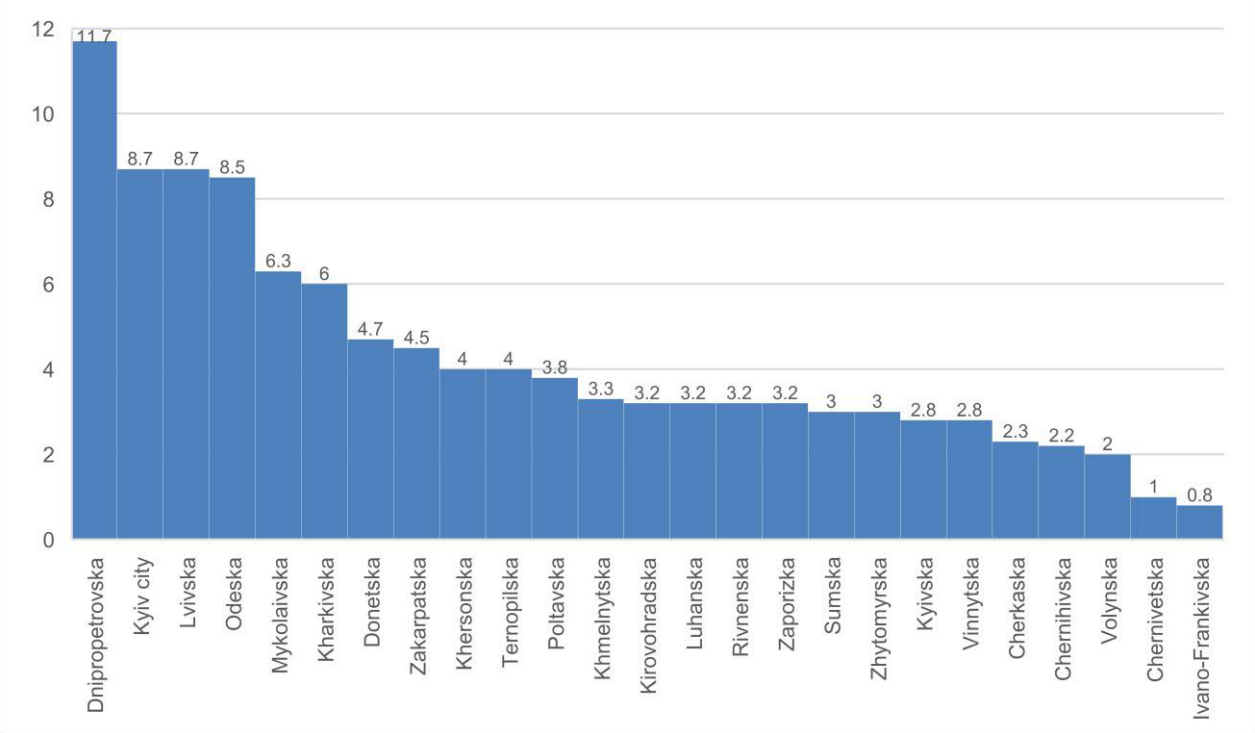
Attraction and retention of talent in the judiciary has become increasingly difficult during the war. The departure of qualified personnel, mobilisation, displacement and security risks have reduced the capacity of courts to handle increasing workloads. These challenges are exacerbated by low or unpredictable remuneration and difficult working conditions, particularly for court staff and personnel in frontline or high-demand regions.

In this context, HRM policy could give greater attention to how the justice sector attracts, retains and supports qualified personnel, including through more competitive and predictable remuneration, clear career pathways, modernised roles of court support staff, safer working conditions and targeted incentives for service in underserved or high-pressure jurisdictions. A systematically reviewed staff retention strategy could examine other factors affecting staff motivation and wellbeing, including workload, management culture, flexible working arrangements, psychosocial support, professional development and opportunities for mobility or specialisation. Such incentives are relevant not only for judges and prosecutors, but also for court staff, courtroom technologists, disciplinary inspectors and other support functions that are essential to maintaining performance within the justice sector.

Remuneration and working conditions are central to talent attraction and operational continuity across the justice sector. As highlighted in Figure 5.2 below, each year, issues with remuneration affecting judges and court staff are the subject of appeals submitted by local and appellate courts to the HCJ. The data published by the HCJ show that the highest average numbers of such appeals between 2020-2025 were recorded in Dnipropetrovsk Oblast (11.7), Kyiv city (8.7), Lvivska Oblast (8.7) and Odeska Oblast (8.5) (HCJ, 2026[28]). The statistics suggest that challenges in ensuring timely and adequate remuneration for judges and court staff may be particularly acute in larger urban centres. Yet, in nominal terms, in 2023-2024, the highest numbers of such appeals were recorded in Mykolaivska Oblast, where the jurisdiction of certain courts was restored following the liberation by the Armed Forces of Ukraine (HCJ, 2026[28]).

Figure 5.2. Average number of reports on court financing problems by oblast, 2020-2025

The chart shows the average annual number of reports by judges or courts on problems with court financing



Note: The Autonomous Republic of Crimea is excluded from the chart, as it has been under occupation by Russia since 2014.
Source: (HCJ, 2026[28]), elaborated by authors.

Concerns regarding the remuneration of civil servants working in courts were also publicly raised by the SJA and the HCJ in March and April 2026, when both institutions appealed to the Cabinet of Ministers of Ukraine for adequate funding and appropriate conditions for the functioning of courts and other justice institutions (HCJ, 2026[29]). The HCJ noted that inadequate remuneration for court staff, particularly in local courts, may affect court operations and public confidence in the justice system (HCJ, 2026[29]). Indeed, shortages affecting remuneration, staffing and infrastructure may not only weaken resilience of institutions, retention of staff and operational effectiveness – they may also affect the overall sustainability of justice sector reforms over time.

Adequate working conditions are also essential for attracting and retaining staff in the judiciary. Under martial law and wartime conditions, ensuring that courts can operate safely and without interruption has become increasingly important (The Kyiv Independent, 2024[30]). In this context, the decision of the Council of Judges of Ukraine (CJU) of 24 February 2022 recommended that, where the life, health or safety of judges, court staff or court users is at risk, courts should promptly decide on the temporary suspension of proceedings until such circumstances are removed (CJU, 2022[31]). Subsequent guidance from the CJU also recommended remote work for court staff and limiting the number of people present in court buildings for safety reasons (CJU, 2022[32]). Expanded use of videoconferencing technologies has helped further reduce the need for participants' physical presence in courts. It contributed to continuity of proceedings and, in some circumstances, to enhanced security for judges and court users. In this context, measures supporting continuity of judicial operations, physical security and remote administration became important to ensuring access to justice during the war.

The war has also created specific challenges for constitutional proceedings. According to stakeholders, the use of videoconferencing for deliberations and decision-making has been complicated by attempted cyberattacks. Given current technical limitations relating to information security, the CCU has continued to rely largely on the physical presence of judges for decision-making (WJP, 2025[33]; OECD, 2026[34]).

Working conditions also depend on the safety, functionality and resilience of justice infrastructure. Issues related to courthouse damage, shelters, cybersecurity, videoconferencing and operational continuity are examined in Section 5.6.

5.3.4. Training and competency development

Training

Career progression, promotions and transfers are important incentives over the course of a judge's career. Training and competency development are also central to HRM in the justice sector. The Law of Ukraine on the Judiciary and the Status of Judges (LJSJ) requires candidates for judicial office to complete a six-month specialised training programme (VRU, 2025[35]). It also guarantees judges the right and duty to participate in continuous professional development, including regular training offered by the NSJ (VRU, 2025[35]). Existing training programmes could be organised more explicitly in a competency framework for the justice sector, covering legal analysis, ethical judgement, case management, communication with court users, digital skills, trauma-informed practice, leadership and change management.

A connection between competencies, recruitment, onboarding, evaluation, promotion and training would help ensure that HRM supports not only integrity and independence, but also quality, accessibility and responsiveness of justice services. Such a framework could also inform the development of specialised support roles, including case managers, courtroom technologists and communication officers.

Evaluation and professional development

Judicial evaluation is an important tool of HRM. It connects such aspects as competencies, training and career development. The LJSJ establishes specific provisions to identify areas that require improvement and provide incentives for judges to uphold their qualifications and pursue professional growth (VRU, 2025[35]). The LJSJ also establishes a system of regular judicial evaluation, which aims to identify individual training needs of judges and support their continuous professional growth (VRU, 2025[35]).

The evaluation process draws from multiple sources and includes assessments by trainers at the NSJ based on training performance, peer evaluations by judges of the same court and self-assessments by the judge under assessment (VRU, 2025[35]).

Civil society organisations (CSOs) can also conduct independent observations of judges during open court hearings, documenting findings to assess issues such as procedural compliance, duration of proceedings, communication practices and perceived impartiality of judges (VRU, 2025[35]). Such observations may enhance transparency and public confidence in judicial performance. However, methodological clarity and appropriate safeguards are needed to ensure that such observations remain supplementary rather than determinative in the process of judicial evaluation.

The results of evaluation based on training should be formally communicated to judges, who have the right to submit objections, after which revised assessments may be issued. The evaluation materials, along with objections and responses, are included in the judge's official dossier (VRU, 2025[35]). CSO monitoring questionnaires may also be added to the dossier. The specific procedure and methodology for both evaluation and self-evaluation are regulated by the HQCJ. To strengthen the HRM function of evaluation, these supplementary processes could be connected more systematically with training, competency development and workforce planning, while remaining distinct from disciplinary proceedings, except where serious misconduct is identified through the evaluation process.

Box 5.5. Performance evaluation of judges in select OECD countries

North Rhine-Westphalia, Germany

In Germany, the administration of courts falls under the responsibility of each federal state. Most states have created formal evaluation systems to inform career decisions such as promotion and assignment to senior posts. The systems rely on detailed catalogues of specific criteria. The federal state of North Rhine-Westphalia, for instance, uses the following criteria:

- Professional competence: Evaluations focus on legal knowledge, the ability to apply the law in new situations, decisiveness, impartiality and the ability to use IT tools, as well as objective data, such as the number of cases decided and the rate of appeal decisions upheld.
- Personal and social competence: Evaluations focus on natural authority, sense of responsibility, willingness to perform, organisational skills, resilience to stress, ability to work in a team, clarity of expression and communication with parties. There is also a category pertaining to leadership competence for judges who supervise other judges.

Rovaniemi appellate district, Finland

As part of a project aimed at improving the quality of adjudication, a less formalised and participatory evaluation scheme emphasising self-assessment was implemented in courts under the jurisdiction of the Rovaniemi appellate district. The scheme emphasised self-assessment with the following aspects of the system:

- Annual quality targets chosen by judges: Quality development targets are collectively agreed on by judges each year and working groups are set up to implement them. Progress is monitored and discussed in regular meetings.
- Quality benchmarks: A working group developed benchmarks that highlighted the following six dimensions of performance: the judicial process, the decision itself, treatment of parties, promptness, judge's competence and management. These factors were accompanied by a list of around 40 quality criteria, which are assessed on a point scale and serve as a reference for self-evaluation and peer review of judges.

Source: (Savela, 2006[36]; Oñati International Institute for the Sociology of Law, 2014[37]).

5.3.5. Prosecution workforce capacity

The picture in the prosecution service is different. Workforce pressures vary in both scale and character. The comparison can help show where constraints are specific to the judiciary versus those that are shared across institutions.

Selection, appointment and capacity of prosecutors

The selection, appointment, promotion and transfer of prosecutors and heads of prosecution services depends on the type of prosecution office. The Head of the SAPO appoints and dismisses prosecutors of this office in accordance with the procedure established in the Law on the Prosecutor's Office. The Prosecutor General is responsible for the appointment and dismissal of prosecutors to managerial positions and prosecutors of the OPG (VRU, 2026[38]). The heads of regional prosecutor's offices are responsible for the appointment, promotion and dismissal of prosecutors of regional and district prosecutor's offices (VRU, 2026[38]). The selection of district and trainee prosecutors falls under the competence of the Qualification and Disciplinary Commission of Prosecutors. Prosecutors must pass a qualification examination, including knowledge tests in law and European human rights standards (VRU, 2026[38]).

Capacity of prosecutors and support staff

In contrast with the capacity of judges, the number of prosecutors per 100 000 inhabitants in Ukraine – 23.0 in 2022 and 20.7 in 2024 – is more than double the CoE 2022 average (12.2) (CEPEJ, 2024[7]) or the 2020 OECD average (10.5) (OECD, 2025[39]). Although there appear to be fewer human resource capacity challenges in the prosecution service, in terms of availability of support staff, Ukraine's prosecution service is functioning below the 2022 CoE average. In 2024, there were 11.2 support officers appointed in Ukraine's prosecution service per 100 000 inhabitants (CEPEJ, 2025[9]), compared with a European average of 14.7 support officers (CEPEJ, 2024[7]).

The ratio of prosecutorial support staff points to a possible structural imbalance: relatively strong prosecutorial staffing may not translate into equivalent institutional capacity where administrative, analytical and operational support is weaker. Over time, this imbalance may reduce efficiency of the prosecution service and limit the extent to which prosecutors can focus on core prosecutorial functions. Box 5.6 explains how an OECD Member country strengthened prosecutorial performance in the face of case backlogs and data deficits.

Box 5.6. Strengthening prosecution performance and accountability: Lessons from Latvia

Latvia has faced challenges in addressing complex economic and financial crimes, including due to lengthy pre-trial investigations, low case throughput and case backlogs. In response, the OECD recommended strengthening strategic management and making better use of performance data.

Key reforms implemented in the country included enhanced performance monitoring, notably through annual public reporting by the Prosecutor General and improved data collection and analysis. The aim of these measures was to support greater transparency and provide a basis for more evidence-based management, including identifying bottlenecks in investigations and prosecutions.

The OECD also recommended improving efficiency through better workload management, clearer prioritisation and increased specialisation, particularly in complex crime areas. Moreover, strengthening co-ordination between prosecutors and investigative bodies was identified as a critical step to reduce delays at the pre-trial stage.

Latvia's experience underlines the importance of linking performance measurement with organisational reforms, including clearer objectives, improved resource allocation and stronger managerial capacity within prosecution services.

Source: (OECD, 2021[40]).

Compared with the courts, the number of vacancies at the prosecution service is significantly lower. Staffing gaps in the prosecution service appear to have narrowed since 2024 and remain significantly lower than in the judiciary. As of February 2024, there were 1 271 vacancies across the prosecution service, including 451 vacancies in the OPG, regional and equivalent offices and 820 vacancies in district and equivalent offices (Government of Ukraine, 2024[41]). By May 2026, this figure had fallen to 848 vacant or temporarily vacant posts, comprising 672 vacant posts and 176 temporarily vacant posts across the OPG, regional-level offices and district-level offices (QDCP, 2026[42]). This represents a reduction of 423 posts, or around one-third, compared with February 2024.

Against the statutory ceiling of 10 000 prosecutors, the 2026 figures amount to an estimated vacancy rate of 6.7% when only vacant posts are counted, or 8.5% when temporarily vacant posts are included. Although these statistics suggest that prosecutorial staffing pressures are less acute than judicial

vacancies, they may still affect operational capacity of the prosecution service, particularly at district level and in offices facing high caseloads, war-related crime files or specialised prosecutorial demands.

5.3.6. Remaining challenges

Workforce challenges are not uniform across Ukraine's justice system. The judiciary appears to have greater staffing needs in both adjudicative and support roles. The prosecution service faces challenges in using its managerial capacity and specialisation to apply available resources to create efficient outcomes.

The staffing needs of judicial and prosecutorial functions in Ukraine indicate that workforce reform should not be only a matter of filling vacancies. There is scope in Ukraine to institutionalise sustainability by streamlining hiring processes for judges, prosecutors and support staff that take account of varying support and administrative needs. Further, Ukraine can develop tools to permit workload balancing among institutions and across jurisdictions. Improving performance will also require active caseload management, mechanisms for the redistribution of workload, better staffing of support personnel and greater transparency in performance reviews. These measures can cement the resilience already demonstrated by the justice sector, reduce backlogs and strengthen the system for future reform implementation.

With the ongoing war, data collection is even more important, since justice institutions are expected to receive new types of cases, such as war- or death-related compensation requests, requests for obtaining personal documents or certificates, war crimes and corruption cases. Furthermore, the temporary occupation of certain territories in Ukraine has led to changes in jurisdiction, reassignment of cases and an accelerated development of IT solutions to ensure access to justice.

The main challenge at this point is not simply to fill vacancies, but to develop workforce models that support sustainable performance under conditions of war and ongoing reforms. A more strategic HRM approach would help align recruitment, deployment, training, retention and staffing of support personnel with changing caseloads, varied territorial needs and reform priorities. These factors require faster recruitment, stronger support and secretariat capacity, workload management and improved measures for staff retention. Without these safeguards, the system risks becoming stuck in persistent institutional overstretch.

5.4. Measuring performance and quality of justice

5.4.1. What performance indicators show

In comparative practice, the performance and efficiency of justice systems are often assessed through court performance. Highly efficient courts can manage their volume of incoming cases effectively, conduct proceedings according to the principle of "reasonable duration", as prescribed by Article 6 of the European Convention on Human Rights (ECHR), and administer justice based on people's needs.

Performance indicators show that Ukraine's justice system has not only maintained continuity under wartime conditions, but has pushed ahead with certain reform efforts as well. However, there remain significant variations across jurisdictions, with certain areas facing more pressure and bottlenecks than others. These effects can spill over the system if not properly addressed. Moreover, justice sector performance monitoring should move beyond passive output monitoring to use annual targets, regular reviews and corrective actions to identify and address emerging problems and support more even system-wide performance.

In sum, performance indicators suggest a mixed picture. On the one hand, Ukraine's courts have remained functional under extreme pressure; on the other hand, certain trends indicate that resilience does not imply an absence of risk. The issue is whether performance is consistent, sustainable and meaningful from the perspective of justice users.

Incoming cases

While available statistics suggest a comparatively moderate inflow of civil and commercial cases, incoming caseloads alone do not fully reflect underlying legal needs. Wartime disruptions since 2022 affected the operation of courts and other public institutions, particularly in temporarily occupied and frontline areas, and may have reduced or redirected the ability of individuals to pursue civil claims through formal court channels even as legal needs increased (CEPEJ, 2025[9]).

Administrative cases show a different trend. In 2024, Ukraine recorded 1.24 incoming administrative cases per 100 inhabitants in first-instance courts, up from 0.81 in 2020 and well above the CoE median of 0.33 in 2022 (CEPEJ, 2024[7]; CEPEJ, 2025[9]).[2] This increase may reflect growing interactions between individuals and public authorities during wartime, including disputes related to documentation, legal status and access to public entitlements and social support.

Criminal caseloads also remained comparatively notable. According to the European Commission for the Efficiency of Justice (CEPEJ) data for 2023, Ukraine recorded 0.29 new incoming criminal cases per 100 inhabitants (CEPEJ, 2024[7]), considerably below the 2022 CEPEJ European median of 1.6 received criminal cases per 100 inhabitants (CEPEJ, 2024[7]). At the same time, the absence of more detailed statistics limits assessment of the types of criminal cases contributing to this trend.

Overall, compared with 2018 and 2020, data for 2022 indicate a decline in incoming civil and commercial cases alongside increases in administrative and criminal cases (CEPEJ, 2024[7]). These shifts should be interpreted cautiously, as they may reflect war-related disruption, territorial exclusion from datasets, changing legal needs and uneven access to institutions, rather than changes in overall demand for justice.

Pending cases and clearance rates

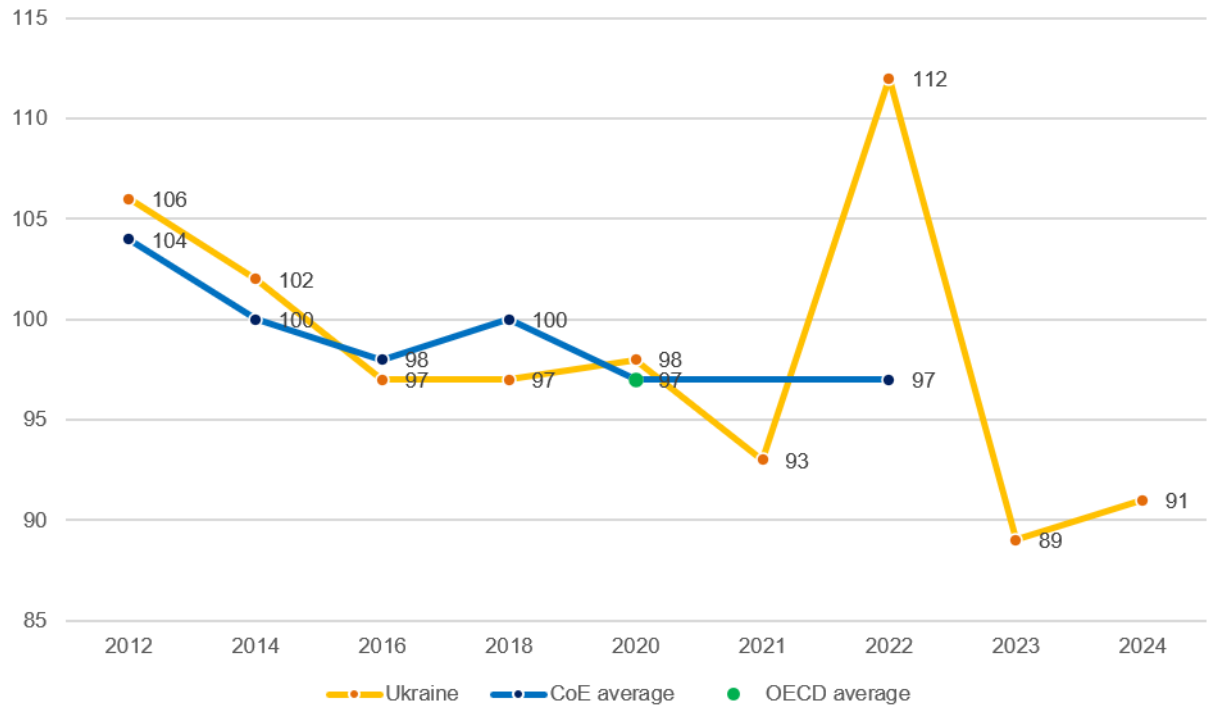
Statistics on pending cases suggest that Ukraine's first-instance courts have not yet accumulated high pending caseloads in comparative European terms. In 2023, Ukraine recorded 0.7 civil and commercial cases pending in first-instance courts per 100 inhabitants (CEPEJ, 2025[9]), below the 2022 CEPEJ European median of 1.50 pending civil and commercial litigious cases per 100 inhabitants (CEPEJ, 2024[7]). In criminal cases, Ukraine's rate of 0.31 pending cases per 100 inhabitants in 2023 (CEPEJ, 2025[9]) was also below the 2022 CEPEJ European benchmark of 0.47 unresolved criminal cases per 100 inhabitants (CEPEJ, 2024[7]).

Ukraine appears to be managing the workload of its first-instance courts relatively well in terms of pending cases. This picture may reflect a lag effect: Ukraine's relatively low stock of pending cases could be partly an inheritance from the period of strong clearance performance between 2018 and 2022. With clearance rates now below 100%, the pending case position is likely to deteriorate unless caseflow management is strengthened.

Clearance rate data help explain that risk. Overall, clearance rates for the first-instance courts in Ukraine decreased between 2018 and 2023. This is especially true for civil cases, which dropped from 112% in 2022 to 89% in 2023 (CEPEJ, 2024[7]). This trend also holds true for criminal cases, where there has been a gradual reduction of clearance rates for the years 2022 and 2023. The growing retirement rate among judges and the suspension of new judicial appointments due to the non-functioning of the HQCJ between 2019 and 2023 likely contributed to an imbalance in judicial workload distribution. As a result, the workload of sitting judges has effectively doubled. This challenge is further compounded by delays in the timely redistribution of cases between courts with varying levels of caseloads, highlighting structural inefficiencies in the first-instance judicial map.

Figure 5.3 below shows the evolution of clearance rates for first-instance courts in Ukraine for civil and commercial cases between 2012 and 2024.

Figure 5.3. Clearance rates in civil and commercial cases at first instance: Ukraine in comparative perspective



Source: (CEPEJ, 2024[7]; CEPEJ, 2025[9]).

When looking at the civil and commercial first-instance courts, there was a downward trend between 2012-2021. In 2022, however, there was a positive spike in court performance; clearance rates rose sharply to 112% during the first year of Russia's invasion. One potential reason for this might be that the number of incoming civil and commercial cases dropped and courts therefore had more time to resolve active pending cases. This changed in 2023, when clearance rates dropped to 89%. However, in 2024, the clearance rate for civil cases rose back to 91% (CEPEJ, 2025[9]).

Indeed, the issue of court performance has been addressed in the Rule of Law Roadmap, which envisages several measures aimed at reducing the backlog of pending cases, such as conducting an audit of cases to identify those not subject to judicial review, improving cassation filters through legislative amendments, expanding the use of exemplary cases and using the Unified Judiciary Information and Technology System (UJITS) to monitor case intake and pending caseloads (VRU, 2025[43]).

At present, courts may function within acceptable parameters, but decreasing clearance rates suggest that pressure could accumulate over time unless caseloads are monitored regularly and mitigation measures are implemented promptly.

Disposition time

Data on disposition times present a more positive picture than clearance rates, but they should not be read in isolation. Even though the clearance rates for civil, commercial and criminal cases in the first-instance courts of Ukraine dropped, especially after 2022, this did not immediately translate into longer disposition times. Between 2018 and 2023, the disposition time for civil and commercial cases in Ukraine fluctuated between 122 days in 2020 and 169 days in 2023 (CEPEJ, 2025[9]). These scores remained below the 2022 CEPEJ European median of 239 days for first-instance civil and commercial litigious cases (CEPEJ,

2024[7]). In criminal cases, disposition time in first-instance courts in Ukraine fell from nearly 300 days between 2018-2020 to 54 days in 2023 (CEPEJ, 2025[9]), well below the 2022 CEPEJ European median of 133 days for first-instance criminal cases (CEPEJ, 2024[7]).

These scores indicate a relatively strong performance of Ukraine's judiciary in terms of timeliness. Disposition times in civil, commercial and criminal cases appear broadly consistent with European benchmarks for reasonable duration. Even in times of war, the Ukrainian courts delivered justice in a timely manner. However, with diminishing clearance rates and an increase in pending cases, this situation may change in the future. Therefore, the performance of first-instance courts should be carefully monitored in the coming years to mitigate growing disposition times and ensure timely access to justice for people in Ukraine.

Notably, it is expected that the efficiency of criminal proceedings will be further enhanced following new legislation in 2024 allowing for certain criminal cases to be heard by a single sitting judge. Other legislative changes in the Criminal Procedure Code from 2023 should have a positive impact on the duration of proceedings, due to the removal of time limits for criminal investigations and the mandatory closure of criminal investigations when the time limits have expired.

At other court instances, the picture is uneven. The disposition time for civil cases increased at appellate courts from 109 days in 2020 to 169 days in 2022 (CEPEJ, 2024[7]). On the other hand, in criminal cases and criminal appeals the disposition time was substantially reduced. The same is true for administrative first-instance courts where the disposition time was reduced from 2020-2022 by almost 100 days (CEPEJ, 2024[7]).

Taken together, these indicators suggest that Ukraine was – in many cases – able to preserve timely adjudication despite the war. Yet, as mentioned, clearance rates below 100%, combined with high judicial vacancy rate and shortage of support staff, suggest that pressures may be accumulating beneath the surface. Current performance may therefore be more fragile than data on disposition time alone suggest, particularly if pending cases continue to grow or war-related legal needs generate new demand.

Efficiency of prosecution services

The efficiency of prosecution services can be measured through statistics regarding the number of cases received per prosecutor, the ways cases are processed – discontinued, concluded through a negotiated penalty or measure, or brought before the court – and the reasons why cases are being discontinued.

In 2020, the average workload per prosecutor was 234 cases, while in 2022 it was 204 cases (CEPEJ, 2024[7]). In 2022, approximately 83% of cases were discontinued and only 17% were brought before the court (CEPEJ, 2024[7]). The main reasons why cases were discontinued were the lack of an established offence or a specific legal situation (in 77% of all discontinued cases).

While caseflow indicators are essential, they do not capture the full scope of justice quality. A broader performance assessment framework must consider whether services are fair, understandable, accessible and responsive to people's needs, and whether institutions are equipped to learn from feedback and improve over time. Attention to the quality of justice is therefore essential to assess whether a justice system generates outcomes that are not only timely, but also equitable, reliable and trusted. As discussed in Chapter 6, this also requires treating justice interventions as public services and linking institutions through referral systems and structured collaboration among providers.

5.4.2. From caseflow monitoring to quality assurance

A well-functioning justice system must deliver quality services, ensuring that processes are fair, decisions are well-reasoned and accessible, and justice users are treated with dignity and respect. Efficiency of justice sector institutions alone is insufficient if outcomes are not understandable, consistent or responsive

to people's legal needs. Attention to the quality aspect of justice is therefore essential to assess whether a justice system generates outcomes that are not only timely, but also equitable, reliable and trusted.

Court quality assurance policies are gaining popularity worldwide. European guidelines and standards have been developed to assist justice systems; for example, with tools for judges and courts covering the measurement of quality of justice, court user satisfaction surveys, guidelines for communication between courts and the media and the implementation of artificial intelligence (AI) in courts (CCJE, 2025[44]). Similar standards have been developed for public prosecutors and published by the Consultative Council of European Prosecutors (CCJE, 2025[44]) and the International Association of Prosecutors (IAP, 2025[45]). Box 5.7 describes various approaches to quality assurance frameworks and tools in justice systems.

Box 5.7. Quality assurance frameworks and tools in justice systems

OECD Member countries have developed a range of quality assurance frameworks and tools to support the delivery of high-quality justice services. The existing frameworks typically combine performance measurement, user feedback and institutional quality management systems.

Across jurisdictions, commonly used tools include court user satisfaction surveys, performance indicators, such as case duration, clearance rates and backlog, quality charters and service standards, as well as peer review and inspection mechanisms. Increasingly, digital case management systems also contribute to improving transparency, consistency and access to justice.

The Netherlands

In the Netherlands, the judiciary has established a comprehensive quality assurance framework through the *RechtspraaQ* model. This system defines standards across key dimensions of judicial performance, including legal quality, timeliness, consistency and user orientation. It is supported by regular court self-assessments, peer reviews and audits, alongside the systematic use of user satisfaction surveys. By combining quantitative indicators with qualitative assessments, the model enables continuous monitoring and improvement of court performance.

CEPEJ

At the European level, CEPEJ has developed a set of practical instruments to support the quality of justice. These include the CEPEJ Checklist for Promoting the Quality of Justice and Courts, guidelines on user satisfaction surveys and tools addressing court communication, time management and the use of digital technologies, including AI. These instruments provide structured guidance for designing and implementing quality assurance policies in justice systems.

Source: (CEPEJ, 2008[46]).

5.4.3. Quality assurance policies in Ukraine

In recent decades, Ukraine has taken steps to invest in quality assurance measures within the judiciary. In 2008, the United States Agency for International Development (USAID) Ukraine Rule of Law Project implemented a pilot programme to survey court users with Citizen Report Cards (CRC). This methodology, globally applied for measuring citizens' satisfaction with the quality of municipal services, was adjusted to measure the level of court user satisfaction in a selected number of courts. The survey included the following topics: territorial accessibility of courts; level of comfort in a courthouse; accessibility of court information; affordability of payments; timeliness in considering cases; court staff performance; and the quality of judicial performance.

During the pilot, more than 2 300 court visitors were interviewed during three rounds of CRC surveys. In all, over 7 500 citizens provided their feedback on court performance and quality of service delivery (based on surveys conducted in 15 pilot courts) (USAID, 2009[47]). The overall assessment of the quality of service delivery was presented through an Integral Court Performance Perception Index Score outlining the general level of satisfaction with the performance and quality of the courts (USAID, 2009[47]). The highest score under this assessment (0.96) was recorded in the Lokachi District Court in Volyn Oblast during the third round of interviews (USAID, 2009[47]). The lowest (0.71) was recorded in courts in Kolomiya (twice) and Lutsk (USAID, 2009[47]). Among 14 courts surveyed, scores increased for nine courts and decreased for five courts, while one court remained unchanged (USAID, 2009[47]).

The successful piloting of the methodology resulted in the introduction of a more thorough framework for assessing the quality of justice and efficiency in the 2015 Court Performance Evaluation (CPE) Framework, which was officially adopted and recommended for use in courts by the CJU.

Court Performance Evaluation Framework

Ukraine has progressively developed a court performance evaluation framework aimed at improving the efficiency and quality of court services. Since its adoption in 2015, the CPE Framework has introduced standards, indicators and evaluation methods focused on timeliness, quality of court decisions and service delivery, aligned with judicial values, procedural requirements and public expectations. Table 5.3 presents major components of the CPE Framework.

Table 5.3. Performance standards, criteria and indicators of the CPE Framework

Scope of the assessment	Evaluation criteria	Examples of indicators
Finance and logistical support	• Relevance of funding to the needs of the courts • Adequate working conditions for judges and staff • Resource efficiency	• Share of funding allocated from the budget request • Level of judges and staff satisfaction with working conditions
Court administration	• Professionalism and managerial qualities of the head of the court and chief of staff • Rationality and validity of judicial workload distribution • Provision of human resources	• Judges' assessment of the head of the court • Assessment of the chief of staff • Minimum and maximum number of cases per judge • Number of staff members per judge
Judicial self-governance	• Exercise of judicial powers of assembly	• How judges perceive meeting activities
Efficiency and quality of the court's work	• Productivity of the court's work on cases • Trial timelines • Quality of court decisions	• Share of cases reviewed • Time for completion of cases • Average number of cases per judge • Cost per case • Number and share of cases that take more than one year to complete
User satisfaction	• Territorial, informational and organisational accessibility of the court	• Assessment of court accessibility by litigants (including for disabled persons) • Assessment of court convenience • Assessment of the timeliness of proceedings • Assessment of judge and court staff performance and behaviour • Measured levels of user satisfaction
Court openness and transparency	• Quality and accessibility of information on the work of the court	• Availability of the court's website • Availability of sufficient information for court users • Publication of the results of court user surveys

Source: (CJU, 2015[48]).

The CPE Framework offers several data collection methods, ranging from the use of court performance statistics, internal surveys of judges and court staff and a questionnaire for surveying visitors on the quality of court functions. Although the CPE Framework includes many necessary elements for measuring court performance and quality of service delivery, it is unclear whether it has been applied by all courts after the adoption of the model by the CJU.

Model Court Initiative

In 2018, another court quality initiative was launched with the support of the EU-funded Pravo-Justice project: the Model Court Initiative (MCI) (Pravo-Justice, 2019[49]). The MCI focused on introducing modern court management principles, standard operating procedures for court staff, design requirements for modern court buildings, customer service, improved case file processing and increased court security. The MCI adopts bottom-up principles and emphasises investing in capacity building for court leadership and administrators to facilitate the self-transformation of courts by implementing best comparative practices, all without requiring significant financial investments.

The MCI applies a different approach compared with the CPE Framework. Whereas the CPE Framework focuses on collecting information about performance and measuring quality of service delivery, the MCI invests in modern court management principles, streamlining work processes and enhancing accessibility of courts.

5.4.4. Remaining challenges

Quality in justice delivery is not merely a measurement of timeliness. Sustainable improvements require management systems that track consistency, procedural safeguards, quality services targeting user needs and organisational learning through feedback. Quality assurance frameworks can help connect daily experiences in prosecution and court services with broader institutional objectives such as integrity, professional development and public trust. To maximise their impact, quality assurance frameworks should be integrated into regular management and appraisal processes, rather than used as standalone assessment tools.

Ukraine already has a foundation for a broader approach to justice quality, which can provide the basis for ensuring consistent application and integration into regular management, appraisal and improvement processes. The remaining challenge is to move from a largely descriptive and court-centred performance model towards a broader framework combining efficiency, quality, user experience and justice outcomes for people. This would allow performance management to support not only continuity, but also investment in a more people-centred, consistent and sustainable justice system.

Addressing this challenge also requires treating legal and justice interventions more clearly as services. Performance management should capture whether users can move easily between courts, legal aid, alternative dispute resolution (ADR), enforcement, administrative services and other support providers. Limited referral systems, uneven collaboration and insufficient service diversity make it more difficult to assess whether the justice system functions as a coherent continuum for people with legal needs.

5.5. Enforcement of court decisions as part of justice system performance

5.5.1. Why enforcement matters

The enforcement of civil judgments is a fundamental component of an effective justice system and a critical access to justice issue. When court decisions are not enforced in a timely and predictable manner, the justice system fails to deliver on its core objective, the rule of law is undermined and people can lose faith in the judicial process. The present section focuses on enforcement as a performance and institutional-capacity issue, while Chapter 6 considers its implications for users, particularly those in vulnerable situations.

Since 2009, the European Court of Human Rights (ECtHR) has received numerous complaints regarding the non-enforcement of court decisions in Ukraine. The country has not yet been able to effectively address this systemic challenge. According to the ECtHR, execution must be seen as an integral part of a trial for the purposes of Article 6 of the ECHR. Therefore, administrative authorities have an obligation to comply with court orders and judgments.

Recent analysis of judicial review of enforcement in Ukraine confirms that enforcement is not only an administrative stage after judgment, but part of effective judicial protection (ProJustice, 2026[50]). Judicial oversight of enforcement is especially important when decisions are directed against public authorities, but its effectiveness varies across administrative, civil and commercial jurisdictions. Addressing these differences requires clear procedures, effective sanctions, stronger follow-up mechanisms and greater institutional consistency.

5.5.2. Enforcement institutions and operational constraints

State bailiffs execute most court decisions in Ukraine. To improve the efficiency of civil enforcement, in 2016 the VRU adopted a new law to regulate the profession of private bailiffs (VRU, 2024[51]). In contrast with state bailiffs, the authority of private bailiffs was more limited by law, although this has gradually expanded in recent years with the development of the profession. State bailiffs remain responsible for the execution of several categories of cases, including those involving the state or other public bodies, administrative court decisions and ECtHR judgments, evictions, property confiscation and cases involving children or persons with limited or no legal capacity.

To support the work of bailiffs, the MoJ developed an automated enforcement system and a Unified Register of Debtors. These reforms offer a vehicle for improvement, but Ukraine has not yet studied their effectiveness. As a result, the country lacks clear evidence regarding the current balance between state and private enforcement and whether it contributes to improving timeliness, fairness and recovery.

5.5.3. Monitoring gaps and reform priorities

Ukraine has seen legal challenges to its delayed or non-enforcement of court decisions (e.g. Burmych and Others v. Ukraine). In 2020, the Government of Ukraine adopted the National Strategy for Resolving the Problem of Non-Enforcement of Court Decisions for 2020-2025. The Strategy envisaged revised legislation, additional enforcement mechanisms related to state-owned enterprises, the improvement of enforcement procedures, the expansion of private bailiffs' powers and the creation of a register of court decisions rendered against state entities. Most of the measures proposed in the Strategy (see Box 5.8) have not yet been implemented.

Recent reforms have included the adoption in December 2024 of the Law on Judicial Oversight of the Enforcement of Court Decisions, aimed at strengthening judicial control over enforcement proceedings. Additional reforms remain under discussion, including measures relating to the digitalisation of enforcement proceedings, strengthened enforcement of monetary and non-monetary obligations, expanded data collection systems on enforcement performance and further development of the legal status and powers of private bailiffs (European Commission, 2025[52]).

Box 5.8. Strategy for Resolving the Problem of Non-Enforcement of Court Decisions in Ukraine (2020-2025)

The Strategy for Resolving the Problem of Non-Enforcement of Court Decisions (2020-2025) set out Ukraine's medium-term approach to addressing the non-enforcement of court decisions. It outlined key policy priorities aimed at strengthening the legal, institutional and financial conditions necessary to ensure the timely and effective execution of judgments:

- eliminating regulatory and legal barriers that impede the enforcement of court decisions
- strengthening the institutional capacity of bodies and persons that enforce court decisions and decisions of other bodies
- ensuring adequate financing of expenses for repayment of debts under court decisions
- introducing effective remedies in connection with non-execution and long-term enforcement of court decisions.

Source: (VRU, 2020[53]).

In 2022, the number of new enforcement cases dropped by more than 50% due to Russia's full-scale invasion of Ukraine, from 4.1 million cases to 1.7 million cases (European Commission, 2023[22]). In 2022, a law was adopted to prohibit the opening of enforcement proceedings in the temporarily occupied territories and in the war zone. In addition, in 2023, another law was adopted to ensure a minimal protected amount on debtors' bank accounts. Currently, there are more than 15 moratoria in effect in Ukraine concerning the enforcement of decisions, and over 10 in bankruptcy procedures, limiting people's ability to enforce decisions.

Substantial monitoring and information gaps persist with regard to enforcement proceedings. There is no routine, published data on enforcement timelines, success rates, costs or outcomes. Recent analysis also points to fragmented digitalisation, unclear procedural deadlines, limited access to data and insufficient accountability for non-compliance (ProJustice, 2026[50]). Developing more systematic data collection systems on enforcement proceedings, including information relating to timelines, enforcement outcomes and compliance rates would permit analysis of bottlenecks and whether reforms, including the expanded use of private bailiffs, are resulting in improvements. Without such evidence, it is impossible to comprehensively assess enforcement practice in Ukraine.

Judicial oversight can help make non-compliance visible, but cannot resolve enforcement failures caused by budgetary shortages, unclear institutional responsibility or weak enforcement capacity. Reporting requirements may also become formalistic if courts repeatedly request debtor reports without bringing the claimant closer to actual enforcement. Oversight mechanisms should therefore distinguish between deliberate non-compliance and cases where enforcement may be impeded by legal, budgetary or organisational constraints.

Moreover, certain decisions of the CCU have not been implemented.[3] This is the case for certain normative acts adopted by the VRU, which the CCU declared unconstitutional. A concrete example is the CCU's decision in the case upon the petition of the UPCHR regarding the constitutionality of provisions allowing for the forced psychiatric hospitalisation of individuals considered legally incompetent upon the approval of their guardian or trusteeship body (CCU, 2018[54]).

5.6. Digitalisation and data governance

5.6.1. Digitalisation to strengthen continuity and service delivery

Digitalisation has become an important tool for maintaining continuity of justice services during wartime. The key challenge now is to move from emergency adaptation and fragmented solutions towards a more coherent digital architecture that would support resilience, accessibility and effective management of the justice sector.

Ukraine has pursued digitalisation in the justice sector for more than a decade. The 2015-2020 Strategy for Reforming the Judicial System, Legal Proceedings and Related Legal Institutions identified e-justice as a key reform priority, including measures to strengthen court information systems, interoperability, online court services and performance monitoring. These priorities were further developed in the 2021-2023 Justice Reform Strategy and the Rule of Law Roadmap, which continue to emphasise digitalisation, integrated document management, case monitoring and interoperability across justice institutions, including through systems such as UJITS, SMEREKA and eCase.

Ukraine continues to invest in IT solutions to support the operation of the justice sector and improve digital access to justice, largely with support from international donors. At the same time, wartime budget pressures and limited domestic resources continue to constrain IT financing in the long term. CEPEJ data indicate that Ukraine's level of court IT expenditure remains below the European average, both per inhabitant and as a share of court budgets (CEPEJ, 2024[7]). Limited and unstable financing may therefore affect the functionality, interoperability, cybersecurity and long-term sustainability of digital justice systems.

CEPEJ data also suggest that digital deployment in Ukraine is uneven across different functions. The strongest progress has been achieved in the development of case-management systems, while deployment remains more limited in areas such as tools supporting decision-making and user-facing digital access services (CEPEJ, 2024[7]). These findings highlight that the effectiveness of digital justice systems depends not only on the existence of digital tools, but also on their usability, interoperability, financing, security and accessibility for justice institutions and court users.

In terms of the specific tools, Ukraine is developing a new-generation court IT system – the EUICS – intended to support core judicial administration and service delivery functions. The system is expected to include applications such as electronic court document management, videoconferencing, judicial registers, personnel and financial management tools, judicial dossiers, e-learning modules and whistleblower processing functions (USAID Justice4all, 2025[55]). Box 5.9 describes some of the major parameters established to guide the development of the next generation court IT system.

Box 5.9. The proposed IT system for the judiciary – EUICS/EU Interoperability exercise

The new system to support the work of the courts should include the following applications:

- electronic court document management system
- videoconferencing system
- web portal of the judiciary
- Unified State Register of Court Decisions
- Unified State Register of Enforcement Documents
- a subsystem for managing personnel, financial and economic activities of the judiciary
- judicial dossier
- learning management subsystem
- digest and comments subsystem
- subsystem for processing whistleblower appeals.

Source: (USAID Justice4all, 2025[55]).

URPTI, SMEREKA and eCase

Ukraine has progressively expanded the digitalisation of criminal justice processes. Following the adoption of the new Criminal Procedure Code in 2012, Ukraine established the Unified Register of Pre-trial Investigations (URPTI), an automated system managed by the OPG for recording, storing and analysing information on criminal offences and pre-trial investigations. The system supports unified registration of criminal proceedings, operational oversight of investigations and nationwide analytical monitoring, while access is restricted to authorised law enforcement and prosecutorial bodies due to the confidential nature of the information.

More recently, Ukraine has begun developing SMEREKA, a new electronic pre-trial investigation information and communication system for the prosecution service and law enforcement agencies. Since 2024, pilot deployment and testing have been underway within the OPG, the prosecution service and selected investigative bodies, including in relation to investigation of war crimes. The system is intended to support electronic criminal proceedings, improve co-ordination between prosecutors and investigators, strengthen analytical capacity, including through AI-supported tools, and standardise procedural documentation.

In parallel, the National Anti-Corruption Bureau of Ukraine, the SAPO and the HACC continue to implement the eCase electronic criminal case management system aimed at digitising pre-trial investigations and criminal case management processes. At present, electronic exchange of information between SMEREKA, eCase and UJITS remains limited. However, future development of the EUICS is expected to support greater interoperability and more streamlined electronic interaction between courts, prosecution services and law enforcement agencies in criminal proceedings.

These initiatives illustrate both the scale of Ukraine's digital justice reforms and the importance of ensuring interoperability, coherent system architecture, clear institutional responsibilities and sustainable long-term investment across justice-sector IT systems. Box 5.10 offers examples of digital justice solutions in OECD Member countries and Ukraine.

Box 5.10. Digital justice solutions in OECD countries and Ukraine

Integrated Information System of Penal Process, Lithuania

In Lithuania, the Integrated Information System of Penal Process is used to support all aspects of criminal proceedings, including the registration of a criminal act by the police or criminal investigators, penitentiaries, financial crimes units and customs. Electronic information is exchanged between the police and the public prosecutor regarding criminal investigations and prosecution. Indictments and other procedural information are electronically sent to the courts. The system includes the use of electronic signatures, a system for monitoring the criminal (investigation) process and data exchange with other systems/registers.

The courts use the Liteko system, a unified information system of the Lithuanian courts. At the time of its launch (2004-2005), Liteko included six modules: case registration, exchange of case-related information between courts, case search, court decision templates, statistical records and online publications of court decisions. Subsequently, additional modules were developed, such as the automated issuance of court orders, unified case numbering, electronic notifications and a system for the random assignment of cases. In 2013, the possibility of remote access to case files and online submission of documents were introduced.

All court services are accessible through the electronic portal *e.teismas*. Access to the system can be done through a process of authentication via electronic banking, identity cards and electronic signatures. Parties to judicial proceedings are obliged to submit their documents electronically. Liteko

also offers audio recordings of court proceedings. For the enforcement of court decisions, electronic tools are being applied as well, such as for the organisation of auctions and the electronic distribution of relevant enforcement documents. Moreover, discussions are ongoing about using AI to provide final court decisions.

e-File, Estonia

e-File is Estonia's central information system for criminal, civil, misdemeanour and administrative proceedings. The system enables the simultaneous exchange of information between different parties and avoids duplication by ensuring that information only needs to be entered once. It can subsequently be used across the workflows of various relevant institutions. In this context, the system represents a case of strong interoperability and co-ordination considering that its data are provided not only to the court information system but also other relevant institutions like the police and prosecutors.

JustizOnline, Austria

JustizOnline is the main digital access point to the Austrian judiciary for citizens, businesses and members of the justice system. The interface and services provided are tailored to the specific role of the user to ensure efficiency and usability. Its functions include electronic submissions, digital file inspection, case-status queries and access to land and business register documents, among other functions. The platform is integrated with other digital government services and offers secure login.

Digital Justice Tools in Ukraine

- **Automated enforcement and debtor information:** The MoJ operates the Automated Enforcement Proceedings System and the Unified Register of Debtors, which support enforcement officers' access to relevant registers and provide real-time information on outstanding debtor obligations.
- **Remote hearings and eCourt:** Videoconferencing and the eCourt mobile application have supported participation in hearings and access to case documents, particularly for users in remote or temporarily occupied areas.
- **Diia justice services:** Diia allows users to receive notifications about court cases, read court decisions, obtain electronically signed court documents and access other public services relevant to justice pathways.
- **Legal aid and accessible information:** Online legal aid tools connect users with legal assistance providers. For example, the Pravovsim platform provides free legal aid to people in Ukraine and Ukrainians abroad.
- **Access to court decisions:** The Unified State Register of Court Decisions gives citizens and legal professionals free access to court decisions.

Source: (Vigita Verbraite, 2023[56]; Infobalt Lithuania, 2025[57]; Centre of Registers and Information Systems, n.d.[58]; e-Estonia, n.d.[59]; BRZ, n.d.[60]).

Other digital justice tools

The tools highlighted in Box 5.10 show that Ukraine's digital justice ecosystem extends beyond management of court cases to enforcement, remote participation, legal aid, administrative services and access to court decisions. These digital solutions have helped preserve continuity and expand access during wartime. However, their value will depend on whether they are integrated into a coherent digital architecture with shared data standards, secure interoperability, stable financing and clear institutional ownership.

Table 5.4. Uptake of IT solutions in the justice sector

IT solution	Registered users	Products
UJITS	400 000 registered users	2 287 electronic documents submitted
Video conferencing	140 000 registered users	Over 2.5 million remote hearings held as of November 2024
Diia state application	23 000 000 registered users	More than 100 government services (including justice services)
eCourt	49 196 new users between 2019-2020 116 465 new users between 2021-2023 150 000 new users in 2024	

Source: (Gordienko, 2024[61]; Judiciary of Ukraine, 2024[62]; Digital State UA, 2025[63]; SC, 2025[64]).

5.6.2. AI use in the justice sector

Ukraine has established an emerging policy and strategic framework for AI use in the public sector. In 2023, the Ministry of Digital Transformation adopted the AI Regulation Roadmap in Ukraine outlining a "bottom-up" approach to AI governance, which combines non-binding instruments in the short term with the planned development of comprehensive legislation aligned with the EU AI acquis (MDT, 2024[65]; OECD, 2025[66]).

At the level of the justice sector, the Code of Judicial Ethics sets out professional standards for the use of AI in the judiciary. Amendments to the Code introduced in 2024 explicitly permitted the use of AI by judges, provided that such use does not affect judicial independence or impartiality, does not involve the assessment of evidence and does not interfere with judicial decision-making. While these amendments establish a clear principle that AI may support, but not substitute, judicial functions, the CJU provided further guidance in the updated commentary to the Code of Judicial Ethics, published in March 2026 (CJU, 2026[67]).

The commentary presents AI as a potentially useful support tool for improving the efficiency and accessibility of justice, while warning against excessive reliance on AI, including the risks of skewed data and algorithms and the gradual loss of independent judicial reasoning (CJU, 2026[67]). According to the commentary, AI may assist judges with technical tasks such as organising materials or analysing structured data, but it cannot determine the outcome of a case, make legal findings of fact, assess the credibility or weight of evidence or substitute for the human, reasoned and accountable exercise of judicial decision-making (CJU, 2026[67]). The ethical standards and guidance provided by the CJU are complemented by specialised training on digitalisation and AI use delivered by the NSJ and internal training initiatives within the SC focusing on practical applications and ethical considerations of using AI (Bernaziuk, 2025[68]).

The application of AI in Ukraine's justice sector has so far focused on supporting administrative efficiency and legal analysis rather than automating adjudication. In particular, machine learning and natural language processing are increasingly used to analyse case law, identify patterns and support evidence-based improvements in judicial performance (Izarova et al., 2024[69]).

At the institutional level, the SC, in co-operation with the EU-funded Pravo-Justice project, has developed an upgraded database of legal positions incorporating AI-enabled search and analysis functions (Pravo-Justice, 2025[70]). This tool supports faster identification of relevant jurisprudence and can improve efficiency in legal research. It can also build on Ukraine's advanced digital infrastructure, including the Unified State Register of Court Decisions.

In parallel, the All-Ukrainian Association of Court Employees has promoted the practical use of AI in court administration, including through the development of standard operating procedures (SOPs) for the use of generative AI tools in tasks such as drafting documents, summarising materials and conducting legal research (Pravo-Justice, 2024[71]).

Planned reforms envisage the integration of AI solutions into the UJITS, including through functionalities such as automated text recognition, summarisation of case materials, advanced legal search, generation of draft decisions, transcription of hearings and virtual legal assistants (Bernaziuk, 2025[68]). Such a development could help address persistent challenges related to workload, delays in case processing and resource constraints.

5.6.3. Data governance as a management and strategic function

Digitalisation alone does not automatically result in better governance. To support planning, prioritisation and people-centred service delivery, digital tools must be matched by stronger rules and capacities for collecting, sharing, analysing and using data across the justice sector. Ukraine's justice sector could go a step further and build structural links with other systems of public data, including health, social protection and other administrative data. Expanding the scope of data collection, while ensuring appropriate safeguards, could generate a more realistic and holistic understanding of justice needs, pathways and outcomes.

Modern IT can improve the performance and efficiency of individual justice institutions, stimulate the electronic exchange of information between justice institutions and promote interaction between justice institutions and users. To fill access to justice gaps created by the war, Ukraine rapidly developed digital tools that build on justice data, including e-court systems, digital document exchange and remote access platforms. The modernisation of justice sector IT is ongoing; new plans and solutions have been developed for 2026 and beyond. These include online civil registrations, e-Apostille and e-Notary services, bankruptcy and insolvency systems, a digital register of normative acts, online information on deported children and an app directing users to free legal aid (MoJ, 2025[72]).

These developments create important opportunities. However, they also expose governance risks. Digital justice tools are being developed across different institutions, registers and service channels, often for specific operational needs. Without common data definitions, shared identifiers, rules for interoperability and clear responsibility for data quality, these systems may reproduce fragmentation in digital form. The same case, user or service interaction may be recorded differently across courts, prosecution services, enforcement bodies, legal aid providers and administrative registers. This, in turn, could create duplication, additional transaction costs and weaker evidence for planning of justice reforms. From a people-centred justice perspective, such challenges can limit the justice sector's ability to understand how people navigate the system, where bottlenecks arise and whether digital tools improve outcomes in practice.

Ukraine's digital adaptations during wartime demonstrated the importance of continuity and stability in justice services. The next challenge is to consolidate these innovations into a coherent justice data governance framework. This would require secure and predictable financing, clear data standards, a common data dictionary, shared protocols for data exchange and inter-institutional co-ordination. It would also require linking digitalisation more directly to performance management and people-centred service delivery, so data can be used to operate systems, identify needs, monitor pathways, reduce duplication and improve outcomes.

5.6.4. Remaining challenges

Data are essential not only for proper management of justice institutions, but also for strategic purposes. In certain areas, there is a need to implement key performance indicators to allow for measurement, analysis and reporting of data, as well as the use of data for management purposes. Data across agencies must be comparable, complete and regularly updated to support management and planning. Strong data governance also contributes to transparency and accountability. Effective governance increasingly depends on interoperability of data systems; fragmentation can undermine holistic consideration of legal

needs, weaken monitoring and make co-ordination more difficult. Data co-ordination agreements that establish common standards and clear responsibilities can improve governance of the justice system.

Creating a common data dictionary for the justice sector would be a practical step towards interoperability. Different institutions and IT systems may record case numbers, party information, procedural statuses, enforcement data and information on how services are used, without necessarily aligning the format or classification of that data. This creates risks of duplication, limits any institution's ability to track cases across the sector and increases transaction costs for courts, prosecutors, the MoJ and users. Common definitions, identifiers and metadata standards would help synchronise information across systems, reduce the need to reconcile data and support stronger analysis of service delivery and outcomes.

The SJA can play an important role in this process, as it is responsible for data collection and reporting in the judiciary. The MoJ and the OPG also have roles to play. For the MoJ, better data must be collected concerning legal aid, ADR mechanisms and the enforcement of court decisions, whereas the OPG can enhance data collection, analysis and reporting of criminal statistics.

The implications of data governance vary by institution. For the judiciary, it contributes to monitoring and resource allocation. For the MoJ and other sector services, it can improve transparency for specific elements such as enforcement, legal aid and the use of ADR. In the prosecution service, it can enhance systematic analysis to inform decision-making around practices such as dismissals, charging and case duration. As a whole, improving data governance would offer a more empirical basis for strategic planning. Box 5.11 offers context on why and how data governance can advance goals of people-centred justice.

Box 5.11. Objectives and values of data governance for people-centred justice

Effective governance of justice data is a core enabler of people-centred justice. It supports the systematic collection, management, use and sharing of data to better understand people's legal needs and experiences, and to design, deliver and improve services that respond to those needs while reducing barriers to access.

Robust governance frameworks for justice data place strong emphasis on data that capture the experiences and needs of justice system users, rather than focusing solely on those of individual institutions. In this context, these frameworks must also consider possible risks and legal limitations regarding data collection when it comes to the protection of privacy as well as security limitations.

A key goal regarding data governance is overcoming fragmentation, which requires strong leadership and vision accompanied by coherent implementation and co-ordination across responsible agencies.

The OECD identifies three complementary levels for strengthening justice data governance:

- **Strategic level:** Establish clear leadership and a shared vision for justice data across branches of government, including the judiciary and the executive. This involves setting common priorities, standards and accountability frameworks to guide the development and use of data in support of people-centred justice.
- **Tactical level:** Strengthen co-ordination across institutions to enable coherent data ecosystems. This includes developing interoperable systems, common methodologies and robust data stewardship arrangements, alongside investing in institutional capacities such as analytical, research and data management skills.
- **Operational level:** Ensure effective implementation through appropriate processes, tools and safeguards. This covers the full data lifecycle, including collection, storage, protection, sharing and publication, in line with standards on data quality, privacy, security and ethics.

Source: (Byrom, Piccinin-Barbieri and Wells, 2024[4]).

For a people-centred justice system, it is important that data on people's legal needs and justice problems are collected regularly and satisfaction with justice service delivery is measured by using online and offline surveys. Thus, justice data should extend beyond information generated through justice sector IT systems to include data collected through complementary sources, such as legal needs surveys, court user satisfaction surveys and measures of public trust. Moreover, in defining a new vision for justice sector data, to ensure alignment with EU standards, Ukraine's framework should account for the General Data Protection Regulation, and protect IT systems responsible for data collection, analysis and reporting against cyberattacks.

The next phase of reform could therefore focus on using digitalisation as a foundation for integrated governance. This would require a clearer justice data strategy, stronger interoperability standards, safeguards for cybersecurity and privacy and a more intentional use of data indicating user needs and service quality along with administrative data. Without these safeguards, Ukraine risks building more digital tools without gaining the full management and people-centred justice policy benefits they can support.

5.7. Rebuilding justice infrastructure: enabling a resilient justice system

Justice infrastructure has experienced significant damage and disruption since 2014, particularly in temporarily occupied and frontline areas. Some courts and prosecution offices ceased operations, while others continued functioning under difficult security and operational conditions. Justice institutions relocated case files, archives and operations to safer regions, although losses of files and equipment were also reported in some instances.

During the war, about 150 courthouses were either damaged or destroyed, with shelters available in 62 courts representing 9.3% coverage of all court locations (Judicial and Legal Newspaper, 2024[73]; The Journal, 2025[74]). According to the Fifth Rapid Damage and Needs Assessment, the justice and public administration sector accounted for more than USD 459 million in damages and USD 3.3 billion in losses, including damage to over 900 buildings belonging to the justice sector and the loss of essential equipment used for case management and service delivery (World Bank et al., 2026[75]).

Courts receiving relocated cases and personnel continue to face operational pressures due to increased caseloads, infrastructure constraints and pre-existing staffing shortages (OECD, 2024[76]). The CSS has also played an important role in maintaining the safety and functioning of courts during wartime, including by securing court premises, maintaining public order and providing protection for judges, court staff and litigants (VRU, 2025[14]). At the same time, operational and funding challenges affecting the CSS, including issues related to remuneration and financing during wartime, have created additional pressures for the judicial system and illustrate the broader implications that constraints affecting auxiliary judicial institutions may have for the continuity and sustainability of justice services (Pravo-Justice, 2023[8]). More broadly, the impact of the war extends beyond physical infrastructure to disruptions in institutional continuity, accessibility of services, file security and working conditions.

Reconstruction and recovery needs for the justice and public administration sector over 2026-2035 are estimated at nearly USD 985 million (World Bank et al., 2026[75]). While preparatory reconstruction efforts are underway, large-scale rebuilding across the justice sector remains limited.

Reconstruction creates an opportunity to reconsider how justice services are organised and delivered, including through more integrated service models, digital tools and multifunctional justice service centres that could improve accessibility, operational continuity and people-centred service delivery. Existing standards and guidance already support greater physical accessibility, integrated front-desk services and improved working conditions for justice professionals. A strategic approach connecting reconstruction, operational continuity, accessibility and service design could therefore help strengthen the long-term resilience and accessibility of the justice system.

5.8. Recommendations

In view of the assessment, Ukraine may wish to consider the following recommendations:

1. Strengthen the financial resilience and agility of the justice system. This could include:

Key recommendations

- **Establishing a Medium-Term Expenditure Framework for the justice sector**, with a consolidated, implementation budget adjusted for risks and aligned with the external financing instruments and measures set out in the Rule of Law Roadmap
- **Rebalancing expenditure within the justice sector towards IT** by establishing protected programme lines and a dedicated budget code for justice modernisation to ensure predictable financing of reform priorities
- **Assessing the long-term sustainability of donor-supported reforms**, digital systems and operational arrangements
- **Reviewing the composition and allocation of expenditures in the justice sector** to better align funding with the legal and justice needs of people, including by strengthening support for upstream and people-centred services such as legal aid, mediation, digital access and integrated service delivery, while ensuring cost-effective use of resources across the justice system

Supporting recommendations

- **Formalising participatory budget preparation with judicial governance bodies and frontline institutions**
- **Strengthening the links between budgeting, operational planning and people-centred service delivery objectives.**

2. Improve the human resource capacity of the justice sector. This could include:

Key recommendations

- **Stabilising staffing pipelines for judges, prosecutors and court staff** by investing in accelerated recruitment procedures and introducing more continuous and flexible recruitment procedures to reduce bottlenecks in the selection processes
- **Reviewing statutory staffing caps for prosecutors** in view of evidence of growing workload and considering adjusting ceilings where workloads can exceed sustainable levels
- **Assessing the long-term sustainability of wartime staffing arrangements,** including temporary reallocations and emergency measures, and progressively integrating priority workforce needs into stable institutional and financing frameworks
- **Integrating territorial and accessibility considerations into workforce allocation, judicial remapping and staffing policies** to address regional disparities, wartime displacement and evolving patterns of demand across regions

Supporting recommendations

- **Continuing to modernise court support roles**, including case managers and courtroom technologists, by strengthening their career frameworks and increasing the amount of judicial time spent on case merits
- **Strengthening managerial and change-management capacity across judicial and prosecutorial institutions**, including for crisis management, digital transformation and performance governance.

3. Strengthen the performance of the justice sector. This could include:

Key recommendations

- **Strengthening performance management frameworks across courts and prosecution services** through jointly agreed objectives, regular performance reviews and transparent monitoring of indicators such as clearance rates, disposition times and case backlogs, while safeguarding judicial independence, prosecutorial autonomy and the quality of justice outcomes
- **Instituting active management of caseflows**, including early case screening, to help courts maintain timeliness in civil and commercial cases and sustain improvements in processing of criminal cases at first-instance courts
- **Reviewing and balancing workloads across jurisdictions** through rules for case reallocation between courts and temporary secondments to ensure a more even distribution of cases and prevent local bottlenecks
- **Strengthening the ADR system** by introducing quality standards for mediators, clearly defined case categories for any mandatory elements and procedural safeguards to prevent misuse.
- **Expanding justice performance frameworks beyond efficiency indicators** to include accessibility, user experience, continuity of services and justice outcomes, in line with requirements of a people-centred justice system

Supporting recommendations

- **Introducing regular, transparent performance evaluation and self-evaluation frameworks** for judges and prosecutors to promote continuous improvement for these professional groups
- **Ensuring that court and prosecution self-assessments under excellence frameworks feed directly into annual performance reviews, resource planning and leadership appraisal**
- **Improving the efficiency and effectiveness of constitutional justice** through strengthened case management and operational planning at the CCU.

4. Enhance quality and enforcement of justice. This could include:

Key recommendations

- **Addressing structural bottlenecks in enforcement of judgments** by reviewing the allocation of responsibilities, incentives and safeguards applicable to public and private bailiffs, with a view to improving timeliness, fairness and recovery rates under wartime conditions
- **Strengthening safeguards for protecting the rights of individuals in vulnerable situations** during enforcement proceedings, in line with European guidance, supported by targeted training for bailiffs

Supporting recommendations

- **Applying court excellence frameworks and piloting corresponding frameworks for prosecution services**, within appraisal processes, supported by annual self-assessments and peer reviews that are made publicly available
- **Systematising the monitoring of enforcement proceedings** by tracking timeliness, outcomes and compliance rates, and costs of civil execution, with dedicated dashboards disaggregated by party type and region
- **Digitising execution tools** by building interoperable registers with automated functionalities, including for asset discovery, and considering the establishment of an online platform for uncontested payment orders aligned with European good practice
- **Integrating enforcement performance more systematically** into broader justice sector planning and evaluation frameworks.

5. Advance data-driven justice. This could include:

Key recommendations

- **Gathering routine statistics on enforcement of judgments and uptake and outcomes of ADR**, particularly mediation, including through consolidation of existing mediator registers and improved centralised data collection
- **Improving interoperable data exchanges**, including the use of common justice-sector data dictionary, case identifiers and metadata standards to enable co-ordinated case handling across institutions and reduce fragmentation in the delivery of justice services

Supporting recommendations

- **Strengthening governance and interoperability frameworks for digital justice systems**, including safeguards relating to cybersecurity, interoperability, ethical use of AI, data protection and institutional accountability
- **Publishing performance dashboards with indicators for courts and prosecution offices**, while ensuring data protection, to support transparency and internal performance management
- **Piloting analytical tools to examine prosecutorial decision-making**, including factors linked to discontinuance and disposition time, to inform improvements in investigative quality and support targeted training.

6. Enhance the infrastructure and operational continuity of the justice system. This could include:

Key recommendations

- **Developing a multi-year justice reconstruction and modernisation programme**, informed by the Rapid Damage and Needs Assessment, and considering the measures under the Rule of Law Roadmap, to prioritise investment based on need, risk and standards for service delivery
- **Strengthening operational and cybersecurity resilience of justice infrastructure by investing in secure IT infrastructure**, supported by strong cybersecurity governance
- **Integrating the evidence on territorial accessibility, patterns of displacement and evolving service demand into infrastructure and reconstruction planning**, particularly in underserved regions and regions directly affected by the war

Supporting recommendations

- **Strengthening power and connectivity resilience at justice facilities** by expanding backup power solutions and diversified connectivity options
- **Standardising security, accessibility, safety and energy efficiency specifications for new buildings and refurbishment of existing infrastructure**, reflecting modern building standards and accessibility requirements
- **Promoting operational continuity planning across justice institutions,** including contingency planning for emergencies, cyber incidents and prolonged disruption of infrastructure.

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Notes

[1] This figure refers to the number of judges in post calculated from the court-type breakdown published by the HQCJ. It differs from the total number of judges shown in the register of judges maintained by the HQCJ, which appears to capture a broader population than the court categories used for vacancy calculations in Table 5.2.

[2] Comparisons in this subchapter should be interpreted with caution. They are not always fully like-for-like, as they may combine different reference years. In the case of Ukraine, differences may also stem from war-related variations in case registration, court access, institutional capacity and territorial coverage. The figures should therefore be read as indicative of broad comparative patterns rather than as direct measures of underlying legal demand or system performance. Further analysis would be required to assess the effects of wartime shocks on case inflows, clearance rates, disposition times and the resilience of case processing across courts and case types.

[3] For example, legislative follow-up to CCU Decision No. 8-r/2018 of 11 October 2018 was delayed. In that decision, the CCU found unconstitutional certain provisions of the Law of Ukraine “On Citizens’ Appeals” of 2 October 1996, No. 393/96-VR, as amended, concerning the exercise of the right of appeal by persons declared incapacitated by a court. The CCU held that the unconstitutional provisions ceased to have effect from the date of the decision and recommended that the VRU bring the Law into line with its decision. However, a draft law aimed at aligning the Law “On Citizens’ Appeals” with CCU Decision No. 8-r/2018 was registered in the VRU only on 11 December 2019, more than a year after the CCU decision.

6 Enhancing access to justice in Ukraine: Towards a people-centred justice system

This chapter examines access to justice in Ukraine through a people-centred lens, analysing legal needs, justice problems and barriers faced by the population, including individuals and groups in vulnerable situations. It assesses the accessibility, quality and responsiveness of justice services across institutions, including legal aid, courts and alternative dispute resolution. The chapter highlights structural, geographic and informational constraints, as well as specific challenges faced by people due to Russia's war of aggression.

6.1. Introduction

Building an effective justice system should be rooted in a clear understanding of people's legal needs, justice problems, experiences and capabilities. In line with the OECD Recommendation on Access to Justice and People-Centred Justice Systems [OECD/LEGAL/0498], this requires strengthening people's ability to understand and exercise their rights, prevent disputes and obtain effective, fair, equitable and timely resolution of legal problems. It also requires understanding how individuals experience justice challenges in practice, particularly where these are compounded by war-related violence, displacement, trauma and systemic vulnerabilities, and ensuring that justice responses are visible, accessible, appropriately targeted and well co-ordinated across institutions and services.

This chapter examines the design and delivery of justice services in Ukraine through a people-centred access to justice lens. It first analyses people's legal needs and justice problems, then brings together general barriers affecting users of justice services, including cost, complexity of procedures, timeliness, enforcement, territorial access, physical and digital accessibility and access to information. It then examines how these barriers affect individuals and groups facing heightened risks of exclusion or disadvantage, including internally displaced persons (IDPs), veterans, victims and survivors of violence and war-related harm, persons with disabilities, children, ethnic and national minorities and people who cannot afford legal assistance. Finally, the chapter considers whether existing justice services, including courts, legal aid, prosecution services, alternative dispute resolution (ADR), civil society organisations (CSOs), the Ukrainian Parliament Commissioner for Human Rights (UPCHR) and local administrative entry points, provide accessible, co-ordinated and responsive pathways to resolution.

6.2. Access to justice and legal needs

6.2.1. Understanding legal needs

An effective people-centred justice system prioritises addressing the legal needs of individuals, particularly those in vulnerable situations, by placing them at the heart of justice reforms (OECD, 2021[1]). This approach emphasises direct engagement with individuals to understand challenges they face within justice pathways, rather than relying solely on institutional perspectives. By doing so, justice systems can design services that better meet specific legal needs, optimising resource allocation and reducing inefficiencies, ensuring that people-centred justice principles are firmly rooted in the system.

In Ukraine, CSOs and international organisations have conducted several legal needs assessments since 2011. These surveys have not been carried out regularly and have used mixed – quantitative and qualitative – methods, making it difficult to compare and aggregate findings. Despite these methodological differences, they reveal common themes and consistent findings, such as (as further shown in Box 6.1):

- Legal needs are widespread and increasingly shaped by war-related challenges, particularly for IDPs, veterans and other individuals and groups in vulnerable situations.
- Many people avoid formal justice pathways due to low trust, complexity, costs and weak enforcement, relying instead on informal solutions or taking no action.
- Ukraine's justice and legal aid systems have remained resilient during wartime, but demand for accessible, targeted and co-ordinated services has grown significantly.

Yet, these studies remain largely ad hoc, highlighting the need for a more systematic approach to collecting data on the legal needs and justice problems experienced by people, communities and businesses in Ukraine.

Box 6.1. Legal needs assessments implemented in Ukraine

Recent legal needs assessments conducted in Ukraine increasingly reflect the long-term effects of Russia's aggression since 2014 and the major escalation caused by the full-scale invasion in 2022. Across studies, legal needs and justice problems are closely intertwined with displacement, economic insecurity, trauma, access to social protection and administrative procedures.

Recent assessments point to growing demand for legal assistance related to IDP status, social benefits, documentation, compensation and administrative procedures, while also highlighting the resilience of Ukraine's legal aid system and continued gaps in access for those in vulnerable situations. Studies focusing on veterans, IDPs and war-affected populations further show that unmet legal needs are often compounded by low awareness of available services, economic hardship and difficulties navigating administrative and justice processes.

These findings are broadly consistent with earlier nationwide legal needs surveys, which had already identified low institutional trust, unresolved legal problems and widespread reliance on informal dispute resolution prior to 2022. Previous studies also highlighted persistent barriers linked to displacement, employment, housing, social protection and access to legal services, reinforcing the importance of more people-centred, accessible and integrated justice pathways in Ukraine.

Source: (KhISR, 2011[2]; HiiL, 2016[3]; WJP, 2018[4]; HiiL, 2020[5]; LDN, 2021[6]; UNDP, 2023[7]; 2024[8]).

Furthermore, an indirect indicator of legal needs and systemic justice problems is the extent to which deficiencies in service delivery give rise to litigation before international human rights bodies. Ukraine remains under enhanced supervision by the Committee of Ministers of the Council of Europe (CoE) due to the non-execution of judgments of the European Court of Human Rights (ECtHR) in a number of structural cases. These pertain to unlawful or lengthy detention and remand, poor detention conditions and inadequate medical care, as well as concerns relating to judicial independence and impartiality (Volkov v. Ukraine), fairness of proceedings (Lutsenko v. Ukraine), excessive length of proceedings (Komar and Others v. Ukraine) and the lack of effective remedies (Ivanov v. Ukraine) (CoE, 2026[9]).

Other cases under the supervision of the Committee of Ministers concern issues such as torture and ill-treatment, domestic violence (DV), disproportionate use of administrative arrest, freedom of assembly, property rights and asylum procedures (CoE, 2026[9]). These cases point to broader challenges affecting the delivery of justice services and the protection of rights in practice. Ukraine has undertaken measures to address a number of these challenges. In particular, the Rule of Law Roadmap includes actions aimed at improving detention conditions, strengthening rights of victims, enhancing immigration and asylum procedures and reinforcing broader human rights protections.

6.2.2. General barriers to accessible and user-friendly justice services

Access to justice depends not only on the availability of courts or legal aid, but also on whether justice services are affordable, understandable, timely, physically and digitally accessible, and capable of delivering effective and enforceable outcomes. The Constitution of Ukraine provides the foundation for these guarantees. Although it does not explicitly establish a right of access to justice, several provisions collectively underpin it. While Article 55 guarantees judicial protection of rights and freedoms, Article 129 provides that judicial proceedings are administered on the principles of justice, accessibility and transparency, and Article 59 guarantees the right to legal assistance, including free legal aid in cases established by law (VRU, 2020[10]). These provisions establish the constitutional basis for individuals to seek legal protection, remedies and assistance through Ukraine's justice system.

In practice, however, access to justice may be affected by a range of financial, geographical, administrative and procedural barriers. Although court fees have not increased independently of the minimum wage since the introduction of martial law, the overall costs associated with pursuing a legal claim – including travel, accommodation, documentation, representation and time away from work – may still be significant for some court users, particularly in the context of displacement and loss of income (European Commission, 2023[11]; Advokat Post, 2024[12]). Access to justice may also be affected by distance from justice institutions, limited transport options, information gaps and the complexity of legal procedures.

Since 2014, and particularly following Russia's full-scale invasion of Ukraine in 2022, these challenges have evolved further. Displacement, insecurity, infrastructure damage and changing legal needs have affected access to justice services and interactions with public institutions. People living in temporarily occupied territories may face additional limitations in accessing institutions, legal remedies and justice services. CSOs have also reported practical challenges related to the implementation of judgments of the ECtHR concerning applicants residing in temporarily occupied territories (European Commission, 2023[11]).

6.2.3. Individuals and groups facing heightened barriers to justice

Barriers to justice do not affect all people in the same way. Some individuals and groups face distinct legal needs and obstacles because of displacement, disability, age, war-related harm, poverty, minority status or limited trust in institutions. These circumstances require targeted and adapted pathways within the broader justice service continuum.

Victims of violence against women and girls

Victims and survivors of violence against women and girls (VAWG) face heightened risks in terms of access to justice services and often experience complex and long-term health, psychological, social and legal consequences. Their needs frequently extend beyond legal remedies alone and require co-ordinated responses across justice, health, psychosocial and protection services. Fragmented service delivery, however, can make it difficult for survivors to access timely and comprehensive support. In addition, survivors may encounter barriers when engaging with justice institutions, including stigma, fear of retaliation, harassment and risks of re-victimisation (OECD, 2020[13]).

Reported cases of VAWG in Ukraine increased significantly following Russia's full-scale invasion. Between 2022 and 2023, the number of cases reported to the police rose by around 20%, reaching approximately 291 000 cases in 2023 (MoJ, 2024[14]). The true scale of violence is likely to be considerably higher, given persistent underreporting. Stakeholders have also pointed to rising levels of stress, trauma and family-related tensions linked to the war, including among families of military personnel (UNFPA Ukraine, 2025[15]).

Conflict-related sexual violence (CRSV) committed by Russian military forces has emerged as a major war-related concern since 2022. Ukrainian CSOs and international organisations have documented hundreds of confirmed cases affecting women, men and children, while acknowledging that many incidents are likely to remain unreported. CRSV has been identified as a serious human rights violation in temporarily occupied territories and other areas affected by the war (UPCHR, 2023[16]).

People living in temporarily occupied territories face additional constraints in accessing justice and protection services. Victims and survivors of VAWG may be unable to safely contact law enforcement or support providers and may also experience limited internet and mobile connectivity, social stigma and heightened insecurity (CoE, 2023[17]).

Access to justice and support services for survivors remains uneven, particularly in frontline, rural and war-affected areas. Logistical barriers, displacement, damaged infrastructure and shifting institutional priorities have reduced access to legal assistance, protection mechanisms and referral pathways. Even where services are available, survivors may face obstacles linked to distance, transport, caregiving responsibilities, safety concerns or limited awareness of available support (UNFPA Ukraine, 2025[15]).

Ukraine's free legal aid system, with support from CSOs and international partners, has expanded support services for survivors of VAWG and CRSV. However, demand often exceeds available capacity, particularly in regions affected by active hostilities (OECD, 2024[18]). Shortage of specialised personnel, strained judicial infrastructure and the need for trauma-informed and multidisciplinary services continue to limit the ability of institutions to provide timely and effective support. Some OECD countries have addressed similar challenges through specialised DV or problem-solving courts that combine judicial functions with co-ordinated support services, multidisciplinary teams and closer links to community-based assistance (see Box 6.2).

Box 6.2. Domestic violence courts (problem-solving courts)

Specialised DV courts make decisions regarding criminal offences involving family partners. Most DV courts provide specialised judges and staff, co-ordination with other agencies, on-site victim advocacy as well as collaboration with technical assistance teams. An alternative approach involves the use of integrated DV courts, which hear DV matters in both criminal and family law matters. These exist in certain OECD countries such as Australia and the United States:

Problem-solving and therapeutic courts, Australia

In Australia, domestic and family violence matters are addressed through problem-solving and therapeutic courts. The concept was introduced in the 1990s and follows the idea of therapeutic jurisprudence. In this context, family violence courts work alongside criminal, magistrate and family courts and co-operate with specialised judges and multidisciplinary teams. They engage in judicial monitoring as well as collaboration with community and government services as part of their work. Their goal is to ensure safety of victims and accountability of perpetrators. Their work puts emphasis on tailored interventions, participant engagement and support services. In some jurisdictions they adopt hybrid or integrated approaches that take into account co-occurring issues such as mental health problems, substance abuse and social disadvantages experienced by affected individuals.

Domestic violence courts, New York State, United States

DV courts in the United States started emerging in the 1990s as part of a tendency towards the establishment of problem-solving courts. The state of New York has been one of the frontrunners when it comes to this development with its first establishment of a felony DV court in 1996 and the introduction of Integrated Domestic Violence Courts in 2001. The latter applied the innovative "one family, one judge" model. It meant that judges are assigned civil, criminal and DV cases along with related matrimonial and family matters. Staff members and judges at Integrated Domestic Violence Courts receive special training on handling cases of DV. Furthermore, judges presiding over such Courts hold regular meetings with all relevant stakeholders ranging from the police and prosecutors to victim advocates.

Source: (AIJA, 2025[19]; New York State Bar Association, 2023[20]).

In response to these challenges, Ukraine has introduced measures to strengthen prevention and support mechanisms for victims and survivors of VAWG and CRSV. In May 2022, the Government of Ukraine and the United Nations adopted a Framework of Cooperation on the Prevention and Response to Conflict-Related Sexual Violence. In addition, in May 2024, the Cabinet of Ministers of Ukraine (CMU) approved a resolution establishing procedures and financing conditions for local support services for victims of VAWG, including through local budgets. Despite these efforts, significant gaps in services and infrastructure remain, particularly in war-affected and temporarily occupied territories where specialised support services have been disrupted or suspended (European Commission, 2024[21]).

Persons with disabilities

As of October 2024, more than 3 million persons with disabilities were registered in Ukraine, including over 300 000 individuals who obtained disability status following the full-scale invasion and approximately 163 000 children with disabilities (KhISR, 2023[22]). Persons with disabilities may face barriers in accessing justice services, including challenges related to physical accessibility, communication, digital access and procedural accommodations (European Disability Forum, 2023[23]; OECD, 2024[18]). Wartime conditions, displacement and changes in court jurisdiction have, in some cases, created additional access challenges.

Ukraine has taken steps to improve accessibility, including through pilot initiatives in courts and the implementation of the National Strategy for Creating a Barrier-Free Space through 2030 (see Box 6.3) and its 2024 Action Plan. At the same time, stakeholders note that broader infrastructure adaptation, accessible procedures and institutional capacity remain important challenges, including regarding access to legal aid and participation in legal proceedings (European Disability Forum, 2023[23]; European Commission, 2025[24]).

Under the National Strategy for Creating a Barrier-Free Space in Ukraine, the State Judicial Administration of Ukraine (SJA) assessed court accessibility for persons with disabilities and other low-mobility groups. Recommendations included introducing Braille signage and directional indicators in 44% of courts, alongside contrast markings on glass surfaces, steps and thresholds to assist persons with visual impairments. The judiciary's official website and individual court webpages also include accessibility functions such as font adjustment, high-contrast displays, colour filters, screen magnification, subtitles and speech output compatibility. As a next step, Ukraine may want to conduct a technical assessment of these features. In parallel, the Ministry of Justice of Ukraine (MoJ) drafted Bill No. 11132 to improve procedural accessibility for persons with visual, hearing or intellectual disabilities by enabling accessible communication formats and intermediary support, while aligning terminology with international standards. Although the draft law was returned in July 2025, its provisions are expected to be incorporated into broader amendments to the procedural codes being developed under the Rule of Law Roadmap.

Box 6.3. National Strategy for Creating a Barrier-Free Space through 2030

Ukraine's National Strategy for Creating a Barrier-Free Space through 2030 frames barrier-free accessibility as a cross-cutting principle of public policy. It states that everyone should be able to exercise their rights and access justice, without physical, informational or digital barriers as a goal.

The Strategy tackles several types of barriers that might arise in justice-related settings, including physical barriers in places such as court buildings. The Strategy broadly demands the adaptation of public service premises in line with accessibility standards. In addition to physical barriers, the Strategy also recognises information- and communication-related accessibility in judicial processes as a key issue. The importance of barrier-free access is also seen in the context of Ukraine's broader digitalisation agenda. In this respect, the Strategy demands digital platforms used by the justice sector to comply with national digital accessibility standards.

The corresponding Action Plan for 2025-2026 translates guiding principles of the Strategy into concrete measures relevant to the justice sector. Key justice-related actions include:

- producing awareness-raising materials in an accessible format to facilitate access to justice
- improving the physical accessibility of public facilities
- monitoring the application of digital accessibility standards on public authority websites
- supporting training and awareness-building among public officials and service providers with regard to accessibility.

Source: (CMU, 2021[25]).

Ethnic and national minorities

Ukraine is home to several national minorities and indigenous peoples (UPCHR, 2024[26]). In recent years, Ukraine has adopted measures aimed at strengthening the protection of rights, including the 2023 Law on National Minorities and a 2025 Action Plan on minority rights protection. At the same time, some groups may continue to experience challenges related to documentation, socio-economic conditions and access to public services, including in situations of displacement and wartime disruption (UPCHR, 2023[16]; European Commission, 2025[24]).

Internally displaced persons

As of June 2025, around 5.1 million displaced Ukrainians were residing in OECD countries (OECD, 2025[27]), including 4.5 million in the European Union (EU), while more than 4.6 million people remained internally displaced within Ukraine (OECD, 2026[28]). Although many Ukrainians have also returned since 2022, large-scale displacement has significantly complicated access to justice by disrupting access to institutions, documentation and timely legal procedures (OECD, 2026[28]).

IDPs generally face heightened legal and social needs. A 2024 survey by the Ukrainian Helsinki Human Rights Union (UHHRU) and the Kharkiv Institute for Social Research (KhISR) found that 76% of IDPs required legal advice or assistance. In addition to financial, psychological and medical support, IDPs reported elevated needs related to compensation for losses, restoration of property and registration of war-related damage (UHHRU, 2024[29]). Many IDPs have also lost or lack key identity, civil or property documents, creating barriers to legal proceedings, access to benefits and property claims.

The scale of these challenges is considerable. In 2023, around 5 000 people in the Kherson Oblast required legal assistance to restore documentation needed for property claims (OECD, 2024[18]). While the judiciary and the Coordination Centre for Legal Aid Provision (CCLAP) have expanded support for reconstructing legal records and processing claims, demand and staffing shortages continue to slow responses. These circumstances reinforce the need for accessible local, mobile and digital justice services linked to legal aid and administrative support.

IDPs make greater use of free legal aid services than the general population, particularly for issues relating to IDP status, social benefits, residency and documentation. Many also rely on Administrative Service Centres (ASCs), which are often perceived as more accessible and responsive during wartime.

In order to adapt court services to wartime needs of IDPs, the Supreme Court of Ukraine (SC) introduced simplified procedures for proving the loss of documents (OECD, 2025[30]). Training programmes are also being developed to strengthen trauma-informed approaches in judicial proceedings, particularly in cases involving war-related harm and displacement (OECD, 2024[18]). Judges receive specialised training on the protection of IDPs and other war-affected populations, although knowledge and practical skills relating to trauma-informed communication and victim-sensitive approaches remain at an early stage of development for many justice professionals (Victim Support Europe, 2024[31]).

Veterans and demobilised soldiers

Veterans and their families face a range of legal, social and economic challenges, including difficulties accessing benefits and social services, navigating administrative procedures and obtaining official combatant or veteran status (UNDP, 2024[8]). Reported barriers also include limited awareness of available support services, uneven access to legal assistance following discharge from military service and varying levels of trust in institutions. These findings point to the importance of developing clearer pathways, trusted entry points and better co-ordinated information and support services for veterans and their families.

Additional challenges relate to physical accessibility, particularly for veterans with disabilities, as well as regional disparities in service availability. Certain groups, including wounded veterans and widows, may

face more complex or compounded needs. Families of veterans often require legal assistance, financial support, psychosocial services and reliable information following the loss of a relative (UNDP, 2024[8]).

Victims of war crimes

War crime victims, including refugees and returnees, do not currently benefit from a dedicated or unified justice pathway. While some institutions have developed informal co-operation and referral practices, formal referral protocols and co-ordination mechanisms remain limited. Victims may face challenges in identifying and accessing appropriate justice and support services, including legal, psychosocial, medical and protective assistance. Participation in criminal proceedings may also be affected by factors such as limited awareness of available mechanisms, lack of familiarity with procedures and varying levels of trust in institutions (Victim Support Europe, 2024[31]). These challenges suggest the importance of developing clearer, more structured and better publicised referral pathways linking relevant services and institutions.

Children

Ukraine is also gradually developing child-friendly justice practices. While specialised judges handle proceedings involving minors, court and police facilities are often not fully adapted to children's needs, and legal gaps continue to affect children's interaction with the justice system (Smaliuk and Ruda, 2022[32]). The draft 2025-2029 Strategy for the Development of the Justice System and Constitutional Justice includes measures to strengthen child-friendly justice, including through implementation of the Barnahus model centres in co-operation with United Nations Children's Fund (UNICEF). These centres provide child-sensitive protection and psychosocial support during justice proceedings for children who are victims or witnesses of violence. Ukrainian courts have already authorised more than 100 child interviews to take place within Barnahus centres (Ukrainian Foundation for Public Health, n.d.[33]).

6.3. Delivering people-centred justice: Towards a continuum of services

Effectively addressing the diverse, complex and evolving legal needs arising in Ukraine, particularly during wartime, requires a continuum of people-centred justice services that offers flexible, co-ordinated and accessible pathways to resolution. Different justice problems require different types of responses and entry points, ranging from courts and prosecution services to legal aid, ADR, social support, administrative services and community-based assistance.

Building on the legal needs and access barriers identified above, this section examines how Ukraine's justice services respond across the justice service chain, including courts, prosecution services, legal aid, the UPCHR, ADR, community-based services and local administrative entry points. It considers how these services are adapting to longstanding constraints and wartime pressures, and whether they provide coherent, accessible and co-ordinated pathways to resolution.

6.3.1. Court services and constitutional justice

Access and organisation of court services

As noted throughout the report, courts are one of the central components of the broader continuum of justice services needed to respond to people's legal needs and justice problems. As mentioned in the previous chapter, despite reforms aimed at improving efficiency and digitalisation, and despite Ukraine having a comparatively high number of first-instance courts per 100 000 inhabitants (2.06)[1] relative to some other CoE countries (CEPEJ, 2024[34]), the court system continues to face operational pressures, including case backlogs, lengthy proceedings and delays in enforcing court decisions. Wartime conditions, such as increased caseloads and resource constraints, have added further pressures on courts and justice

institutions. Ukraine has introduced procedural reforms to support faster proceedings, remote hearings and electronic communication, including videoconferencing in criminal proceedings.

From the perspective of access to justice, judicial map reform also raises questions about how court locations correspond to people's legal needs, travel distances, patterns of displacement and the availability of complementary justice and administrative services. The 2020 decentralisation reform reduced the number of districts from 490 to 136, increasing the need to align local courts with the new administrative-territorial structure. While proposals for reorganising local courts have been developed (Box 6.4), implementation has been delayed by the war and is progressing only in selected safer oblasts, including Zakarpattia and Lviv.

Box 6.4. Judicial map reform in Ukraine

Ukraine's judicial map reform aims to modernise the organisation of courts in line with the country's broader decentralisation and public administration reforms. The reform seeks to replace the existing network of city and district courts with a system of circuit courts of first instance aligned with the new administrative-territorial structure introduced in 2020. The objective is to improve efficiency, balance caseloads, optimise human and financial resources, and strengthen the quality and continuity of justice services.

The reform also reflects a broader shift towards integrating justice service planning with digitalisation and service accessibility. Plans for the new judicial map take into account the distribution of prosecution offices, police, legal aid and other justice-related services, with the aim of creating a more coherent and accessible justice service network. Digital tools, including electronic communication and remote hearings, are expected to complement physical restructuring and help offset reduced geographical accessibility in some areas.

Implementation of the reform has been significantly disrupted by Russia's war of aggression. Damage to court infrastructure, temporary occupation of territories and the relocation of court jurisdictions have required emergency adjustments to territorial jurisdiction and service delivery. In response, Ukraine has adopted a phased and regionally sequenced approach to reform implementation, including pilot initiatives in safer regions such as Zakarpattia. These pilots are intended to test new court structures and service delivery models while maintaining access to justice under wartime conditions.

The reform therefore represents not only an administrative reorganisation of courts, but also an opportunity to redesign the justice system's broader service footprint. Looking ahead, successful implementation will depend on ensuring that efficiency gains are balanced with accessibility, resilience and effective co-ordination across the wider justice sector.

Zakarpattia oblast pilot

Due to martial law, court reform is proceeding on an oblast-by-oblast basis. Ukraine plans to pilot judicial map reform in Zakarpattia, which is one of the smallest oblasts and less likely to be targeted by missile attacks. As part of this pilot, several local general courts will be closed or merged into new district courts. As of March 2026, there are 13 local district courts (which will be changed in the future into five circuit courts). In terms of physical access to justice, the consolidation of district courts into circuit courts means that citizens, legal professionals or legal entities may have to travel longer distances to reach a court. In part, this reduction of accessibility may be compensated for with e-justice measures and online proceedings discussed in Chapter 5.

Source: Adapted from Ukrainian legislation and reform strategies, including the Law of Ukraine on the Judiciary and the Status of Judges (LJSJ), the 2015-2020 Justice System Strategy and related judicial reform initiatives.

In parallel, staffing challenges, funding constraints and enforcement challenges continue to affect the functioning and accessibility of court services. In 2025, the UPCHR processed 7 164 public appeals concerning the right to a fair trial and procedural rights, and the Commissioner's Secretariat initiated 109 proceedings in this area (UPCHR, 2026[35]). Within this total, the Commissioner received 1 010 notifications concerning procedural rights in civil and administrative proceedings, including access to court, reasonable time and enforcement of judicial decisions, up from 863 in 2024 and 516 in 2023 (UPCHR, 2026[35]). The UPCHR also reported an increase in notifications concerning enforcement of judicial decisions, from 802 in 2024 to 891 in 2025, and identified acute judicial understaffing as one factor affecting the right of access to court and hearing within a reasonable time (UPCHR, 2026[35]). These figures refer to appeals and notifications received, not confirmed violations in each case, but they indicate continued demand for effective remedies and procedural safeguards.

Beyond the organisation and accessibility of courts, procedural legislation plays a central role in determining whether people can effectively use justice services. Civil, administrative and criminal procedures define how claims are filed, evidence is submitted, hearings are conducted, rights are protected and remedies are enforced. Ukraine has introduced important procedural reforms, including in relation to electronic communication, remote hearings and simplified procedures for selected wartime-related issues, and further reforms are envisaged in the area of e-justice, criminal e-case management and the streamlining of procedural rules (European Commission, 2025[24]).

Notwithstanding the procedural reforms, there may be scope to review whether procedural rules are fully fit for purpose considering displacement, disability, trauma, digitalisation, war-related legal needs and the growing importance of people-centred service delivery. Such a review could consider, among other issues, the use of simplified and written proceedings, safeguards against procedural delays and abuse, the proportionality of judicial formations, time limits in criminal procedure, victims' and procedural rights, access to remedies for war-affected people and the accessibility of digital and remote procedures. It could also examine whether procedural codes provide effective remedies for excessive length of proceedings and support the timely enforcement of decisions, which remain relevant to Ukraine's execution of judgments under Article 6 of the ECHR. The targeted process could help identify opportunities to simplify procedures, improve clarity for users, strengthen safeguards for vulnerable participants and ensure that digital and remote processes do not create new barriers to justice.

Finally, access to courts in Ukraine has been affected by wartime conditions. In areas affected by the war, damage to court infrastructure and the relocation of jurisdictions to other oblasts have created additional challenges for geographical access to justice. In response, the Rule of Law Roadmap includes measures aimed at strengthening the crisis preparedness and operational resilience of the judiciary, including training on institutional safety and wartime continuity. International experience also illustrates how mobile, outreach and flexible court models can support access to justice in remote, underserved or crisis-affected areas (see Box 6.5).

Box 6.5. Mobile and outreach court services in other countries

In **Peru,** the *Itinerant Justice Service* is an initiative created by the judiciary through which judges (including Justices of the Peace) and other justice operators regularly travel to remote areas of the country, in all judicial districts – including Indigenous communities, where communication and Internet resources are limited and a high concentration of people in vulnerable situations live. This service aims to guarantee the effective exercise of people's fundamental rights and provide judicial services in clear and simple language, considering the predominant language of the area. Claims are collected and reviewed beforehand to allow decisions to be made in situ. The judiciary delivers mobile justice services through the Superior Courts in all 35 judicial districts. Peru's judiciary has also implemented semi-annual 'Justice Fairs' to bring justice services closer to the people through sessions where judges provide basic information to the population regarding their rights, using clear and simple language.

In **France**, Law and Justice Houses (*maisons de la justice et du droit*) work to prevent and deal with petty crime, facilitate the amicable settlement of disputes, and set up specialised legal consultations. Legal access relays (*relais d'accès au droit)* cover all access to law mechanisms that are co-ordinated by the Departmental Legal Aid Committees (conseils départementaux d'accès au droit) and do not meet the criteria of access to law points (*points d'accès au droit).* These access points are available in various locations, including social action municipal centres (*centres communaux d'action sociale)* and people's houses (m*aisons de la vie associative et citoyenne*); there is also mobile support, e.g. "justice buses", run by Bars such as *Bus Barreau de Paris Solidarité* or linked to associations.

In the **United Kingdom**, particularly in England and Wales, court hearings can take place not only in courthouses and via virtual platforms but also in alternative, non-court venues through "pop-up courts" in certain circumstances. For example, the Health, Education and Social Care Chamber of the First-tier Tribunal – which conducts approximately 1 800 hearings annually – may hold proceedings in hospitals or hospital trust premises. In **Scotland,** most civil and criminal cases are heard by the Sheriff Court. Sheriffs (judges of this court) are generally assigned to specific locations, but some serve as "floating" sheriffs, travelling between courts to meet caseload demands. In addition, part-time sheriffs – who may hold other employment – can be appointed by the Judicial Office for Scotland to preside over cases in any of the 39 Sheriff Courts, except in the region where they are otherwise employed.

Sources: (OECD, 2024[36]; OECD, 2021[1]; Government of the United Kingdom, 2025[37]; Judiciary UK, 2025[38]; Judiciary of Scotland, n.d.[39]).

The draft Strategy for the Development of the Justice System and Constitutional Justice for 2025-2029 also includes measures aimed at restoring and adapting justice services in de-occupied and war-affected territories. The Strategy emphasises maintaining access to justice during martial law through measures such as shelters in courts, remote proceedings and videoconferencing where hostilities limit physical access. It also includes plans for digitising archives, securing court records, restoring damaged infrastructure and supporting transitional justice mechanisms to protect rights and freedoms. The effectiveness and implementation of these measures remain to be assessed.

Ukraine has also started introducing more targeted and trauma-informed approaches within parts of the justice system. Selected courts have established witness support rooms and other adapted spaces intended to assist IDPs, survivors of war crimes and persons with disabilities (OECD, 2024[18]). In parallel, judicial training on war crimes and trauma-sensitive case handling has begun to expand, including through partnerships with international actors. However, these initiatives remain limited in scale and are constrained by financial pressures and workforce shortages (OECD, 2024[18]).

In addition, under the EU-funded Pravo-Justice Model Court Initiative launched in 2018, Ukraine established four specialised model war crimes courts located in the Kyiv and Chernihiv Oblasts. The initiative aims to strengthen service delivery, improve support for individuals and groups in vulnerable situations, enhance safety for judges and court personnel, improve communication with court users and promote modern management standards within the judiciary (Government of Ukraine, 2025[40]). The longer-term impact and sustainability of these initiatives remain to be assessed.

Access to constitutional justice

Ukrainians have the right to submit a constitutional complaint when they believe that a final court judgment has been based on a law that is inconsistent with the Constitution. The procedure is free of charge and complaints may be submitted electronically. According to the Constitutional Court of Ukraine (CCU), 429 constitutional complaints were received between 1 January and 31 December 2024, while a further 237 complaints were filed between 1 January and 30 June 2025 (OECD, 2025[30]).

The CCU has also introduced measures aimed at improving access to constitutional justice. Its official website provides explanatory materials, complaint templates, filing guidance and recommendations for both individuals and legal entities (Government of Ukraine, 2025[40]). Dedicated staff assist applicants, and accessibility measures for people with reduced mobility are being strengthened (OECD, 2024[18]; Government of Ukraine, 2025[40]).

Despite these efforts, access to constitutional justice remains affected by delays and capacity constraints within the CCU. Stakeholders have raised concerns regarding substantial case backlogs, lengthy proceedings and the limited number of decisions issued by the Grand Chamber. Between 2022 and 2025, the Grand Chamber delivered fewer than ten decisions, while some constitutional complaints remained pending for many years. For applicants, such delays may reduce the practical value of the constitutional complaint mechanism, particularly where the contested legal provision has already been amended or where related human rights issues have subsequently been addressed through ECtHR proceedings.

Institutional capacity constraints have also affected the timely examination of constitutional complaints. Between January and July 2025, the Grand Chamber lacked a quorum, preventing it from convening and further delaying constitutional review. This situation appears difficult to reconcile with the objectives set out in the Rule of Law Roadmap, which envisages constitutional proceedings generally being completed within six months, extendable up to twelve months in exceptional circumstances. To support more effective access to constitutional justice, the Roadmap proposes a range of institutional and operational reforms, including strengthening electronic services, introducing automated document management systems, expanding the capacity of the CCU Secretariat and filling vacancies.

While the CCU has delivered rulings relevant to groups facing heightened barriers to access to justice, including in the decision concerning social protection for military personnel and veterans (CCU, 2022[41]), stakeholders continue to highlight the need for constitutional justice processes to become more accessible and responsive to the circumstances of groups with vulnerabilities (OECD, 2024[18]).

In response to wartime conditions, the CCU has continued developing digital and procedural tools, including an online forum for constitutional complaints inspired by practices of the ECtHR (OECD, 2024[18]). The CCU has also continued reviewing issues related to the application of martial law measures and constitutional protections. Further efforts to strengthen access to constitutional justice could include improvements in accessibility, case management and digital procedures. At the same time, any increase in the use of constitutional complaints may require corresponding adjustments to institutional capacity and backlog management arrangements.

6.3.2. Prosecutorial services

Like the courts, prosecutorial services also face significant staffing and resource constraints, which have intensified following Russia's full-scale invasion. Challenges include damage to infrastructure, limited investigative resources and difficulties managing the growing volume and complexity of war-related cases (Victim Support Europe, 2024[31]). While the Office of the Prosecutor General (OPG) has collaborated with CSOs to support the collection of preliminary evidence for war crimes investigations, gaps remain in data management systems, information-sharing protocols and institutional co-ordination, affecting the efficiency and scalability of investigations.

At the same time, the OPG has introduced targeted reforms aimed at improving the accessibility and responsiveness of prosecutorial services. In 2023, it launched a pilot project in six oblasts, then extended to the entire territory of Ukraine from July 2025 onwards, to strengthen child-friendly justice practices in criminal proceedings. These measures include specialised interviews of minors using "green room" methodologies and the Barnahus model, participation of psychologists and teachers, involvement of social service specialists, closed hearings and more rehabilitative approaches for children involved in proceedings. The OPG also provides regular training for prosecutors on children's rights and child-friendly justice approaches (Government of Ukraine, 2025[40]).

The OPG has also strengthened its response to domestic violence through the establishment of a specialised unit in 2023 focused on victim protection, co-ordination among law enforcement bodies and improved investigation of domestic violence cases. The unit aims to support more consistent and victim-centred approaches across prosecutorial services (Government of Ukraine, 2025[40]).

The prosecutorial framework for addressing CRSV has also evolved. In 2022, the Prosecutor's strategy was revised to strengthen the investigation of CRSV cases, followed in 2023 by the adoption of a dedicated strategic plan for prosecutorial functions in CRSV proceedings. The plan aims to support prompt investigations while improving protection and support for victims and witnesses in line with national and international human rights standards (Victim Support Europe, 2024[31]).

The OPG has also introduced measures to respond to the needs of victims and witnesses of war crimes and other international crimes. In April 2023, it implemented a dedicated support mechanism designed to provide multidisciplinary assistance while helping reduce risks of intimidation, secondary victimisation and re-traumatisation (OPG, 2023[42]). The mechanism is structured around three components: the VWCC (Box 6.6), an interdepartmental working group; and a multi-agency referral system.

In parallel, prosecutors handling war crimes proceedings have increasingly adopted procedural interview methods designed to strengthen human rights-based and trauma-sensitive interactions with victims and witnesses. Developed with input from investigators and psychologists, these approaches rely on non-violent communication principles and structured interviewing techniques (Government of Ukraine, 2025[40]).

To support the collection of information relating to war crimes, the OPG has also expanded co-operation with CSOs and introduced digital reporting tools, including online platforms and artificial intelligence (AI)-supported chatbots. These mechanisms allow victims and witnesses to submit information and digital evidence through more accessible and confidential channels (Victim Support Europe, 2024[31]). Box 6.6 below describes further efforts by the OPG to offer ways for victims and witnesses to exercise their rights.

Box 6.6. The Victims and Witnesses' Coordination Centre

The VWCC, established in January 2023, is a specialised unit within the OPG. Its primary objective is to ensure that victims and witnesses can fully participate in criminal proceedings while receiving comprehensive support through a structured referral mechanism. This includes psychological, medical and social assistance, as well as protection measures, legal guidance and information about their rights. The VWCC also facilitates legal representation through free legal aid centres. It assists certain war crime victims, such as survivors of sexual violence, with plans to expand services to all war victims. The VWCC operates at the OPG Office and in nine regional prosecutor's offices.

The VWCC is guided by the Interdepartmental Working Group, which brings together the representatives of the VWCC, law enforcement agencies, ministries, departments and other auxiliary services. This initiative has designated contact persons in the oblasts, who facilitate the exchange of information and ensure timely updates on cases of CRSV.

As of January 2025, the VWCC has provided assistance to over 1 100 victims, including 873 children, 83 survivors of sexual violence, 22 military personnel and 89 people released from Russian captivity. In 2024, nine regional departments were established in the Kyiv, Donetsk, Luhansk, Zaporizhzhia, Mykolaiv, Kherson, Sumy, Kharkiv and Chernihiv Oblasts.

Funding for the VWCC still depends on external service providers.

Sources: (Victim Support Europe, 2024[31]; OECD, 2025[30]; OPG, 2025[43]; Government of Ukraine, 2025[40]; OECD, 2026[44]).

These initiatives reflect important efforts to adapt prosecutorial services to wartime conditions. However, their long-term sustainability and broader impact will depend on adequate resources, stronger institutional co-ordination and clearer protocols for collecting, storing and sharing sensitive information across justice institutions and trusted partners. Continued capacity building on referrals, trauma-informed practice, data quality and protection of sensitive information could further strengthen these mechanisms.

Effective victim and witness support mechanisms also require clear security and referral protocols for sensitive proceedings. These may include guidance on risk assessments, secure communication, safe participation and co-ordination among justice actors. Where security risks affect lawyers, court staff or other justice professionals involved in proceedings, safeguards may also need to be adapted accordingly.

6.3.3. Legal aid services

Ukraine's legal aid system, described in Chapter 3, represents one of the central access points within the broader justice service continuum. Legal aid is most effective when people can easily understand eligibility requirements, access services through multiple channels and be referred efficiently to other institutions capable of addressing related legal and social needs. In the context of war, legal aid services have become particularly important in helping people navigate displacement, documentation loss, housing, social protection and war-related claims.

The free legal aid system operates through the CCLAP and its network of interregional and local centres across Ukraine, supported by nearly 400 service entry points (OECD, 2024[18]). Nearly 1 300 staff work across these centres, including more than 600 lawyers. In addition, around 3 000 advocates co-operate annually with the interregional centres on a contractual basis. Legal aid services are additionally provided through hotlines, paralegals, mobile outreach teams and on-site consultations in detention facilities, domestic violence support centres, IDP locations, evacuation points and border checkpoints (OECD, 2025[30]). Between 2022 and mid-2024, more than 115 700 people received legal consultations through these outreach mechanisms (Government of Ukraine, 2025[40]).

More than 803 000 legal services were provided in 2025, including approximately 644 000 primary legal aid services, over 54 000 assignments for free secondary legal aid in civil and administrative matters and more than 105 000 lawyer appointments in criminal and administrative offence proceedings (CCLAP, 2026[45]). More than 315 500 in-person consultations were reportedly delivered through legal aid centres and access points during the same period (CCLAP, 2026[45]).

The legal aid system has relied on remote and digital service delivery to maintain continuity of access to justice during the war. The CCLAP hotline and online communication channels provide legal assistance through telephone consultations, social networks and messaging applications such as Telegram, which is widely used by people in temporarily occupied territories (OECD, 2026[44]). Reported user satisfaction levels reached approximately 90% for telephone services and 89% for online services, while in more than 93% of remotely initiated cases, legal issues were reportedly resolved without requiring an in-person visit (CCLAP, 2026[45]).

Ukraine's legal aid ecosystem extends beyond state institutions and increasingly involves CSOs, law clinics, universities, bar associations and international humanitarian organisations. This broader network has helped expand service coverage during wartime and respond to rapidly growing legal needs (see Box 6.7). However, the increasing reliance on multiple providers also highlights the importance of stronger co-ordination, referral pathways and service standards across providers. While the involvement of CSOs and international actors has strengthened access in many areas, it also reflects the extent to which non-state actors continue to fill gaps in service provision, particularly in regions affected by the war.

Box 6.7. Legal aid services provided by CSOs

- The UHHRU operates a network of legal aid centres across 18 oblasts of Ukraine, making it the country's largest human rights organisation network. Focused on protecting rights and driving positive change, these centres follow unified standards for case recording, consultations and legal aid quality. In 2023, the UHHRU centres provided 19 092 consultations. The UHHRU supports several chatbots managed by lawyers of the legal aid network and the Strategic Litigation Centre to provide online legal aid.
- The LDN is a coalition of community-based NGOs advancing people-centred justice through legal aid, education, research, advocacy and other empowerment tools. Active in most oblasts of Ukraine, the LDN saw its legal aid volume quadruple since 2022, assisting 340 945 individuals in 2023 compared to 233 857 in 2022. Moreover, the LDN's 15 member organisations continuously provided support via the LDN's online chatbot. The most reported category was social welfare law.
- The Danish Refugee Council (DRC) has provided legal aid support to more than 200 000 individuals since early 2015. The DRC's nearly 100 lawyers and 25 implementing partners provide legal aid to the affected population across 17 oblasts of Ukraine. The DRC's digital legal aid platform – Pravovsim – enables people in Ukraine and Ukrainians under temporary protection across Europe to remotely access lawyers in Ukraine to meet their legal needs including updating civil documentation status and protecting their housing, land and property rights.
- The NGO "La Strada - Ukraine" in co-operation with the OPG launched a chatbot for victims of CRSV. The chatbot provides contact information for organisations that provide psychological, legal, medical, social and humanitarian assistance to victims. The service also provides an option for victims or others with information regarding instances of CRSV to provide information about the crime, which will be transferred to the OPG through an online form.

Sources: (DRC, 2023[46]; LDN, 2023[47]; Victim Support Europe, 2024[31]; UHHRU, 2024[29]; OECD, 2025[30]).

Ukraine has also taken steps to improve the accessibility and adaptability of legal aid services. The law requires the provision of interpreters, including Ukrainian Sign Language interpreters, for eligible users who do not speak Ukrainian or who have hearing impairments (Government of Ukraine, 2025[40]). Legal aid centres also co-operate with Child Protection Centres under the Barnahus model to support children involved in criminal proceedings and refer children's legal aid requests accordingly. In parallel, the legal aid system has expanded restorative justice initiatives involving minors and increasingly involves psychologists in proceedings concerning children to reduce re-traumatisation and protect the best interests of the child.[2]

The legal aid system has also increasingly adopted a more quality-oriented approach to service delivery. Follow-up consultations and user-feedback analysis have been used to assess the clarity, usefulness and accessibility of legal consultations and identify recurring challenges affecting users. Feedback reportedly highlighted the importance of practical guidance, accessible explanations and support extending beyond strictly legal advice. Monitoring and quality assurance mechanisms have also been strengthened through supervision within legal aid centres, centralised review by the CCLAP and review of consultations, hotline recordings and legal aid files.

The free legal aid system plays an important role in supporting individuals and groups in vulnerable situations and addressing war-related legal needs. Since 2012, the scope of free secondary legal aid has progressively expanded and now guarantees assistance for 25 categories of persons specified under the Law of Ukraine on Free Legal Aid, irrespective of income (CCLAP, 2026[45]). Persons with disabilities, veterans and family members of fallen defenders, IDPs, persons affected by VAWG and children are therefore entitled to free legal aid without income verification. In 2025, the largest beneficiary groups for free secondary legal aid in civil and administrative matters included low-income persons, IDPs, veterans and family members of fallen defenders, persons with disabilities and children.

Despite progress, barriers to accessing legal aid remain, particularly for war-affected populations, who may have difficulties proving status, income, residence or entitlement. More generally, some people continue to face financial barriers because secondary legal aid partly relies on income verification. Under the income-based eligibility criterion, a person earning the minimum wage may not qualify for free secondary legal aid unless they fall within one of the legally protected categories. This differs from broader trends across several EU countries, where legal aid often extends beyond persons living below the poverty threshold (Smaliuk and Ruda, 2022[32]).

Awareness and accessibility also remain uneven. People may have little awareness of their rights and available legal aid services, particularly regarding secondary legal aid, eligibility criteria and service locations. Barriers to access additionally include distrust in institutions, postponement of legal problems until the end of the war, physical accessibility challenges and reduced availability of services in areas affected by the war (HiiL, 2016[3]; DRC, 2023[46]). While children and their caregivers are entitled to free secondary legal aid and children may apply independently, child-friendly information explaining these rights and services remains limited. Some of these barriers may also help explain why relatively few victims of war crimes currently seek legal aid services (Victim Support Europe, 2024[31]).

Resource and staffing constraints also continue to affect the legal aid system. The CCLAP faces challenges relating to staff retention, budget limitations and shortages of specialised professionals, which may affect continuity and quality of services (OECD, 2024[18]). Budget limitations restrict both the range of services available and opportunities for specialised training. Nevertheless, the legal aid system has introduced measures to strengthen resilience, including administrative consolidation, expanded digitalisation, mental health support for staff and specialised training on communication with traumatised individuals and vulnerable groups. Ukraine has also progressively expanded eligibility for free secondary legal aid, including for victims of war crimes, persons without documented citizenship and other groups facing heightened vulnerabilities (European Commission, 2023[11]).

Overall, Ukraine's legal aid system has demonstrated significant resilience and adaptability under wartime conditions. However, further efforts could strengthen co-ordination across providers, simplify access procedures, improve public awareness, expand user feedback mechanisms and ensure more consistent coverage across regions and population groups. Developing stronger referral systems linking legal aid with courts, ADR, social services, victim support and administrative services could further support a more integrated and people-centred justice service continuum.

6.3.4. Ukrainian Parliament Commissioner for Human Rights

The UPCHR serves as Ukraine's Ombud institution and plays an important role in protecting human rights and addressing complaints concerning violations of rights and freedoms by public authorities, local governments, officials, legal entities and private individuals. As demands on the institution have increased during wartime, the UPCHR's responsibilities and workload have expanded particularly in relation to displacement, detention, missing persons, war-related violations and access to public services for populations affected by the war. In response, the UPCHR has broadened its regional presence and operational activities, although resource and capacity constraints remain significant (European Commission, 2025[24]). Strengthening institutional capacity, including at the subnational level, will remain important given the UPCHR's broad mandate and growing responsibilities.

The UPCHR operates regional offices across Ukraine, several of which include Consultation Centres designed to facilitate communication with citizens and support timely responses to complaints and requests for assistance. The institution also conducts regular regional visits and engagement activities with local authorities, state institutions, CSOs and families of prisoners of war and missing persons (UPCHR, 2023[48]). In parallel, the UPCHR has introduced measures to simplify access to its services, including digital tools such as an online chatbot providing information across multiple categories relevant to IDPs, people in temporarily occupied territories and other war-affected populations (Government of Ukraine, 2025[40]). Accessibility measures have also been introduced to improve access for persons with physical disabilities.

The UPCHR has additionally implemented targeted initiatives to support groups facing barriers to justice and public services. These include pilot projects, developed in co-operation with the CoE, aimed at improving access to documentation for Roma communities and simplifying related legal procedures (UPCHR, 2023[48]). The institution additionally serves as the primary body responsible for receiving and following up on complaints relating to discrimination and became a member of the European Network of Equality Bodies in 2023. Through its role in co-ordinating the National Preventive Mechanism, the UPCHR also conducts monitoring visits to places of detention and court facilities, including assessments of accessibility conditions for persons with disabilities. Where barriers are identified, recommendations are issued to relevant authorities, including the SJA (Government of Ukraine, 2025[40]).

Capacity-building activities have been carried out for UPCHR staff, police officers, prosecutors and judges, including training on communication and engagement with users (UPCHR, 2023[48]). More broadly, Ukraine has adopted measures relating to fairness and involving all people and groups in society, including the 2030 Strategy for Promoting the Rights and Opportunities of Persons Belonging to the Roma National Minority and related action plan that need to be further implemented (European Commission, 2025[24]).

In response to the impacts of the war, the UPCHR has broadened its activities to include stronger focus on the rights of people affected by armed aggression and war-related violations. In May 2023, the Child Protection Centre was established within the UPCHR Secretariat to support children affected by war crimes, including through Barnahus-informed and trauma-sensitive interview approaches in child-friendly environments. The Centre supports reintegration and protection efforts for children returned to government-controlled territory or involved in criminal proceedings as victims or witnesses (Government of Ukraine, 2025[40]).

The UPCHR has also played a role in reviewing wartime legal measures affecting fundamental rights. For example, following concerns regarding compatibility between martial law detention provisions and constitutional guarantees relating to personal liberty, the UPCHR advocated for legislative adjustments. Subsequent amendments to the Criminal Procedure Code aligned detention procedures more closely with constitutional protections and judicial oversight requirements (International Legal System Consortium, 2023[49]). Yet broader challenges remain regarding compliance with European human rights standards and implementation of judgments of the ECtHR (European Commission, 2025[24]).[3]

6.3.5. ADR services

ADR mechanisms can support more accessible and flexible dispute resolution while reducing pressure on courts. In Ukraine, however, their use remains limited by uneven geographical coverage, fragmented infrastructure and low public awareness. Mediation is currently the most developed ADR mechanism, supported largely by CSOs, professional organisations and donor-funded initiatives. Recent reforms, including the 2021 Mediation Law and measures under the draft Strategy for the Development of the Justice System and Constitutional Justice for 2025-2029, indicate growing institutional support for mediation, online procedures and broader ADR development. At the same time, data collection, quality assurance and referral systems remain underdeveloped, limiting the ability to assess usage, outcomes and service gaps. Wartime conditions have also affected the availability and distribution of ADR services, although some organisations have adapted mediation and restorative justice initiatives to respond to evolving needs. Box 6.8 below provides examples of how OECD countries have implemented mandatory mediation for certain case types.

Box 6.8. Mandatory mediation in Italy and Australia

Italy

Italy introduced mandatory mediation in 2011. The Italian Bar Association initially voiced concerns, resulting in attorney strikes and refusals to participate in court proceedings. Despite the resistance, the Constitutional Court of Italy declared mandatory mediation constitutional. Today, mediation is possible for certain disputes, such as division of assets, trust and real estate disputes, landlord and tenant disputes and motor vehicle and maritime accidents.

Australia

In Australia, the Civil Dispute Resolution Act of 2011 requires that parties take genuine steps to resolve their dispute before commencing a court proceeding. Courts throughout Australia have the power to refer parties to mediation without their consent. When parties refuse to engage in mediation or fail to participate in good faith, the court can sanction them. According to the Civil Dispute Resolution Act the following elements are seen as genuine steps:

- notifying the other party of issues in dispute and offering to discuss them with a view to resolving the dispute
- providing relevant information and documents to the other party so that they can understand the issues involved and how the dispute might be resolved
- considering whether the dispute could be resolved by a process facilitated by another person, including an ADR process or attempting to negotiate with the other person, with a view to resolving some or all the issues in dispute.

Source: (ADRCenter, 2017[50]; Matteeucci, 2022[51]; Government of Australia, 2011[52]; The Barrister Group, 2024[53]; Attorney-General's Department, 2025[54]).

Further reforms are also planned to strengthen arbitration and data collection systems. The Strategy aims to improve the legal framework for arbitration courts and strengthen arbitration as a mechanism for resolving international economic disputes and protecting investments. As noted in Chapter 3, the Government of Ukraine is also considering mechanisms for systematic ADR data collection, including mandatory reporting by mediators on qualitative and quantitative aspects of their work. The Rule of Law Roadmap similarly envisages stronger data collection on ADR usage, including indicators relating to mediation activity and the number of mediators.

Several initiatives also seek to improve accessibility and expand ADR services for specific groups. The Public Union "Ukrainian Academy of Mediation" (UAM) is developing mediator training for users of Ukrainian Sign Language to support persons with hearing and speech impairments (Government of Ukraine, 2025[40]). CSOs and international organisations have also supported targeted mediation initiatives. In parallel, the CCLAP and the Probation Service have piloted restorative justice programmes for minors accused of criminal offences, with 145 agreements concluded between 9 September 2024 and 31 December 2025 (CCLAP, 2025[55]).

The war has nevertheless affected the availability and distribution of ADR services, as many mediators relocated abroad or to safer parts of Ukraine (Government of Ukraine, 2025[40]). In response, some organisations have adapted services to wartime needs. For example, the UAM's "Strength of Change" programme provides veterans with mediation training and access to extrajudicial dispute resolution, while partnerships with the MoJ support mediation in international child abduction cases. However, evidence on the long-term sustainability and impact of many of these initiatives remains limited.

Overall, limited public awareness and uneven trust continue to constrain ADR usage in Ukraine. Although the 2016 constitutional amendments opened the possibility for mandatory pre-trial dispute resolution in certain cases, mediation remains largely voluntary and underused (OECD, 2024[18]). Continued implementation of the 2021 Mediation Law, alongside the MoJ's draft mediation plan, could help strengthen ADR pathways through clearer registration systems, quality assurance procedures, stronger data collection and more visible referral mechanisms. Integrating ADR more fully into Ukraine's broader justice service map could also improve awareness of and access to non-court dispute resolution pathways.

6.3.6. Other local and targeted justice services

Community Justice Centres

Community Justice Centres (CJCs) are multidisciplinary community-based hubs that bring together lawyers, psychologists and community actors to provide accessible entry points to justice services. Operating in several oblasts of Ukraine, including areas with high concentrations of IDPs, veterans and individuals in vulnerable situations, CJCs aim to bridge gaps between communities and formal justice institutions. Some centres also use satellite offices and mobile outreach models to deliver services directly within affected communities. For example, the CJC in Odesa Oblast has adapted its activities to local needs through in situ service delivery and tailored support initiatives (Victim Support Europe, 2024[31]). By combining legal, psychosocial and community-oriented support, CJCs function as trusted one-stop entry points within the broader justice service continuum.

Several CJCs have also introduced targeted support for war-affected populations. The Kyiv Oblast CJC, for instance, has supported IDPs through training on participation in local governance, psychosocial support activities and mediation services, including in disputes involving displaced persons (LDN, 2024[56]). However, the instability of donor-funded programmes may affect the long-term sustainability and future development of some centres.

CJCs broadly align with OECD approaches promoting integrated and community-based access to justice services. However, they remain largely civil society-led initiatives and continue to rely heavily on donor

support and international funding (LDN, 2024[56]). Limited state involvement in financing, governance and institutional integration may contribute to uneven service coverage and sustainability challenges.

In addition, CJCs currently operate without unified standards, common information systems or harmonised service models, which can limit consistency, monitoring and scalability. Data on service users, case types and outcomes are not systematically collected or reviewed across centres. Reported caseloads vary significantly, with some CJCs reportedly addressing several thousand complaints annually while others report substantially lower volumes over multiple years. While CJCs demonstrate considerable potential to improve local access to justice and strengthen trust in institutions, their current scope remains relatively limited, including in areas such as criminal justice services and victim support (Victim Support Europe, 2024[31]).

More broadly, the absence of a co-ordinated national framework contributes to fragmented reporting and uneven data collection across centres and participating organisations. Expanding co-ordination with state institutions and integrating CJCs more closely into referral networks could help strengthen their role within Ukraine's justice service ecosystem, particularly for war-affected populations and people living in remote or frontline areas. Box 6.9 presents international examples of co-location and one-stop justice service models.

Box 6.9. Co-location and one-stop shop models for access to justice

Colombia

Colombia's Justice Houses (*Casas de Justicia)* provide a long-standing example of co-located justice services aimed at improving access for underserved communities. Established in 1995, these centres bring together a range of institutions in a single location, including prosecutors, public defenders, legal aid providers, social services and local authorities.

They operate as "multi-door" entry points, offering legal information, advice, dispute resolution and selected administrative and judicial services. The centres address a wide range of issues, including family disputes, domestic violence and minor criminal matters, and are particularly relevant for specific groups with vulnerabilities, such as IDPs.

A central feature of the model is its emphasis on accessibility. Services are generally free of charge, procedures are simplified and centres are located within communities with high levels of unmet legal needs. By integrating multiple providers in one place, the model reduces the need for users to navigate complex institutional pathways and supports more timely and appropriate responses to justice problems.

Malaysia

Malaysia's One-Stop Crisis Centres illustrate the use of co-location to provide integrated support to victims of violence. Developed in the mid-1990s within hospital settings, the model was designed to address gaps in co-ordination between health, police and social services.

The Centres are typically based in emergency departments and provide medical care alongside access to social support, police reporting and legal assistance. This arrangement enables victims of domestic and sexual violence to receive multiple forms of support in a single location, reducing delays and limiting the need for repeated referrals.

The model has been scaled nationally and embedded within the public health system. Its implementation has relied on co-operation between government agencies and CSOs, although challenges remain in ensuring consistent resourcing and co-ordination across locations.

Source: (Colombini et al., 2011[57]; OECD, 2011[58]; HiiL, 2021[59]).

Local administrative services

As part of Ukraine's decentralisation and public administration reform agenda, ASCs operate as one-stop public service hubs established by local self-government bodies to bring administrative services closer to people. ASCs provide a broad range of civil and administrative services, including document registration, social benefits and business-related services. As of the end of the second quarter of 2024, the ASC network reportedly included 4 585 units, with remote services accounting for the largest share of the network (67%), followed by permanent ASC facilities (29%). On average, ASCs currently provide between 200 and 400 administrative services (ALI et al., 2024[60]).

Accessibility and user satisfaction with ASCs appear relatively strong overall. User satisfaction with ASC services reached 94.7% as of November 2024, significantly exceeding the target established under the Strategy for Public Administration Reform in Ukraine (ALI et al., 2024[60]). National surveys also indicate improvements in perceptions regarding convenience and speed of service delivery. In 2025, the number of ASCs accessible to people with disabilities and reduced mobility reached 74% (European Commission, 2025[24]) At the same time, accessibility challenges remain, particularly in war-affected areas with the level of accessibility deteriorated in some de-occupied and affected communities due to damage to infrastructure and the use of temporary premises (ALI et al., 2024[60]).

The expansion of digital public services and interoperability has also become a central feature of ASC reform. The Government has prioritised increasing the number of electronic public services through the "Diia" ecosystem and improving interoperability through the Trembita system. As of the end of 2023, more than 130 electronic services were available through Diia, while over 20.5 million users had reportedly accessed the application by mid-2024 (ALI et al., 2024[60]). The Government also plans to strengthen access to the Electronic Court through ASCs, enabling citizens to participate remotely in hearings and submit or receive procedural documents through ASC facilities. At the same time, digital literacy remains a key objective to continue building the digital skills of the population. This reinforces the importance of maintaining accessible in-person and assisted service models through ASCs.

Despite progress, several structural and operational challenges continue to affect the ASC system. The integration of certain services into ASCs remains uneven, particularly in areas such as civil registry services, passport services, pension services and vehicle registration, partly due to institutional fragmentation, technical constraints and limited transfer of powers from central authorities. Financial sustainability also remains a challenge. Approximately 90% of ASCs' services are reportedly provided free of charge (ALI et al., 2024[60]), while the costs of maintaining centres are borne primarily by local budgets, which remain under significant pressure during wartime.

Given their extensive territorial coverage, strong public visibility and existing role as accessible first-entry points for citizens, ASCs could play a much greater role within Ukraine's broader justice service continuum. In practice, many legal and justice problems are closely connected to administrative needs, including documentation, social protection, displacement, housing and registration issues. Strengthening links between ASCs and legal aid providers, courts, mediation services, CJCs and other justice actors could therefore help create more integrated and people-centred pathways to justice. This could include stronger referral mechanisms, co-located services, legal information provision and digital connections to justice institutions.

The Government of Ukraine has already begun moving in this direction by planning investments to expand access to the Electronic Court through ASCs. This would allow individuals to participate remotely in hearings, submit procedural documents and receive court-related information through local ASC facilities. Further integration of justice services into the network of ASCs could help improve accessibility, particularly for people in rural, remote, frontline and war-affected communities.

6.4. Empowering people to navigate the justice system

Justice services, particularly formal justice services, can be complex, intimidating and difficult for individuals to navigate. Ensuring a people-centred justice system requires a multifaceted approach to empower individuals and remove barriers to access related to legal illiteracy, lack of awareness of justice services and pathways, and limited access to understandable information (OECD, 2021[1]). The OECD Recommendation stresses that user empowerment and legal capability are central to a fair and accessible justice system, equipping people with the knowledge and tools to assert their rights and engage effectively with justice services.

6.4.1. Legal awareness and outreach

Across multiple assessments, limited public awareness of legal rights, available remedies and justice services emerges as a recurring barrier to access to justice in Ukraine. Many people rely on informal networks or online sources for legal information, which may not always provide reliable or comprehensive guidance. Surveys have shown that significant portions of the population either do not seek assistance when facing legal problems or do not recognise their problems as requiring legal intervention (KhISR, 2011[2]; HiiL, 2016[3]; WJP, 2018[4]). This reflects broader challenges relating to legal literacy, trust in institutions and awareness of available justice pathways. These barriers can be particularly acute for people living in remote or frontline areas, including for Roma communities (OSCE/ODIHR, 2024[61]; OECD, 2026[44]).

Strengthening public legal awareness and legal empowerment is therefore an important element of a people-centred justice system. When people understand their rights and know where to seek help, they are better able to prevent disputes, identify legal problems early and access appropriate remedies (ALI, 2025[62]). Ukraine has introduced a range of initiatives to improve legal awareness, including through the MoJ, the CCLAP, the judiciary, the UPCHR and ADR institutions (Box 6.10), alongside targeted state strategies[4] addressing the needs of IDPs, veterans, youth, Roma communities and other groups facing vulnerabilities. Recent efforts have included legal awareness campaigns, legal education initiatives, digital legal information platforms and outreach activities linked to wartime needs and displacement (Government of Ukraine, 2025[40]).

Box 6.10. Strategies implemented by Ukrainian institutions to enhance public awareness

Supreme Court:

- educational visits and workshops for schoolchildren on the justice system and legal professions
- publication of legal opinions and public legal information through the SC's website and social media
- public lectures, conferences and outreach events on rights and access to justice
- targeted materials and training for groups with vulnerabilities, including IDPs, children and veterans
- transparency measures, including publication of court decisions.

Office of the Prosecutor General

- public legal information through hotlines and awareness activities
- educational programmes for children on rights and legal protection mechanisms

- Community Prosecutor Project promoting co-operation with local authorities and public awareness on security, rights and access to justice (pilot ended in December 2024)
- creation and placement of materials for the public: brochures, booklets, videos
- public involvement: conducting educational events, trainings, activities of various working groups, involving NGOs in the implementation of certain tasks and projects, in particular, the referral mechanism of the victim and witness support system introduced on the basis of the VWCC of the OPG.

Ukrainian Parliament Commissioner for Human Rights:

- public awareness campaigns through brochures, videos, legal updates and social media
- training, seminars and conferences on human rights protection
- multi-channel complaint and support mechanisms, including hotlines, online communication and in-person assistance
- regular publication of reports and thematic legal information materials.

Co-ordination Centre for Legal Aid Provision

- outreach and legal awareness activities targeting groups with vulnerabilities
- development of WikiLegalAid, an online legal information platform
- awareness raising on ADR through legal aid services and educational activities.

Ukrainian Academy of Mediation

- public information materials and awareness campaigns on mediation and ADR
- Mediation-Help Platform facilitating access to mediators
- educational tools for children and youth on mediation
- mediation services and awareness activities in courts and universities.

The International Commercial Arbitration Court and Maritime Arbitration Commission at the Ukrainian Chamber of Commerce and Industry have organised regional awareness events promoting arbitration and mediation among businesses and legal professionals.

The CMU has also adopted several implementation plans and strategies aimed at strengthening awareness and protection of rights among specific groups, including plans relating to veteran policy, Roma rights and human rights protection. As of April 2026, work is ongoing on a new National Human Rights Strategy.

Source: (VRU, 2021[63]; 2023[64]; 2024[65]; OECD, 2025[30]; Government of Ukraine, 2025[40]; International Renaissance Foundation, 2026[66]; VRU, 2026[67]).

Ukraine has also developed several online platforms designed to centralise legal information and support access to services. These include Dovidka.info, which provides fact-checked guidance on legal and emergency issues, and the Survivors Relief Platform, which helps war-affected people access legal, psychosocial and social support. The WikiLegalAid platform (Box 6.11) developed by the CCLAP has become a widely used source of legal information and guidance, recording significant growth in usage both within Ukraine and among displaced Ukrainians abroad (Government of Ukraine, 2025[40]). These initiatives demonstrate the growing role of digital tools in supporting legal empowerment and expanding access to information.

Box 6.11. The WikiLegalAid Platform: a step towards enhanced legal awareness in Ukraine

WikiLegalAid is an online platform created by the CCLAP to improve legal awareness and provide accessible legal information to Ukrainians. The platform offers free access to legal consultations, current legislation, court decisions and sample legal forms. It provides a centralised source of legal information, aiming to support individuals in understanding legal issues and accessing relevant resources. The platform serves a broad audience, including legal professionals, students, human rights advocates and individuals seeking legal guidance.

WikiLegalAid operates on a model similar to Wikipedia, where a team of legal professionals, including lawyers from Ukraine's free legal aid system, develops and updates the content. The platform is continuously revised to reflect legislative changes and judicial practices, ensuring the accuracy and relevance of the information provided.

Main features include:

- organised structure: legal topics are systematically categorised for ease of access
- regular updates: legal consultations and documents are kept current with changes in the law
- comprehensive coverage: users can access explanations of legal issues and related topics
- accessibility: the platform is available online without registration or data submission
- general usability: content is designed to be understandable for legal professionals and the general public
- cost-free access: all consultations and resources on the platform are available at no charge
- barrier-free access to legal information for national minorities: legal materials being prepared in Crimean Tatar.

Source: (CCLAP, 2025[68]; OECD, 2025[30]; Government of Ukraine, 2025[40]).

At the same time, legal awareness efforts in Ukraine remain fragmented and unevenly co-ordinated across institutions and service providers. While targeted initiatives exist for specific groups, Ukraine does not yet have a unified national strategy for public legal awareness and legal empowerment. A more integrated approach could help strengthen co-ordination among institutions, improve consistency of messaging and better connect people to appropriate entry points, referral pathways and justice services. In particular, stronger outreach and tailored communication strategies may be needed for war-affected populations, displaced persons and groups facing heightened vulnerabilities.

Improving legal literacy also requires linking awareness efforts more closely to people's actual legal and justice needs. Legal needs assessments can help identify which groups require information, what kinds of support are needed and which communication channels are most effective. In this regard, Ukraine's assessments of war victims and displaced populations provide useful examples of how legal awareness and service design can be informed by people's lived experiences and legal pathways. Strengthening triage and referral systems consistent with a "no wrong door" approach could further support navigation across justice institutions and services. OECD country practices, such as the Netherlands' *Juridisch Loket and online Rechtwijzer* platform, illustrate how integrated legal information, guidance and referral systems can support early problem resolution and improve access to justice (OECD, 2021[1]).

Box 6.12. People-centred approach to delivering legal information to war victims

Information provision is a key and uncontroversial right of victims, playing an important role in their recovery. Providing information helps prevent secondary victimisation, supports improved access to justice and other services and encourages victims' participation in proceedings, leading to better outcomes. Victims' right to information is emphasised throughout the EU Victims' Rights Directive, which guarantees access to essential details starting at first contact with authorities. This includes information on available support services, protection mechanisms, compensation options and ongoing communication with the justice system. Moreover, victims have the right to be informed about the progress of criminal proceedings, except when disclosure could compromise the investigation.

Generally, citizens learn about services for war victims from several sources. The most popular source of information is the internet. In Ukraine, several resources provide information for victims of war crimes. The Dovidka.info website, a government-run platform, offers fact-checked, easily accessible information on emergency situations, psychological support services and survival guidance. It is widely recognised and promoted through national television. Similarly, The Survivors Relief Platform, launched by the Ukrainian government and the United Nations Population Fund, provides centralised access to psychological, legal and social assistance. The platform offers information to help people understand and address the consequences of violence, ensuring verified, confidential and free services for all Ukrainians, including those abroad.

Despite the availability of these online resources, accessing information remains a challenge. Many victims may not know where to look, struggle with overwhelming amounts of information, or lack internet access. Moreover, direct, personalised support – such as in-person assistance, helplines, email services or live chats – is limited or non-existent, except for the few services provided by CSOs. This gap is particularly substantial for victims who choose not to pursue criminal proceedings but still require guidance on their rights and options. In many cases, victims receive only a basic informational leaflet, which is often insufficient for understanding their legal situation.

Moreover, obtaining updates on the status of criminal proceedings is reportedly difficult, with victims facing significant barriers in accessing information from authorities. These challenges highlight the need for improved direct communication channels, expanded outreach efforts and more comprehensive, accessible legal information for victims of war crimes in Ukraine.

Source: (European Union, 2012[69]; Victim Support Europe, 2024[31]).

6.5. Recommendations

In view of the assessment, Ukraine may wish to consider the following recommendations:

1. Enhance people-centred purpose and culture in the justice system. This could include:

Key recommendation

- **Embedding a people-centred purpose explicitly in the justice sector strategy and legislation**, while using 'access to justice' as a consistent reference point for planning, designing and implementing justice services

Supporting recommendation

- **Strengthening a public service approach to delivering justice services** by aligning leadership commitments, training and professional standards, as well as performance indicators and appraisal criteria with fairness, responsiveness and dignity for justice users.

2. Strengthen the design and delivery of accessible and responsive legal and justice services. This could include:

Key recommendations

- **Undertaking periodic legal needs and trust surveys**, building on existing evidence, to better capture people's legal needs, justice problems, pathways and experiences, and to inform the design of appropriate justice services
- **Mapping legal and justice services**, moving beyond judicial and prosecution maps to develop a national 'justice services map' covering courts, ADR, CJCs, legal aid, notaries, enforcement and specialised victim and transitional justice services and mechanisms
- **Developing a territorial planning approach for justice services** by assessing **supply and demand for justice services**, and aligning judicial remapping, legal aid, ADR, digital services, prosecution services and community-based support mechanisms with evolving legal needs, displacement patterns and accessibility gaps across regions, particularly in underserved areas and regions affected by the war
- **Strengthening integrated referral pathways and interoperability** across justice, legal aid, social, health and community-based services, including through common protocols, co-ordination mechanisms and user-centred service navigation approaches
- **Improving accessibility and uptake of ADR mechanisms, including mediation, as part of broader people-centred justice pathways** by actively promoting awareness of ADR among the public, strengthening the implementation of the Mediation Law with more coherent national co-ordination, quality assurance and data collection mechanisms
- **Reducing cost barriers by reviewing court fees for minor claims and simplifying eligibility for secondary legal aid**

Supporting recommendations

- **Clarifying and strengthening the role of CJCs as main local entry points for justice services**, responsible for gathering information, handling early triage and referral and assigning specialised pathways for victims and witnesses to the Victims and Witnesses' Coordination Centre (VWCC), and more sustainable financing arrangements
- **Strengthening governance and co-ordination across the broader justice service ecosystem,** including clearer institutional responsibilities and stronger co-operation between justice institutions,

local authorities, partnerships with CSOs relating to referrals, outreach, joint training and quality assurance, and international partners

- **Expanding accessible, secure and user-friendly digital justice services**, including legal aid and small claims assistance through e-kiosks, online platforms and applications such as Diia, while addressing risks for those without access to digital tools and accessibility barriers impacting populations directly affected by the war and individuals in vulnerable situations
- **Strengthening the quality, independence and territorial coverage of the legal profession**, including defence lawyers, minimum quality standards linked to legal aid contracting, continuous professional development on war-related claims and incentives to serve within remote areas and regions directly affected by the war
- **Ensuring the effective implementation of the National Strategy for Protecting Children's Rights in the Justice System until 2028** by strengthening inter-institutional co-ordination, clarifying roles and responsibilities across justice and child protection actors, ensuring sustainable financing and embedding monitoring and evaluation mechanisms to track outcomes for children
- **Strengthening the protection of fundamental rights** through simplified procedures, clearer guidance and considering reforms to the constitutional complaint mechanism to allow challenges to alleged violations of rights beyond those arising solely from judicial decisions
- **Reviewing civil, administrative and criminal procedural legislation from a people-centred perspective**, with a view to simplifying procedures, strengthening safeguards for people in vulnerable situations and ensuring that digital and remote processes improve access to justice
- **Strengthening co-ordination between ordinary justice services, victim-support mechanisms and transitional justice**-related processes to support coherent pathways for people directly affected by the war
- **Assessing the long-term sustainability and scalability of wartime justice innovations**, including digital tools, outreach services, specialised victim support mechanisms, trauma-informed approaches and community-based justice initiatives introduced during the war.

3. Continue empowering people and communities to participate in justice design and delivery. This could include:

Key recommendations

- **Implementing targeted public communication and outreach on available justice pathways and services** by tailoring information to different populations and circumstances – with emphasis on legal aid and ADR, constitutional justice and victim support mechanisms – while clearly identifying entry, referral pathways and available support services
- **Strengthening the participation of CSOs in policymaking and law-making** by supporting the co-design of legal and justice services between service providers and users, drawing on people's needs and lived experiences

Supporting recommendation

- **Building further legal awareness and literacy** through unified education platforms, community outreach, helplines, legal aid clinics and targeted mobile outreach for individuals and groups facing barriers related to displacement, lack of access to digital tools or limited trust in institutions.

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Notes

[1] According to 2022-2024 European Commission for the Efficiency of Justice (CEPEJ) data, this rate is significantly higher than neighbouring country Poland (1.0) and Eastern Partnership countries: Moldova (0.6), Georgia (0.7), Azerbaijan (1.08) and Armenia (0.47) (CEPEJ, 2024[34]; CEPEJ, 2025[70]).

[2] In 2025, interregional centres processed 225 requests for legal assistance concerning children and 217 cases related to participation in restorative justice programmes involving minors. That same year, 287 minors reportedly participated in restorative mediation processes (CCLAP, 2026[45]).

[3] As of August 2025, a significant number of Ukrainian cases remained under enhanced supervision by the Committee of Ministers of the Council of Europe, including cases concerning unlawful arrests, excessive pre-trial detention, ill-treatment, poor detention conditions and excessive length of proceedings. These issues point to continuing structural challenges affecting the judiciary, law enforcement and protection of fundamental rights.

[4] Key policies implemented in recent years include: National Human Rights Strategy (approved by the decree of the President of Ukraine of 24.03.2021 No. 119/2021), aiming to increase awareness of rights through information campaigns and targeted manuals, especially among groups with vulnerabilities; State Targeted Social Program "Youth of Ukraine" (2021-2025) (approved by CMU Order No. 579 of 2021) and State Targeted Social Program (“Youth of Ukraine”) (2026-2030) (approved by the order of the CMU of 02.01.2026 No. 20), which focus on educating young people about legal rights; Internal Displacement Strategy (2023-2025) (approved by the order of the CMU of 07.04.2023 No. 312-r), which provides legal awareness for IDPs on housing, social benefits and legal aid; Veteran Policy Strategy (2024-2030) (approved by the order of the CMU of 29.11.2024 No. 1209-r), which ensures veterans are informed about legal support and benefits; and Roma Rights Strategy (2021-2030) (approved by the order of the CMU of 28.07.2021 No. 866-r), which focuses on increasing legal access for Roma communities.

OECD Justice Review of Ukraine

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